



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: January 11, 2018

To: Humboldt County Planning Commission

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

Subject: **Humboldt Redwood Healing Conditional Use Permit and Special Permit**
Application Number 10300
Case Numbers CUP16-457 and SP-17-178
Assessor's Parcel Number (APN): 211-383-022
1475 Cathey Road, Miranda area

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Please contact Michelle Nielsen, Senior Planner, at 707-268-3708 or by email at mnielsen@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date January 11, 2018	Subject Conditional Use Permit and Special Permit	Contact Michelle Nielsen
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Project Description: A Conditional Use Permit (CUP) and a Special Permit (SP) for an existing commercial medical cannabis cultivation operation known as Humboldt Redwood Healing. The CUP is for 13,134 square feet (SF) of existing outdoor cultivation, and the SP is for 5,542 SF of existing mixed-light cultivation. The total cultivation area altogether is 18,676 square feet (SF) on a 45.3-acre parcel. The applicant is proposing to consolidate multiple existing grow sites into two central locations. The source of irrigation water is four permitted groundwater wells on the site. Total water usage is approximately 195,500 gallons per year. Water is stored in eight existing 2,500-gallon tanks, and the applicant plans to install eight additional 2,500-gallon tanks in the future, for a total of 40,000 gallons of water storage on the site. Processing and drying of cannabis takes place in a permitted 1,800 square foot barn. The operation has up to 10 employees working at a time: two full time and eight seasonal workers. Power for the cannabis cultivation activities is supplied by a generator. The applicant has enrolled with the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program as a Tier 2 discharger (WDID#1B16240CHUM).

Project Location: The project site is located in Humboldt County, in the Miranda area, on the east side of Cathey Road, approximately one mile north of State Highway 254, on the property known to be in the southwest 1/4 of the southeast 1/4 Section 22 of Township 02 South, Range 03 East, Humboldt Base & Meridian.

Present Plan Land Use Designations: Timberland (T) General Plan, Density: 160 to 20 acres per dwelling unit, Slope Stability: Moderate Instability (2)

Present Zoning: Timberland Production (TPZ)

Application Number: 10300

Case Numbers: CUP16-457 and SP-17-178

Assessor Parcel Number: 211-383-022

Applicant	Owner	Agent
Humboldt Redwood Healing Thomas Mulder 340 Riverview Road Benbow, CA 95542	Thomas Mulder PO Box 1473 Redway, CA 95560	None

Environmental Review: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per class 15301- Existing Facilities and class 15303 - New Construction or Conversion of Small Structures.

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

Major Issues: None

HUMBOLDT REDWOOD HEALING, MBC
Case Numbers CUP16-457 and SP-17-178
Assessor's Parcel Number 211-383-022

Recommended Commission Action

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

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

Executive Summary: Humboldt Redwood Healing seeks approval of a Conditional Use Permit and Special Permit in compliance with the County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) for an existing outdoor and mixed-light commercial medical cannabis cultivation operation located on Assessor's Parcel Number (APN) 211-383-022, which is approximately 45.3 acres in size. The operation consists of 13,134 SF of outdoor cultivation and 5,542 SF of mixed-light cultivation that takes place in four existing greenhouses. There is an existing 850 square foot residence on the property.

County Planning staff verified the existing cultivation area on the property based on review of aerial imagery, the Timberland Resources Consultants map dated 12/8/2016 and the Declaration of Chris Carroll, president of Timberland Resource Consultants, dated 12/13/2016. The historic configuration of cultivation areas on the property included four greenhouses of various sizes, three small outdoor grow areas located in different areas near the periphery of the property and a larger, central outdoor grow area located near the greenhouses. For the proposed project, two existing greenhouses would be demolished and two new ones would be constructed in the same area of the property, maintaining the same total area of mixed light cultivation (5,542 square feet). The small, peripheral outdoor grow areas would be decommissioned and relocated to two central areas, one adjacent to the greenhouses near the center of the property and another on an existing graded flat in the southwestern portion of the property, maintaining the same total area of outdoor cultivation (13,134 square feet). The relocation of the outdoor grow sites places these areas at a greater distance from streams and property lines, and results in better efficiency for the cultivation operation.

Other facilities located on the property that are related to the cannabis cultivation include three small sheds for storage of fuel, fertilizer and equipment and an additional shed for the electrical generator, and a barn with a concrete slab floor that is used for processing and drying cannabis plants. All cultivation and processing areas are located more than 300 feet from property lines. There are no schools, school bus stops, places of worship, public parks or tribal cultural resources within 600 feet of the cultivation areas.

Irrigation water for cultivation activities is supplied by four groundwater wells. The original application materials included references to four wells. The County Division of Environmental Health (DEH) reviewed the application materials and requested verification that all four wells are permitted, since DEH had only a single well permit on file for the property. The applicant was able to locate and supply a permit for one of the three remaining wells; no permit records could

be found for the other two wells, and DEH determined that it was not possible to permit them. The applicant therefore obtained permits to destroy the two unpermitted wells, and to drill two additional new ones. As a result, there are now four permitted wells on the property. The well logs for the new wells have been review by Department of Fish and Wildlife and have been determined to not be hydrologically connected to surface water.

Based on the applicant's monitoring of water usage in 2016, the estimated annual water demand for irrigation is 195,500 gallons. Water is pumped from the wells as needed and stored in tanks. There are currently eight 2,500-gallon tanks on the property, with another 6,400 gallons of storage added in April 2017, giving a total storage of 27,000 gallons at this time. The owner/applicant plans to increase water storage capacity in the future by installing eight additional 2,500-gallon tanks, which would bring the total water storage on the site to 40,000 gallons.

The applicant has advised staff that he working on bringing PG&E power to the site. The necessary easement for the extension of service is already in place. According to the applicant's email of December 2017, the estimated completion for PG&E installation is April 2017, weather permitting. Once installed, PG&E power will be the primary power source for the operations, with generator being discontinued.

The cannabis cultivation operation has two full-time employees, three seasonal maintenance workers (March through November), and up to five seasonal workers for harvesting and processing (July-November). Security measures for the property include fences, gates, and surveillance cameras.

The applicant has enrolled with the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program as a Tier 2 discharger (WDID#1B16240CHUM), which requires a Water Resources Protection Plan (WRPP) to protect water quality from cannabis cultivation and related activities. Timberland Resource Consultants prepared a WRPP on behalf of the applicant in January 2016, which identified a number of sites on the property where conditions should be monitored to determine if remediation work is needed to protect the Class III streams that run through the site. In October 2017 the applicant entered into a Lake or Streambed Alteration Agreement (LSAA) with the California Department of Fish and Wildlife (CDFW) for minor remediation work at four of these identified sites, including replacement of two culverts with larger diameter culverts, and installation of rock ford and a rock armored channel to correct erosion.

The property was the subject of a Joint Timber Management Plan (JTMP) prepared by Timberland Resource Consultants (TRC) in 2006 for what was referred to as a 115-acre parcel (APN: 211-383-014), owned by Ray Roeder. The plan provided for the property to be managed as three separate parcels, one 35 acres and the other two 40 acres each in size. The owner later applied for a Determination of Legal Status, in which the parcel deed history was reviewed against State and County subdivision regulations in effect at the time to determine when and how the parcel was created in its current configuration. The outcome of this determination was that the subject property for the Conditional Use Permit and Special Permit for cannabis cultivation (APN 211-383-022) along with the two parcels to the east and west (211-383-021 and 211-383-023 respectively) are all separate, legal parcels. The existing JTMP applies to all three of these parcels. County Planning Department staff requested that the applicant and property owner submit an evaluation of whether the proposed cannabis cultivation would negatively impact timber management as established through the 2006 Roeder JTMP. TRC conducted this evaluation, looking at possible impacts on timber harvest, future yields, and site conditions related to roads, soil conservation, water quality, wildlife, and other elements. TRC and

produced a report which concludes that the cannabis cultivation does not conflict with the JTMP or negatively impact forest health or future harvest operations.

The property is zoned Timberland Production Zone (TPZ), and therefore any conversion of timberland areas to cannabis cultivation must be approved by the California Department of Forestry and Fire Protection (CALFIRE). The evaluation by Chris Carroll of the cannabis operation's potential effects on the 2006 JTMP for the property notes that the existing cultivation area makes use of existing log landings, and are therefore already approved by CALFIRE for conversion of timberland. For this reason, a Less Than 3 Acre Conversion Exemption is not required for this project.

The access road Cathey Road, a County road, traverses through Humboldt Redwoods State Park property. In their review of the project the California States Parks recommended that the applicant form a road maintenance association to assist with the maintenance of the road. The Department of Public Works reviewed the State Park's recommendation and advised Planning staff that the State's recommendation is infeasible to implement [personal communication, December 29, 2017].

Environmental review was conducted for this project, and based on the results of that analysis, staff has determined the existing cultivation and processing aspects of the Project can be considered "Existing Facilities" as defined by Section 15301 of the California Environmental Quality Act (CEQA) Guidelines; and the proposed construction of two new greenhouses to replace two of the existing greenhouses can be considered "New Construction or Conversion of Small Structures" as defined by Section 15303 of the CEQA Guidelines.

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

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

The Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As Lead Agency, the Department has determined that the Project is Categorically Exempt under Class 15301 and Class 15303. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

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

**Case Numbers CUP16-457 and SP-17-178
Assessor Parcel Numbers: 211-383-022**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Humboldt Redwood Healing Conditional Use Permit and Special Permit request.

WHEREAS, Humboldt Redwood Healing submitted an application and evidence in support of approving a Conditional Use Permit and Special Permit to permit an existing 18,676 square foot cannabis cultivation operation, consisting of 13,134 SF of outdoor cultivation and 5,542 SF of mixed-light cultivation, on a 45.3-acre parcel (APN 211-383-022); and

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

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

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit and Special Permit (Case Numbers CUP16-457 and SP17-178); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on January 11, 2018.

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

1. The project is categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) and Class 3, Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines; and
2. The findings in Attachment 2 of the Planning Commission staff report for Case Number CUP16-457 support approval of the project based on the submitted substantial evidence; and
3. Conditional Use Permit CUP16-457 and Special Permit SP-17-178 is approved as recommended and conditioned in Attachment 1 for Case Numbers CUP16-457 and SP-17-178.

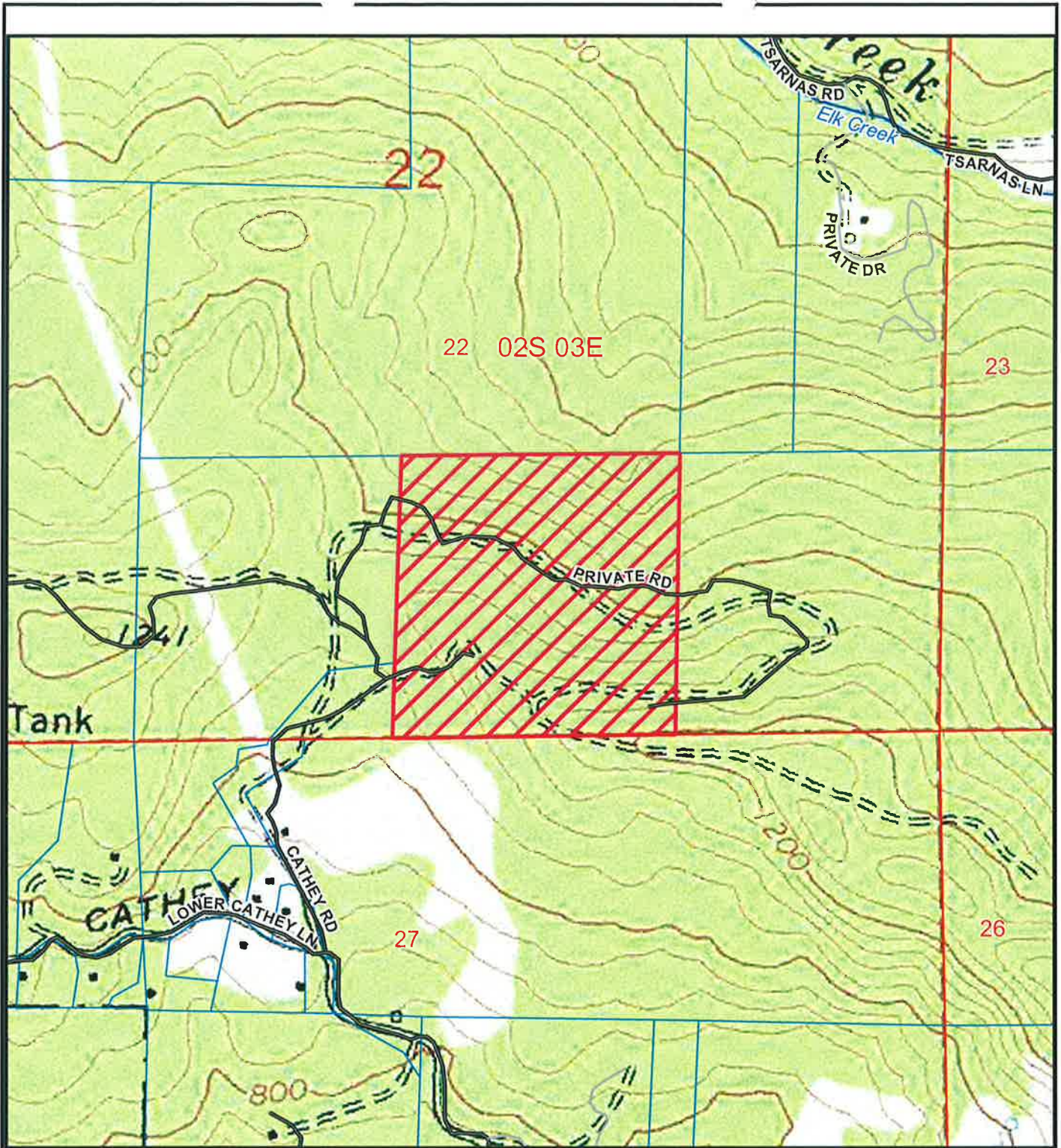
Adopted after review and consideration of all the evidence on January 18, 2018.

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

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:
DECISION: Motion carries

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

John Ford
Director, Planning and Building Department



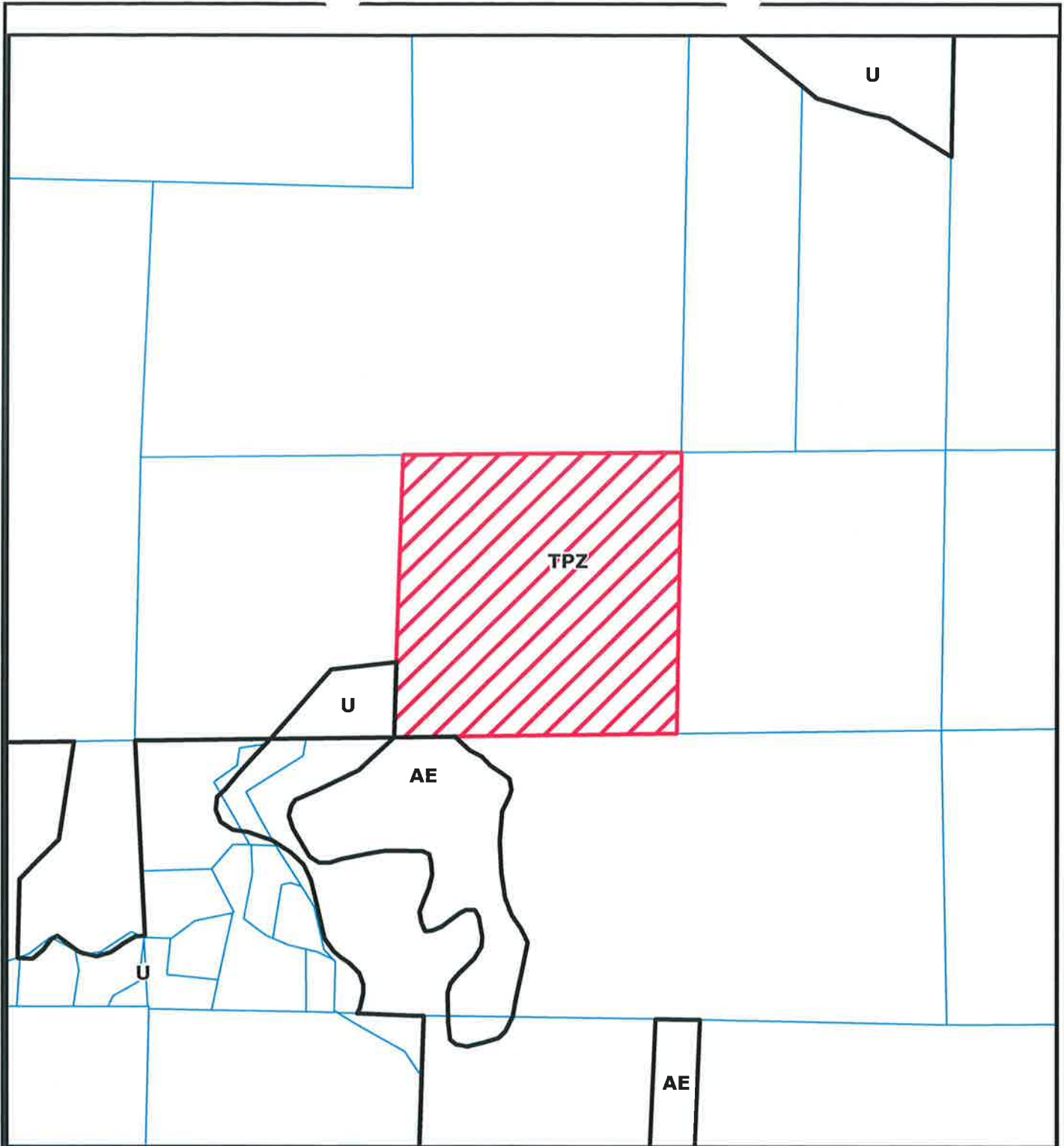
TOPO MAP
PROPOSED HUMBOLDT REDWOOD HEALING
MYERS FLAT AREA
CUP-16-457
APN: 211-383-022-000
T02S R03E S22 HB&M (MYERS FLAT)

Project Area = 



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



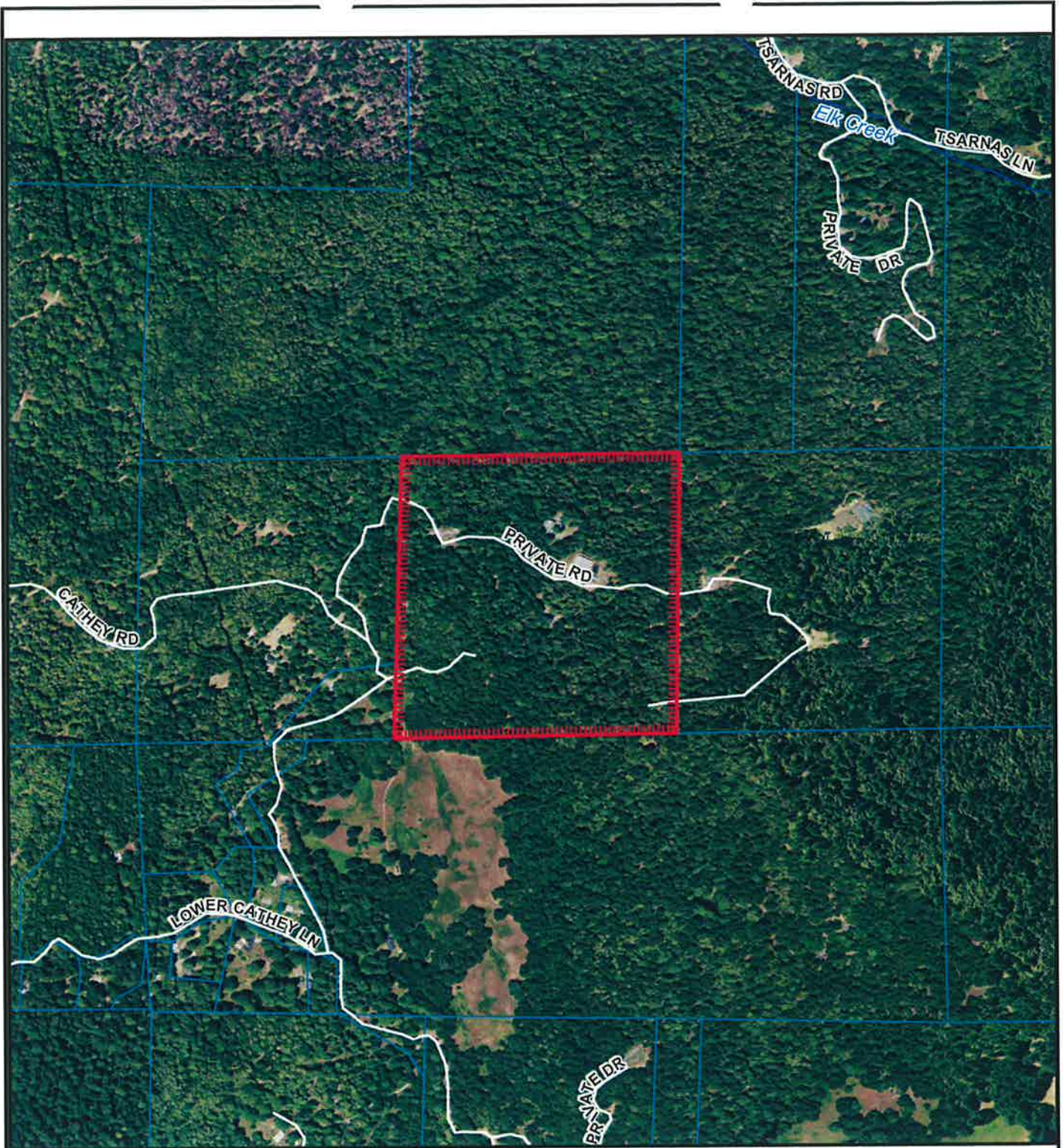


ZONING MAP
PROPOSED HUMBOLDT REDWOOD HEALING
MYERS FLAT AREA
CUP-16-457
APN: 211-383-022-000
T02S R03E S22 HB&M (MYERS FLAT)

Project Area = 

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





AERIAL MAP
PROPOSED HUMBOLDT REDWOOD HEALING
MYERS FLAT AREA
CUP-16-457
APN: 211-383-022-000
T02S R03E S22 HB&M (MYERS FLAT)

Project Area = 

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





- DIRECTIONS TO SITE:**
- FROM EUREKA, CA
 - HEAD SOUTH ON US-101
 - (APPROX. 49.5 MI)
 - TAKE EXIT 656 FOR CA-254 TOWARD MYERS FLAT
 - TURN LEFT ONTO CA-254S
 - (APPROX. 4.8 MI)
 - TURN LEFT ONTO CATHEY RD.
 - (APPROX. 1.3 MI)
 - TURN RIGHT



HUMBOLDT REDWOOD HEALING
CONDITIONAL USE PERMIT APPLICATION
MIRANDA, CA 95553
 APN: 211-383-022

PROJECT INFORMATION:

APPLICANT: HUMBOLDT REDWOOD HEALING
 340 RIVERVIEW ROAD
 BENBOW, CA 95542

PROPERTY OWNER: THOMAS MULDER
 340 RIVERVIEW ROAD
 BENBOW, CA 95542

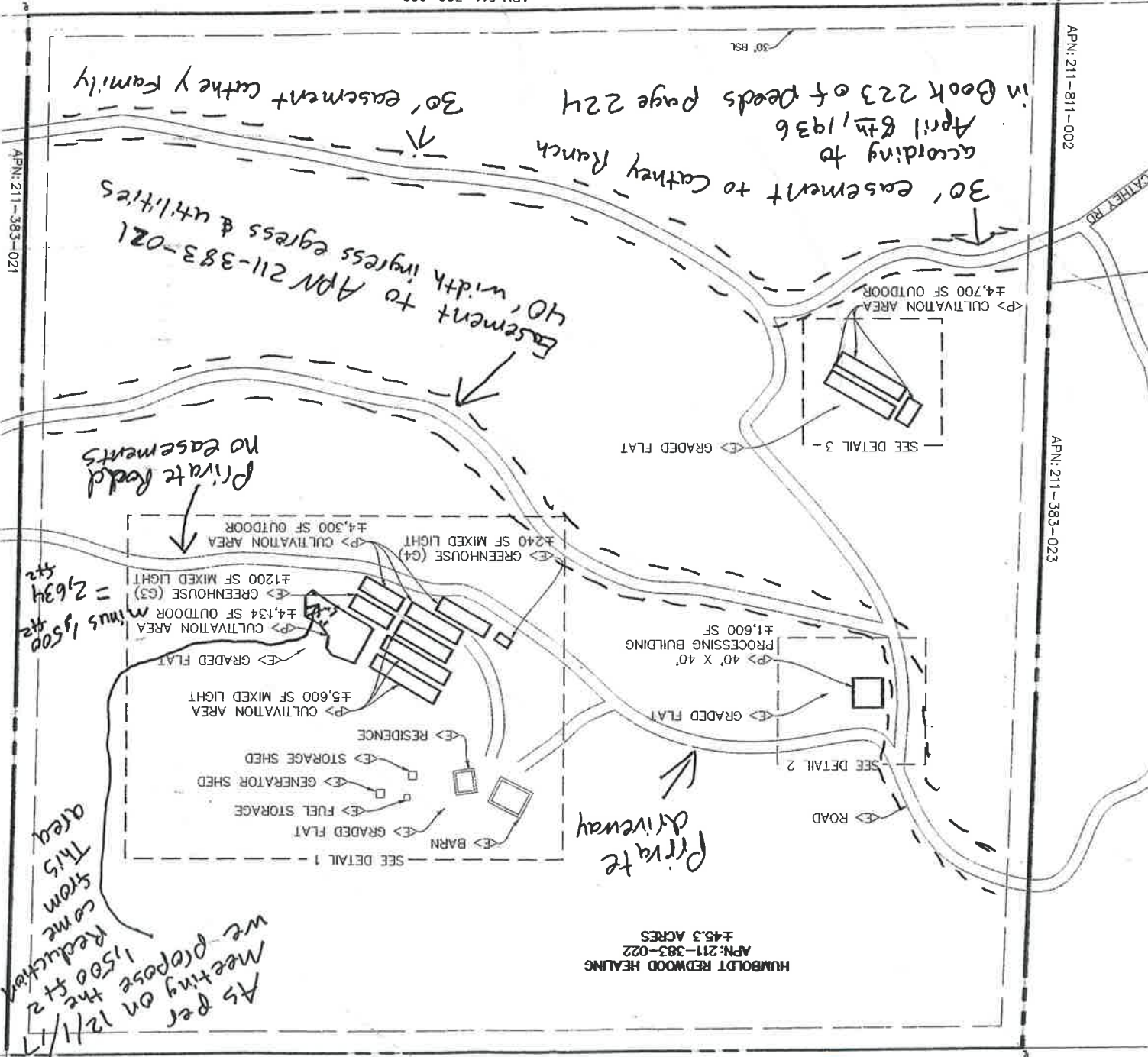
OWNERS AGENT: MANHARD CONSULTING
 611 7th STREET, SUITE A
 EUREKA, CA 95501
 (707) 444-3800

SITE ADDRESS: MIRANDA, CA 95553
 APN: 211-383-022 - 1475 Cathey Rd

PROJECT DESCRIPTION:

HUMBOLDT REDWOOD HEALING IS PROPOSING TO PERMIT EXISTING MEDICAL CANNABIS CULTIVATION ACTIVITIES IN ACCORDANCE WITH THE COUNTY OF HUMBOLDT (COUNTY) COMMERCIAL MEDICAL MARIJUANA LAND USE ORDINANCE (COMM-LUO), ORDINANCE NO. 2554. THE EXISTING OPERATION INCLUDES APPROXIMATELY 20,176 SQUARE FEET (SF) OF MEDICAL CANNABIS CULTIVATION AREA WHICH INCLUDES 13,134 SF OF OUTDOOR CULTIVATION AND 7,040 SF OF MIXED LIGHT CULTIVATION. THE CLIENT IS PROPOSING TO CONSOLIDATE MULTIPLE EXISTING GROW SITES INTO TWO CENTRAL LOCATIONS. THE PROJECT PROPOSAL INCLUDES THE DEVELOPMENT OF FACILITIES APPURTENANT TO THE CULTIVATION, INCLUDING GREENHOUSES, FACILITIES FOR DRYING, CURING, GRADING AND TRIMMING OF MEDICAL CANNABIS, WATER DIVERSION WORKS AND APPROPRIATE WATER STORAGE.

- GENERAL NOTES:**
- DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
 - THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA. MANHARD CONSULTING LTD. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
 - THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE PROPOSED CULTIVATION AREA.
 - THERE ARE NO RESIDENCES ON ADJOINING PARCELS WITHIN 300 FEET OF THE PROPOSED CULTIVATION AREAS.
 - ANY EXISTING DEVELOPMENT CONSTRUCTED WITHOUT THE BENEFIT OF COUNTY REVIEW WILL BE SUBJECT TO THE HUMBOLDT COUNTY BUILDING DEPARTMENT UPON APPROVAL OF THE CONDITIONAL USE PERMIT.



TPZ	SRA	FRONT	SIDE	REAR
TPZ	SRA	20'	30'	30'

MAX. BLDG. HT. = NONE SPECIFIED

SRA AREA: YES = YES, NO = NO

IN COASTAL ZONE: YES = YES, NO = NO

IN 100 YR FLOOD ZONE: YES = YES, NO = NO

ZONING:
 = TPZ (TIMBER PRODUCTION ZONE)
 GENERAL PLAN DESIGNATION = T (FRWK)

PARCEL SIZE:
 = ±45.3 ACRES

WATER:
 = PRIVATE

SEWER:
 = PRIVATE

EARTHWORK QUANTITIES:
 = TBD

EXISTING SQUARE FOOTAGE AS DOCUMENTED BY OWNER:
 EXISTING MIXED LIGHT CULTIVATION AREA = 7,042 SQ. FT.
 EXISTING OUTDOOR CULTIVATION AREA = 13,134 SQ. FT.
 EXISTING TOTAL CULTIVATION AREA = 20,176 SQ. FT.

PROPOSED MIXED LIGHT CULTIVATION AREA = 7,040 SQ. FT.
PROPOSED OUTDOOR CULTIVATION AREA = 13,134 SQ. FT.
PROPOSED TOTAL CULTIVATION AREA = 20,174 SQ. FT.

BUILDING SETBACKS:

ZONING: TPZ (TIMBER PRODUCTION ZONE)
 GENERAL PLAN DESIGNATION = T (FRWK)

HUMBOLDT REDWOOD HEALING CUP APPLICATION
 MIRANDA, CA 95553/APN:211-383-022

ZONING PLOT PLAN, VICINITY MAP, & PROJECT NOTES

SHEET C0

SCALE: AS SHOWN

DATE: 12/12/16

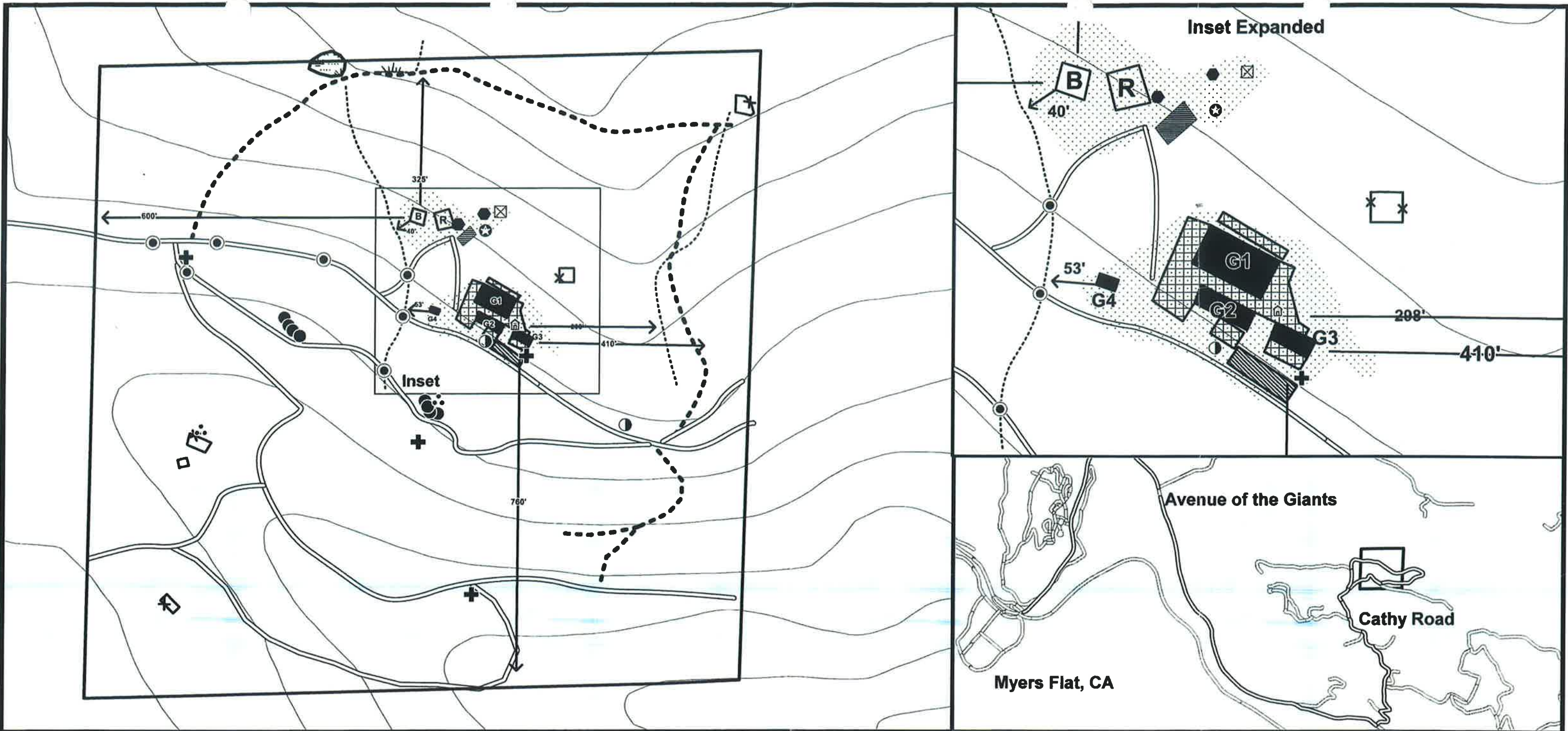
DRAWN BY: NLC

PROJECT NO.: 5811

PROJECT NAME: CUP

Revised Site Plan

File Copy



Applicant: Thomas Mulder
 APN: 211-383-022
 Acres: 40
 Zoning: TPZ- Timber Reserve
 Cultivation Area: 8,340 Outdoor
 5,542 Mixed Light
 1,500 Indoor

- Developed Area
- Culverts
- Class III Watercourse
- Wet Area
- Class III Pond
- Well
- 2,500 gal Tank
- Nutrient Mixing Tank
- Storage

- Spoils Pile
- Fertilizer Shed
- Fuel Storage 64 sq. ft.
- Storage Shed 120 sq. ft.
- Generator Shed 120 sq. ft.
- Residence 850 sq. ft.
- Barn: Processing 1,800 sq. ft.
- Propane Tank

- Greenhouse Cultivation
 G1 = 3,382 sq. ft.
 G2 = 720 sq. ft.
 G3 = 1,200 sq. ft.
 G4 = 240 sq. ft.
- Historic Cultivation
 4,794 sq. ft.
- Outdoor Cultivation
 8,340 sq. ft.
- Proposed Indoor Relocation
 1,500 sq. ft. Outdoor

18,676

Directions to Site:
 Beginning in Myers Flat, CA
 Take Hwy 254 South from Myers Flat
 In 4.3 Miles, Make a Left onto Cathy Rd
 In 2.7 Miles, Arrive at APN 211-383-022

No Easements
 No Schools, Public Parks, or Places of Worship within 600'
 Map Date: 12/08/2016
 Created By J. Henry
 Map Scale 1" = 215'
 Myers Flat, CA 7.5" Quad



165 South Fortuna Boulevard, Fortuna, CA 95540
 707-725-1897 • fax 707-725-0972
 trc@timberlandresource.com

SHEET
C1

**ATTACHMENT 1
RECOMMENDED CONDITIONS OF APPROVAL**

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

1. Within 60 days of project approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #2 –16. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all of the requirements as set forth by other regulatory agencies
3. The applicant shall secure permits for all unpermitted grading and structures related to the cannabis cultivation and other commercial cannabis activity. The plans submitted for building permit approval shall be consistent with the project description and approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
4. The proposed relocated greenhouses shall not be constructed with improved floors pursuant to Humboldt County Code Section 314-43.1.3.2. The existing greenhouses that will remain in place shall continue to be used without improved floors.
5. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign off on the Occupancy Permit by the Building Division shall satisfy this requirement.
6. The applicant shall demonstrate the driveway and emergency vehicle turn around conform with the Humboldt County Code Section 3112-12, the Fire Safe Regulations. The applicant shall be responsible for implementing any necessary improvements to bring the driveway and emergency vehicle turn around into compliance. A letter from a qualified engineer shall satisfy this requirement.
7. The applicant shall secure the approval of the Division of Environmental Health for the on-site sewage disposal system prior to the issuance of the building permit. A letter from DEH indicating approval has been issued will satisfy this condition.
8. The applicant shall submit one copy of the final Water Resource Protection Plan (WRPP) to the Planning and Building Department. The applicant shall implement all corrective actions detailed within the Water Resource Protection Plan (WRPP) developed for the parcel, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board Cannabis Cultivation Waste Discharge Regulatory Program, including those measure determined necessary during annual and periodic site inspections in accordance with the monitoring element. A copy of the report form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the NCRWQCB. A letter or similar communication from the NCRWQCB or the Third Party Consultant verifying that all their requirements have been met

will satisfy this condition. [After July 31, 2019, plans and reporting shall conform to the Cannabis Cultivation Policy and Cannabis General Order adopted October 17, 2017 by the State Water Board.]

9. The applicant shall secure a final Lake and Streambed Alteration Agreement approved by the California Department of Fish and Wildlife and comply with all applicable terms. A letter or similar communication from the CDFW verifying that all their requirements have been met will satisfy this condition.
10. The applicant shall meet the requirements of the County Department of Public Works A letter or similar communication from the County Department of Public Works verifying that these requirements have been met will satisfy this condition.
11. The applicant shall install a restroom on the property that complies with applicable state, and local laws and regulations, prior to employing workers for cannabis processing activities. Approval for the restroom facilities shall be secured from the County Building Inspection Division and Division of Environmental Health. In the interim, portable restroom facilities may be provided for employees performing cultivation activities only (not processing).
12. Noise generated from generator used as power source shall not exceed 50 decibels (dB) at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer, as required by Section 314-55.4.11(o) of the Humboldt County Code. Prior to issuance of a building permit or the initiation of cultivation activities, whichever occurs first, the applicant shall provide documentation from the manufacturer demonstrating that the generator conforms to the specified standard. Should the applicant propose to achieve noise attenuation by placing the generator inside a building, the applicant shall secure a building permit prior to construction. Alternatively, the applicant may obtain power from PG&E and discontinue use of the generator. The applicant shall submit written verification that PG&E provides sole power for cannabis operations. However, the noise restriction shall continue to apply if the generator is relied upon as the emergency backup power source.
13. The applicant shall submit lighting plan to the Planning and Building Department for the review and approval of the Planning Director. The light plan shall demonstrate that the greenhouses and any supplemental artificial lighting shall comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG).
14. The applicant shall submit a lighting plan for all indoor and outdoor lighting associated with the cannabis cultivation operations, demonstrating that the project will not cause light pollution that could affect sensitive species known to be present in the vicinity of the project site, such as the Northern Spotted Owl.
15. Prior to issuance of any building or construction permits a revised site plan shall be prepared by the applicant and reviewed and approved by the Planning Division showing:
 - a) Adequate off-street parking,
 - b) Compliance with emergency vehicle access requirements, and
 - c) Setbacks between project activities and wetlands, surface waters and Streamside Management Areas.
 - d) Setbacks of cultivation areas to property lines.
16. Prior to issuance of any building or construction permits a grading, erosion and sediment control plan shall be prepared by a qualified engineer. The plan shall identify the cubic

yards of all grading that has been done and any proposed grading, and shall incorporate the erosion control measures listed below. The applicant shall be responsible for implementing the erosion control measures.

- A. Minimize soil exposure during the rainy season by proper timing of grading and construction;
 - B. Retain natural vegetation where feasible;
 - C. Vegetate and mulch denuded areas to protect them from winter rains;
 - D. Divert runoff from steep denuded slopes and critical areas with barriers or ditches;
 - E. Minimize length and steepness of slopes by benching, terracing, or constructing diversion structures;
 - F. Trap sediment-laden runoff in basins to allow soil particles to settle out before flows are released to receiving waters; and
 - G. Inspect sites prior to significant rain events to ensure control measures are working properly and correct problems as needed.
17. The applicant is required to pay the Provisional Approval Compliance Agreement fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$175.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate.
18. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate.
19. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

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

- 1. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, including the development of additional water storage infrastructure, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
- 2. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
- 3. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years

from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning & Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort towards compliance can be shown within the two years following the issuance of the provisional clearance or permit, The Planning Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow for additional time to meet the outstanding requirements.

4. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
5. Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
6. Confinement of the area of cannabis cultivation, processing, manufacture or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, Public Park, or Tribal Cultural Resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
7. Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
8. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays).
9. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
10. Pay all applicable application and annual inspection fees.
11. The noise produced by the generator used for supplemental lighting shall be no more than 60 decibels measured at the property line. Where applicable, sound levels must also show that they will not result in the harassment of sensitive species such as the Northern Spotted Owl. Under these guidelines, generator noise may not exceed 50dB as measured at 100 feet from the generator.
12. Storage of Fuel - Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
13. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
14. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

15. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner, when available.

Performance Standards for Cultivation and Processing Operations

16. 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."
17. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
18. Cultivators engaged in processing shall comply with the following Processing Practices:
 - i. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - ii. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - iii. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - iv. Employees must wash hands sufficiently when handling cannabis or use gloves.
19. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - I. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;
 - (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (e) Materials handling policies;
 - (f) Job hazard analyses; and
 - (g) Personal protective equipment policies, including respiratory protection.
 - II. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (a) Operation manager contacts;
 - (b) Emergency responder contacts;
 - (c) Poison control contacts.
 - III. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.

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

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

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

21. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO shall expire after one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.

If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the SP or permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to section 55.4.13.

22. 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.

23. Permittee further acknowledges and declares that:

- I. All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt shall be solely for medical purposes and all commercial cannabis products produced by me, my agents, or employees are intended to be consumed solely by qualified patients entitled to the protections of the Compassionate Use Act of 1996 (codified at Health and Safety Code section 11362.5); and
- II. All cannabis or cannabis products under my control, or the control of my agents or employees, and cultivated or manufactured pursuant to local Ordinance and the California Medical Marijuana Regulation and Safety Act will be distributed within the State of California; and

III. All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with the California Medical Marijuana Regulation and Safety Act.

24. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- a. Identifying information for the new Owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - c. The specific date on which the transfer is to occur; and
 - d. Acknowledgement of full responsibility for complying with the existing Permit; and
 - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
25. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. Pursuant to section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state of county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where the Compliance Agreement per COA #1 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Condition of Approval #21 of the On-Going Requirements /Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant

impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 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 NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

ATTACHMENT 2

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

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

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

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

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

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

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p>	<p>Timberland (T): Lands primarily suitable for the growing, harvesting and production of timber. Allowable uses include timber production, general agriculture, timber/agricultural products processing, natural resources uses, other uses</p> <p>Density range is 20 -160 acres/unit</p>	<p>The project consists of cultivation of cannabis on a 45.3-acre lot. General agriculture is an allowable use in the Timberland land use designation.</p> <p>The MMRSA, Health and Safety Code section 11362.777(a) provides that medical cannabis is an agricultural product, subject to extensive state and local regulation. The CMMLUO provides for the cultivation and processing of medical cannabis within the zoning districts where agriculture is a principally permitted use, with limits and in compliance with performance standards that will preserve space for more traditional agricultural activities that supply food and fiber contributing to a diverse economic base. The processing facility and supportive infrastructure may be considered accessory to the agricultural use.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Circulation Chapter 7	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1,CT-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County (C-G4, C-G5)</p> <p>Related policies: C-P3. Consideration of Transportation Impacts in Land Use Decision Making</p>	<p>Access to the site is via a private access road (Cathey Road). The Department of Public Works requested a Road Evaluation Report to determine whether this road meets County standards. The applicant submitted the Road Evaluation report, which states that all segments of Cathey Road are developed to the equivalent of a Category 4 standard. The applicant also submitted photographs verifying the widths and condition of the various road segments.</p>
Housing Chapter 8	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory</p>	<p>The project does not involve residential development, nor is the project site part of the 2014 Housing Element Residential Land Inventory. The property has an existing single-family residence. The project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces (CO-G1,CO-G3)</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P8, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program</p>	<p>The County's Local Open Space Plan includes goals, policies and standards for the managed production of resources, including Agricultural Resources as described in the Land Use Element of the General Plan. The Agricultural Resources portion of the Land Use Element calls for agricultural lands to be conserved and conflicts between agricultural and non-agricultural uses to be minimized. The project conforms to these policies by continuing and permitting an existing agricultural use, and by ensuring that appropriate performance standards are met in order to avoid adverse impacts or conflicts with adjacent uses.</p> <p>Because the project site is located within the Timber Production Zone (TPZ) zoning classification, it is subject to the Open Space Action Program of the General Plan. The project is consistent with the intent of this program because it is an allowable land use within the TPZ zone. The proposed cultivation of cannabis, an agricultural product, takes place on land designated for agricultural purposes, it is consistent with the use of Open Space land for management and production of resources.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p>	<p>There is no known sensitive habitat or threatened or endangered species present on the project site, and the project does not involve development within a Streamside Management Area. The Water Resources Protection Plan (WRPP) that was prepared for the project, pursuant to the North Coast Regional Water Quality Control Board's (NCRWQCB) Order No. 2015-0023 (Order), outlines specific remediation measures to be implemented to prevent adverse impacts to streams, wetlands and other habitat areas.</p> <p>A Northern Spotted Owl Summary Report has been submitted, concluding that the nearest activity center is 0.85 miles distant from the existing cultivation site. The Report concludes that the project is not likely to adversely affect Northern Spotted Owl, based on the relatively small percentage of habitat to be modified, the low quality of the habitat to be modified, and the distance to an activity center. Further, the project is conditioned a lighting plan to ensure that lighting associated with the cannabis cultivation operations will not cause light pollution that could affect sensitive species in the vicinity.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation]</p>	<p>Archaeological Research and Supply Company conducted a cultural resources investigation at the project site. The investigation did not identify any archaeological or cultural resources within the project area, and concluded that the project is therefore not anticipated to have an adverse effect on significant cultural or archaeological resources.</p> <p>An information note appended to the conditions of approval for this project stipulates that if any cultural resources are encountered during construction activities, the contractor shall immediately cease work and contact a qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) to evaluate the discovery and determine a treatment plan.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-G2)</p> <p>Related policies: SR-S4. Light and Glare</p>	<p>The project involves mixed-light cultivation in four greenhouses. The CMLLUO requires that mixed light cultivation comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). International Dark Sky Association Standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries.</p>
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy (WR-G1, WR-G, WR-G7, WR-G8, WR-G9); and</p> <p>Related policies: WR-P8. Erosion and Sediment Discharge; WR-P36. Erosion and Sediment Control Measures.</p>	<p>The project site falls within Tier 2 of the North Coast Regional Water Quality Control Board's (NCRWQCB) Order No. 2015-0023 (Order), which requires preparation of a Water Resources Protection Plan (WRPP) to protect water quality from cannabis cultivation and related activities. The applicant retained Timberland Resource Consultants for the preparation of a WRPP. The WRPP has been prepared to describe and address the required elements and compliance with the 12 Standard Conditions established by the Order, and identifies several specific sites on the property where conditions should be monitored to determine if remediation work is needed to protect the Class III streams that run through the site. The applicant has entered into a Lake or Streambed Alteration Agreement (LSAA) with the California Department of Fish and Wildlife (CDFW) for minor remediation work at four of these identified sites. This Conditional Use Permit and Special Permit incorporates conditions of approval requiring the applicant to implement all remediation measures detailed within the WRPP and to comply with the terms of the LSAA. These measures will serve to prevent erosion and sedimentation on the subject property.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution (WR-G6, WR-G9, WR GX)</p> <p>Related policies: WR-IM7. Basin Plan Septic Requirements; and IS-P20. On-Site Sewage Disposal Requirements.</p>	<p>The residence located on the subject property has a permitted onsite wastewater system (septic system). The project's conditions of approval require construction of a separate restroom for employee use, for which onsite wastewater system approval by the County Division of Environmental Health will be required.</p>
<p>Noise Chapter 13</p>	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise</p>	<p>The subject parcel is not located in an area that requires special noise attenuation measures. The existing mixed-light cultivation areas use supplemental artificial light that is powered by the same electrical generator that supplies power for the residence. Noise from this generator is required to comply with the standards set forth in Section 55.4.11(o) of the CMMLUO and Department Policy Statement #DPS-16-005. According to the applicant, the generator has a noise level of under 50 decibels without being placed in an enclosure. The generator is currently located in a shed. Future use of the generator as the primary power source may be discontinued with the extension of PG&E service to the property. If so, the noise attenuation measures will remain in effect for generator use should the generator be used as a backup power source for cannabis cultivation operations.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Safety Element Chapter 14</p> <p>Geologic & Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury (S-G1, S-G2)</p> <p>Related policies: S-PX1. Site Suitability, S-P6. Structural Hazards,</p>	<p>The project site is not located in a mapped Alquist-Priolo fault zone nor is subject to liquefaction. The entire subject site consists of land classified as moderate seismic instability; however, the majority of the cannabis cultivation area is located on a portion of the property with low to moderate slope (less than 15%) and therefore lower risk of landslides or geologic instability. In addition, because the cannabis operation is an agricultural activity located outdoors with only minor accessory structures to support the cultivation, the use is not expected to affect or to be affected by geologic instability. The project does not pose a threat to public safety related to exposure to natural or manmade hazards.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-PX3, Construction Within Special Flood Hazard Areas</p>	<p>The subject site is outside any mapped flood hazard areas. The project site is not within a mapped dam or levee inundation area. The site is located approximately 18.75 miles from the coast and approximately 1,000 feet above mean sea level, and is therefore well outside the areas subject to tsunami run-up.</p>
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential of exposure to fire related hazards</p> <p>Related policies: S-P15, Conformance with State Responsibility Areas (SRA) Fire</p>	<p>The subject property is located within the State Fire Responsibility Area where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. CALFIRE did not provide comments on the project or the application materials, but in general, for properties within the State Responsibility Area compliance with the requirements of the County's Fire Safe Regulations is recommended. The Humboldt County Fire Safe Ordinance (Section 3111-1 et seq.) establishes development standards for minimizing wildfire danger in state responsibility designated areas. To facilitate fire equipment</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
	Safe Regulations;	access, the existing and proposed water tanks providing 40,000 gallons of water storage capacity on the site which can be used for fire suppression purposes, and safe storage of generator fuel, help to achieve project compliance with the County's Fire Safe Regulations.
Air Quality Chapter 15	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G2X) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G3)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading Dust Control, AQ-P7. Interagency Coordination.</p>	As a condition of project approval, applications for grading and or building permits shall be referred to the North Coast Air Quality Management District (NCAQMD) for review and consultation. Dust control practices during construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.

2. Zoning Compliance and 3. Conforms with applicable standards and requirements of these regulations: The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section and Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§312-1.1.2 Legal Lot Requirement: development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	The parcel of land known as APN 211-383-022 is Parcel 2 of Certificate of Subdivision Compliance recorded in Book 2005 Official Records Page 14654 on May 5, 2005. The referenced document certifies and describes three separate parcels. There is no evidence indicating there have been any subsequent acts to merge or divide this parcel. Therefore, the subject parcel was lawfully created in its current configuration and can be developed as proposed.

<p>§314-7.4 Timberland Production Zone (TPZ): Intended to provide standards and restrictions for the preservation of timberlands for growing and harvesting timber.</p>	<p>Accessory agricultural uses and structures are a permitted use in the TPZ zoning district and are considered to be compatible with the growing and harvesting of timber. As previously discussed, the subject property has a Joint Timber Management Plan (JTMP), prepared in 2006, which provides for the harvesting of timber on 10-15 year intervals. The majority of the subject property is timberland, with the cannabis cultivation areas and accessory processing and storage structures operation occupying only about 20,780 square feet of a 45.3-acre parcel, i.e. approximately 1% of the lot area. The cannabis cultivation activity can therefore be considered an accessory agricultural use that is compatible with the regulations of the TPZ zoning classification.</p>
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Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
Minimum Lot Size	160 acres, or 40 acres if the provisions of Government Code Section 51119.5 are met.	160 acres, or 40 acres if the provisions of Government Code Section 51119.5 are met. Government Code Section 51119.5 states that parcels zoned as timberland production may not be divided into parcels containing less than 160 acres unless the original owner prepares a joint timber management plan prepared or approved as to content by a registered professional forester for the parcels to be created. A Joint Timber Management Plan (JTMP) for the parcel that includes the current subject property was prepared by a registered professional forester in 2006, and remains in effect at present. The subject parcel size of 45.3 acres is therefore in conformance with Government Code Section 51119.5 and with the minimum lot size of the TPZ zone.
Maximum Ground Coverage	Residential and associated accessory structures and uses shall not exceed two acres	A review of the applicant's site plan shows that all existing and proposed development shall exceed the specified standard.
Minimum Lot Width	None specified	N/A
Maximum Lot Depth	None specified	N/A
Setbacks for Cultivation and ancillary processing facilities: Front: 30 feet Rear: 30 feet Side: 30 feet		According to the site plan, all existing and proposed structures meet the minimum setback requirements of the TPZ zone. It is noted the CMMLUO requires 30 foot setbacks from property lines, exceeding the standard setbacks.

Max. Building Height	None specified	The applicant will use conventional single-story greenhouses for mixed-light cultivation. Photos submitted detail the existing greenhouse do not contain floors. The greenhouse floor restriction in HCC section 314-43.1.3.2 has been applied to these agricultural accessory structures, and a condition of approval has been incorporated into the project prohibiting the installation of improved floors in the new greenhouses proposed as relocated accessory structures in this existing cultivation.
§314-61.1 Streamside Management Area (SMA)	Purpose: to provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.	The project does not involve any development or facilities within the Streamside Management Area or other wet areas (OWA). The WRPP and the Joint Timber Management Plan reference a wetland feature along the northern property line. All development is greater than 250 feet from this feature.
§314-109.1 Off-Street Parking	<p>Off Street Parking for Agricultural use*: Parking space per employee at peak shift. A minimum of three parking spaces are required.</p> <p><i>*Use for this activity is not specified. Per Section 314-109.1.2.9, the Director may fix the required number of parking spaces based on standards for most comparable use.</i></p>	<p>The cannabis cultivation operation on the site is an agricultural land use, and the code is silent as to the requirement for agricultural employees. The most comparable standard for employees in this situation is one space for each employee at peak shift (per Section 314-109.1.3.4.2 - Manufacturing).</p> <p>The Cultivation and Operations Plan notes that the cannabis farm has up to 10 employees working at any given time (two full-time and between two and eight seasonal employees, depending on the time of year). Not all employees work at the same time, and the applicant encourages employees to carpool to the project site. There are no designated parking spaces are noted on the plans; however, there is sufficient space in the property for the estimated two to five cars used by the operators to park. A condition has been applied to require a comprehensive Site Plan that will include features such as available parking spaces to ensure no conflict with safety and fire access to the site.</p>

314-55.4 Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)		
Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§ 314-55.4.8.2.2 Existing Outdoor and Mixed-Light Cultivation Areas	On TPZ-zoned parcels 1 acre or larger in size, outdoor and mixed-light cultivation between 10,000 and 43,560 square feet in existence prior to January 1, 2016 may be permitted with a Use Permit. The total cultivation area allowed on a single parcel shall not exceed one acre for outdoor cultivation or 22,000 square feet for mixed-light cultivation.	<p>The applicant has provided as evidence of cultivation prior to January 1, 2016 a map of existing/historical site conditions prepared on December 8, 2016 by Timberland Resources Consultants; and a written declaration of cultivation area signed by Chris Carroll of Timberland Resources Consultants on December 13, 2016</p> <p>The project includes permitting an existing 18,676 square foot cannabis cultivation operation (13,134 SF of outdoor cultivation and 5,542 SF of mixed-light cultivation) on a 45.3-acre, TPZ-zoned parcel. The cultivation area is consistent with the requirements for the cultivation type, status, and zoning of the parcel. The applicant will comply with all conditions of the CMMLUO, as specified in the conditions of approval.</p>
§314-55.4.8.10 Permit Limit	No more than four commercial cannabis activity permits may be issued to a single person.	According to records maintained by the Department, the parties, Thomas Mulder and Dee Nelson (formerly Denise Way) that comprise the applicant have applied for a total of four cannabis activity permits, including the subject application, and the applicant is entitled to four. This application is for a CUP for outdoor cultivation, and a Special Permit for mix-light cultivation.
§314-55.4.9.1 Accessory Processing	Processing for cultivation requiring a Special Permit or Use Permit will be considered in the Use Permit application.	Processing of cannabis occurs in an existing 1,800 square foot barn, which is in compliance with the requirements of the CMMLUO.
§314-55.4.9.4 Pre-Application Registration	Existing cultivation sites shall register with the County within 180 days of the effective date of this ordinance.	The applicant submitted the required registration form on March 2, 2016.
Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§314-55.4.10 Application Requirements	Identifies the Information Required for All Applications	Attachment 3 identifies the information submitted with the application. Contents of the application are on file. All outstanding items are included as conditions of approval.
§314-55.4.11 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities	All the applicable performance standards are included as Conditions of project approval. They are required to be met throughout the timeframe of the permit.

<p>§314-55.4.11.c Performance Standards-Water</p>	<p>Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board, Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration.</p>	<p>The water source for irrigation is four permitted groundwater wells on the property. No water is being diverted from a surface stream, river, underground stream, spring, or similar source that is regulated by Water Code Section 5101.</p>
<p>§314-55.4.11.d Performance Standards- Setbacks</p>	<p>The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs).</p>	<p>The site plan illustrates that all cannabis cultivation and processing areas are set back at least 30 feet from property lines. The site plan notes, and review of aerial imagery verifies, that there are no schools, school bus stops, public parks, places of worship, or tribal cultural resources within 600 feet of the project site. The archaeological/cultural resources study also concludes that there are no TCRs present on the site.</p>
<p>§314-55.4.11.o Performance Standards- Generator Noise</p>	<p>The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences. The combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species, when generator use is to occur in the vicinity of potential habitat. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service.</p>	<p>The existing mixed-light cultivation areas use supplemental artificial light that is powered by the same electrical generator that supplies power for the residence. The application materials state that this generator has a noise level of under 50 decibels without being in an enclosure. In addition, the generator is located in a shed and is more than 300 feet from the nearest property line, such that the noise would be far below 60 decibels (if perceptible at all).</p>
<p>§314-55.4.17 Sunset Date</p>	<p>No application for any Use Permit pursuant to the CMMLUO shall be processed for issuance or approval that is received after December 31, 2016.</p>	<p>The applicant filed the application on March 2, 2016.</p>

4. Public Health, Safety and Welfare, and 5. Environmental Impact: The following table identifies the evidence which supports finding that the proposed development will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity, and will not adversely impact the environment.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1.4	The proposed development will not be detrimental to the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.	Staff finds that the proposed project will not be detrimental to the public health, safety and welfare since those reviewing referral agencies that provided comments have approved the proposed project design. The project as proposed and conditioned is consistent with the County's general plan and zoning ordinances as well as with applicable State regulations; and the proposed project is not expected to cause significant environmental damage.
§15304 (a) and §15311 of CEQA	Categorically exempt from State environmental review.	CEQA Exemption Sections Class 1, Section 15301 (Existing Facilities) and Class 3, Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines. Per the submitted evidence and agency responses, none of the exceptions to the Categorical Exemption per Section 15300.2 of the State CEQA Guidelines apply to this project.

5. Residential Density Target: The following table identifies the evidence which supports finding that the proposed project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
<p>17.1.5 Housing Element Densities</p>	<p>The proposed development shall not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation), except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.</p>	<p>As discussed above the property was not included in the 2014 Housing Inventory because of the land use designation and zoning. It is developed with a single-family residence which will remain. The project is in conformance with the standards in the Housing Element.</p>

ATTACHMENT 3

Applicant's Evidence In Support of the Required Findings

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

1. The name, contact address and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (Not applicable)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (On file)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (On file)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (On file)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (On file)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (On file)
9. If the source of water is a well, a copy of the County well permit, if available. (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. (Not applicable)
11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in section 55.4.8.2.3, and plan for compliance with applicable Building Codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed will not support diversions for irrigation. (On file)
14. Acknowledge that the county reserves the right to engage with local Tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the Tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to Tribal Cultural Resources, as defined herein. Examples include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On-file)
15. Cultural Resources Study, Archaeological Research and Supply Company, May 2017 (on file and confidential)
16. Road Evaluation Report for Cathey Road, prepared by applicant and dated August 21, 2017 (On file)
17. Humboldt Redwood Healing Water Resource Protection Plan, dated January 14, 2016 (On file)
18. Notification of Lake or Streambed Alteration from California Department of Fish and Wildlife, dated October 23, 2017 (On file)
19. Joint Timber Management Plan for Ray Roeder for Parcel APN: 211-383-014, prepared by Timberland Resource Consultants and dated March 9, 2006 (On file)

20. Evaluation of potential effects of Humboldt Redwood Healing cannabis cultivation operation on 2006 Joint Timber Management Plan for Ray Roeder, prepared by Timberland Resource Consultants and dated December 2, 2017 (On file)
21. Declaration of Chris Carroll, Timberland Resource Consultants, regarding existing cultivation area, dated December 13, 2016 (On file)
22. Photo documentation confirming condition and width of access road (Cathey Road), submitted December 4, 2017 (On file)

Nielsen, Michelle

From: Thomas Mulder <hrh707@outlook.com>
Sent: Wednesday, December 13, 2017 4:11 PM
To: Nielsen, Michelle; Paul Gallegos
Subject: RE: Apps 10300

I have installed another 6400 gallons of water storage in April 2017 giving me currently approximately 27,000 gallons of storage .

Currently I have an open permit to bring in PGE through a legal easment and I am working with PGE and a surveyor to get this project ready for hopefully April (weather permitting) .

Also I don't know if the 1600 needs to be mentioned that will actually improve the watershed since the damage that I'm waiting approval to fix was created around the 60's? (those parts of the property aren't utilized for any cultivation activities)

Thank you

Thomas Mulder

Sent from my Verizon 4G LTE smartphone

----- Original message -----

From: "Nielsen, Michelle" <MNielsen@co.humboldt.ca.us>
Date: 12/13/17 2:53 PM (GMT-08:00)
To: Paul Gallegos <paul@gallegoslawhumboldt.com>, Thomas Mulder <hrh707@outlook.com>
Subject: RE: Apps 10300

I made revisions myself...the addition of a Special Permit for the ML cultivation was necessary...

A Conditional Use Permit (CUP) and a Special Permit (SP) for an existing commercial medical cannabis cultivation operation known as Humboldt Redwood Healing. The CUP is for 13,134 square feet (SF) of existing outdoor cultivation, and the SP is for 5,542 SF of existing mixed-light cultivation. The total cultivation area altogether is 18,676 square feet (SF) on a 45.3-acre parcel. The applicant is proposing to consolidate multiple existing grow sites into two central locations. The source of irrigation water is four permitted groundwater wells on the site. Total water usage is approximately 195,500 gallons per year. Water is stored in eight existing 2,500-gallon tanks, and the applicant plans to install eight additional 2,500-gallon tanks in the future, for a total of 40,000 gallons of water storage on the site. Processing and drying of cannabis takes place in a permitted 1,800 square foot barn. The operation has up to 10 employees working at a time: two full time and eight seasonal workers. Power for the cannabis cultivation activities is supplied by a generator. The applicant has enrolled with the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program as a Tier 2 discharger (WDID#1B16240CHUM).

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

Nielsen, Michelle

From: Thomas Mulder <hrh707@outlook.com>
Sent: Monday, December 04, 2017 10:59 AM
To: Nielsen, Michelle; Pearson, Holly
Cc: Ford, John; Paul Gallegos
Subject: Apps 10300

This is to clarify employees for the farm.

- Full Time (including myself) 2 employees
- Seasonal Farm maintenance workers (MID March- November) 3 employees
- Seasonal manicure and leafing workers (July- November /December depending on year) up to 5 employees
- Total of 10 employees proposed for this project
- Employees have different days off so there is not 10 vehicles per day traveling the road. With carpooling I don't project more than 5 vehicles traveling the road even with every employee working on a given day .

Thank you
Thomas Mulder

Sent from my Verizon 4G LTE smartphone



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

December 2, 2017

Humboldt County Planning Department
Attention: Michelle Nielsen
3015 H Street
Eureka, CA. 95501

RE: APN 211-383-022
Application #10300

Dear Michelle Nielsen,

The following report demonstrates that the proposed cannabis cultivation project will not negatively impact timber management per the "Roeder JTMP", which was prepared by myself in 2006. The assessment follows the same format as the JTMP and is only limited to elements which could be potentially affected by the proposed cannabis cultivation operation.

Harvest Methods: The JTMP recommends ground-based yarding utilizing existing truck roads, skid roads, and landings previously used in association with THP 1-00-047 HUM. Despite the loss of one landing location due to cultivation activities, the entire property can be easily harvested without the need to significantly change the existing pattern of roads, landings, and skid roads. The last harvest (THP 1-00-047 HUM) required relatively long skidding distances, which would be unfavorable today given the smaller size of the timber and higher number of harvest trees per acre. New road construction will be necessary to access the lower or northern portion of the property, which will allow timber to be yarded downhill or away from the main cultivation site. Cultivation activities have no effect on the ability to feasibly fell, yard, load and haul timber products.

Future Yield: The JTMP's prediction of future yield for the subject property, which is approximately 15MBF per acre in 2016 appears accurate. The loss of growing space associated with the cultivation site and associated structures & infrastructure are not expected to significantly affect the feasibility of future timber harvesting. Based upon a recent timber evaluation by the RPF it has been determined that timber harvesting is feasible at the present time

Silviculture: The JTMP's silvicultural recommendation (made in 2006) was that the next harvest entry occur no sooner than 10 years (Year 2016). Based upon a recent timber evaluation by the RPF it has been determined that timber harvesting is feasible at the present time. The silvicultural recommendations made in the JTMP appear reasonable and feasible and would not be affected by the cultivation of cannabis as proposed.

Conservation Measures - Roads: The JTMP requires that existing roads located within the property, which provide access into Parcel 3 (APN 211-383-21) be maintained such that they can be used for hauling of forest products from Parcel 3 through the subject property out to public roads. The roads in question located within APN 211-383-022 are in excellent condition and will not be affected by the cultivation of cannabis as proposed.

Conservation Measures – Soil Conservation: The JTMP requires minimization of soil erosion from concentration of runoff on bare mineral soil. The JTMP recommends maintenance of erosion control structures and facilities to ensure that they are of adequate size to carry flow and are free of debris. All drainage structures and facilities, including road surface drainage, were assessed during the preparation of the WRPP. The WRPP states *“Road surfaces on the property are maintained well. This assessment took place during, and after rains and included all of the roads on the property. Road surface erosion resulting in sediment delivery to surface waters was not occurring.”* The proposed cultivation activities are not expected to negatively impact soil conservation. Adherence to Water Board regulations pertaining to cannabis cultivation will ensure compliance.

Conservation Measures – Fire Risk: The property contains no conditions which pose a high fire risk relative to those observed in 2006 during JTMP preparation. The landowner has an approved Fire Hazard Reduction Exemption (1-17EX-089HUM) in place for the cutting or removal of trees that will result in a reduction in the rate of fire spread, fire duration and intensity, fuel ignitability, or ignition of the tree crowns. Cal Fire has inspected the property and observed no slash and/or woody debris which would otherwise require treatment per the Forest Practice Act and Rules.

Conservation Measures – Pest and Disease: The property contains no significant pest or disease problems. Sudden Oak Death is known and documented to occur within the local area but not observed within the property by the RPF. Forest health is not expected to be negatively affected by the cultivation of cannabis as proposed.

Conservation Measures – Fish and Wildlife: According to THP 1-00-047 HUM, in 2000 there were no known endangered, threatened or sensitive wildlife species located within the JTMP area. A query of the California Natural Diversity Database (CNDDDB) on December 1, 2017 revealed no sensitive, rare, threatened, or endangered species or species of special concern within the property. A query of the CNDDDB NSO Database revealed no known Northern Spotted Owl (NSO) Activity Centers within the 0.7-mile biological assessment area surrounding the property. This section of the JTMP simply discloses that future timber harvesting will require wildlife surveys and biological assessments, and perhaps consultations with State and Federal agencies regarding listed endangered or threatened species.

Conservation Measures – Water Quality: This section of the JTMP simply discloses to the landowner the requirement that future forest management projects will be required to assess potential impacts to water quality and mitigate accordingly. Since approval of the JTMP, there are no conditions resulting in a significant impact to watershed resources. The cannabis cultivation operation, through the implementation of the WRPP and CDFW 1600 Agreement, will actually result in a net improvement to the baseline condition of streams and stream crossings via the reduction in sedimentation levels.

Sincerely,



Chris Carroll, RPF #2628 Timberland
Resource Consultants



A Nonprofit Mutual Benefit Corporation

Entity Number **C3827946**

INDEX FOR APPLICATION APN 211-383-022

- 1- CULTIVATION AND OPERATIONS PLAN
- 2- ADDITIONAL APPLICATION INFORMATION
- 3- LETTER FROM TRC DOCUMENTING "CULTIVATION BEFORE 12/31/15"
- 4- ATTACHMENT A
- 5- ATTACHMENT B
- 6- ATTACHMENT C
- 7- EMPLOYEE HANDBOOK (INDIVIDUALLY BOUND)
- 8- OPERATIONAL HANDBOOK (INDIVIDUALLY BOUND)



A Nonprofit Mutual Benefit Corporation

Entity Number **C3827946**

CULTIVATION AND OPERATIONS PLAN

For APN 211-383-022

WATER SOURCE AND STORAGE: Our water source comes from four permitted wells. We have (8) 2500 gallon water tanks we fill in the wet season. We also have a 550 gallon tank and (2) 330 gallon tanks used for mixing fertilizers (they are also filled in wet season). We try to be as thoughtful to the environment with water and fertilizer usage. We plan to install (4) more 2500 gallon tanks in February of 2017 and (4) additional 2500 gallon tanks February of 2018. Our goal is to reduce our need to pump for agricultural use as much as possible during the drier months.

IRRIGATION PLAN: We use drip tape and mulching or other practices to help prevent evaporation. Plants are also hand watered 1-3 times per week depending on the temperature and water consumption of the plants. We avoid “over watering” to prevent excessive runoff and waste of our valuable water resource.

PROJECTED WATER USE: We projected an average of 15,000 gallons per month for the whole year originally. The Growing season usually doesn't utilize much water for the wetter months and in the hotter months water usage increases. We monitor our usage and have multiple shutoff valves and tanks to help prevent excessive water loss in the event of a ruptured pipe or faucet being damaged.

SITE DRAINAGE AND EROSION CONTROL MEASURES:

We have an employee that is also a Licensed Class A contractor so we take this matter very seriously. We are within our proper setbacks from any Class III drainages. We have proper drainage away from our cultivation area and also use water bar technique for proper drainage in non high traffic areas (high traffic areas have proper ditches and culverts). We have designed a way for runoff to be slowed down

and have a small settling area (in the event any erosion) for the water to settle any possible erosion before entering the Class III drainage. We strongly believe in doing what is right for our environment and take all necessary precautions to prevent any damage.

STORAGE OF FARM PRODUCTS:

We have a garden shed with a cement floor for storage of any fertilizers and organic pesticides with secondary containment for these products. (ie neem oil) . We utilize either OMRI listed or natural products from our local garden stores. We have proper signage of what to do in case of “emergency” and all employees are trained in proper and safe handling practices.(see attachment A and employee handbook& operations hand book)

We have a generator that also powers the residence on the farm. The generator is located in a shed with a concrete slab that proper secondary containment as well as proper vapor barrier under the slab all petroleum products are stored in a shed with a concrete slab next to the generator shed. There is also a secondary containment for the petroleum products under the fuel tank..

CULTIVATION ACTIVITIES:

We utilize our greenhouses to extend the growing season as well as vegetate starts until they are ready to be put outside or in a light deprivation area. The majority of the cultivation area is fenced and will all be fenced by spring 2017.

We have proper signage and safety procedures posted within the cultivation area. All employees are trained in the proper safety procedures for handling and operating any equipment or fertilizer the encounter. As well as the proper application rates for those products.(see attachment A &B as well as Employee handbook & operations handbook)

PROCESSING PLAN:

We currently process and dry in a permitted barn on a cement slab. When the building was built the proper permit wasn't pulled for processing to take place in this building. We are working with Manhard Consulting to rectify this issue and will make any necessary changes if needed. We plan on installing an ADA compliant restroom in this area if the restroom within the residence is not sufficient. We will work with the county to make sure that sanitation and safety is properly followed. In the event the existing building cannot be brought into necessary commercial code (for whatever reason) we are prepared , if necessary, to build a new drying/processing building in the area deemed proposed processing building (see plot plan). We provide restroom and hand washing facility as well as hand sanitizer,gloves,face masks , and potable water for our employees.

We follow proper sanitation practices to prevent any mold or other contaminants from getting on our product. We test all our product before it is sent out (ie mold/microbial,pesticide and THC/CBD) We comply with all safety standards for a workplace environment. We have emergency contact information, resource information as well as rights and responsibilities posted. (see attachment B and employee handbook& operations handbook) We promote carpooling for our employees to avoid extra traffic on our road.

SCHEDULE OF ACTIVITIES

HUMBOLDT REDWOOD HEALING

A California Nonprofit Mutual Benefit Corporation
Entity Number C3827946

MINUTES OF REGULAR SPECIAL MEETING OF THE GOVERNING BOARD OF HUMBOLDT REDWOOD HEALING

TIME OF MEETING

A Regular Special meeting of the board of directors of HUMBOLDT REDWOOD HEALING ("Corporation") was held at the following address: 340 Riverview Rd Benbow and time: 9:20 AM. The President, Secretary, Treasurer presiding.

ATTENDANCE

The following directors were present: President Treasurer Secretary. - via phone

The following directors were absent: President Treasurer Secretary.

OLD BUSINESS

The minutes of the last meeting, which were

mailed

delivered

presented to the members of the board.

The minutes of the previous meeting of shareholders were then read and approved.

The minutes of the previous meeting of shareholders were not read and approved. ~~Review and approval or modification was set for next meeting.~~ minutes had already been approved at the previous meeting

It was then moved, seconded, and unanimously resolved to dispense with the reading of the minutes of the last meeting and they were approved modified.

Minutes approved with the following corrections and/or modifications that are attached as Exhibit A and are incorporated by reference into these minutes.

MATTERS BEFORE THE BOARD

The President of the Corporation, the presiding officer announced that the purpose of the meeting was to obtain authorization to seek and obtain a commercial cannabis cultivation permit on APN 211-383-022 and/or APN: 081-111-017.

On motion by the President the Treasurer the Secretary, seconded by the President the Treasurer the Secretary, the following resolution was adopted:

VOTES:

President

Approve

Disapprove

Minutes of the Governing Board

Page 1 of 2

Secretary Approve Disapprove []

Treasurer Approve Disapprove []

BE IT RESOLVED:

Thomas Mulder, President and Chief Executive Officer of Humboldt Redwood Healing is authorized to seek and obtain a commercial cannabis cultivation from Humboldt County pursuant to the CMMLUO, seek and obtain a license from Humboldt County for Cultivation/Processing and to do all things necessary, including hiring experts, paying fees, completing forms and submitting paperwork, and signing all necessary paperwork to both seek and obtain both the permit and license referred to above and/or as may be necessary to carry this resolution into effect.

NEXT MEETING

The next meeting of the Board is scheduled to take place: At same location at 6:00 [] a 4 p.m., on December 22, 2016.

ADJOURNMENT

There being no further business to come before the directors, the meeting was adjourned.

I, Denise Nelson [] President, [] Secretary, [] Treasurer, presiding officer at the above meeting and [] President, [] Secretary, [] Treasurer of HUMBOLDT REDWOOD HEALING, a corporation, certify that the foregoing is a true and correct copy of the minutes of the meeting of directors held at the place and hour stated and that the resolution in these minutes was adopted by the directors at this meeting and it has not been modified or rescinded.

Date: 12.15.16

DN
[] President, [] Secretary, [] Treasurer,
Presiding Officer
HUMBOLDT REDWOOD HEALING

Jan-Feb

- Check all structures and repair any damages if found
- Feed and tend to mother plants so they are healthy
- Late February start cloning so we have top quality organic starts

MARCH

- Pot up clones in dirt and put under lighting in greenhouse
- Make sure tarps are pulled at appropriate times to follow the 0 light during the dusk through dawn hours!!
- Vegetate and promote healthy growth as well as pinching
- Prep deprivation areas

APRIL

- Plant light deps on a weekly basis
- Continue cloning and vegetating
- Crack seeds for full term
- Near end of April start pulling tarps and continue on a weekly basis for each hoop

MAY

- Continue planting light deps (we plant smaller areas on a weekly basis to avoid the need for more employees and stay at a constant busy)
- Pot up seedlings
- Prep full term holes or pots
- Buy CBD STARTS

JUNE

- Leafing
- Watering
- Plant full terms
- Mulch

JULY

- Harvest first round
- Replant as hoops are harvested
- Maintain quality control through processing

AUGUST

- Mulch
- Water
- Leafing
- Harvest late 1st round
- Replant

- Maintain farm equipment and repairs

SEPTEMBER

- Manage temperature and humidity
- Prep for rains
- Some early topping of full term late September

OCTOBER

- Harvesting and drying
- Processing
- Clean up

NOVEMBER

- Manage drying and processing
- Clean up
- Mulch

DECEMBER

- Final clean up
- Finish processing and follow proper storage
- Conclude year

SECURITY PLAN

We have many security procedures in place. We have fences and gates, game cameras (checked on weekly basis), cameras that send photos to a cloud, as well as live feed cameras throughout the property that send alert notifications to a phone and email when motion is detected. Being as this part is public information we are choosing to not include all details or camera locations. We are more than happy to share this information with the site inspector when they come out or in a private meeting with a county employee. (see attached)



A Nonprofit Mutual Benefit Corporation

Entity Number **C3827946**

ADDITIONAL APPLICATION INFO

For APN 211-383-022

We certify this cultivation site was operational and functional before January 1st 2016. This company was stamped by the state secretary October 1st 2015 and is a legal entity which cultivates for members and medical patients across the state.

We are applying for a mixed light cultivation and outdoor permit not to exceed 20,176 square feet (documented prior cultivation area) unless the county changes its position for additional cultivation area on TPZ land (if so we would like to amend to 22,000 square feet)(please see attached affidavit from Chris Carroll)

On the plot plan you can see the proposed relocation area for the previously existing indoor cultivation square footage (this is just a proposed area that was not cultivated this season) The historical garden areas are being proposed to be centrally relocated in one area and greenhouses constructed for this square footage. These relocations are pending your approval and have not taken place but the existing indoor area has been decommissioned. (see attached plot plan)

We have had CAL FIRE come out and they didn't view or see any "illegal conversions". The existing developed area is a historic landing since probably 1950 or 60. We have filed for a conversion but the county has yet to sign off on it. We plan on utilizing our easement (through neighboring parcel) to bring in PGE power to this cultivation site once our conditional use permit is approved. We plan on submitting with PGE in January 2017 so an engineer's estimate can be done so we are aware of the exact cost and can begin the work in early spring. We are trying our best to jump through all the necessary hoops and be fully compliant Any questions contact Thomas Mulder (707)273-3053

1 DECLARATION OF CHRIS CARROLL

2 I, Chris Carroll, declare the following of my own personal knowledge or on information and belief
3 thereon:
4

- 5 1. I am the President of Timberland Resource Consultants (“TRC”)
- 6 2. TRC is located at 165 South Fortuna Boulevard.
- 7 3. TRC was established in 1998.
- 8 4. TRC provides professional services in natural resource permitting, inventory, analysis,
9 appraisal, planning, and management in northern California.
- 10 5. TRC clients include industrial timber companies, ranchers, non-industrial timberland
11 owners, state and federal agencies, trusts and non-profit organizations.
- 12 6. On and around December 2015, I was hired by Thomas Mulder of Humboldt Redwood
13 Healing (“HRH”) to assist them in obtaining necessary permits for water usage.
- 14 7. After the passage of the Humboldt County Medical Marijuana Land Use Ordinance
15 (“MMLUO”), I began to work with HRH to assist them in obtaining their permit under
16 the MMLUO.
- 17 8. On and around December 17th ,2015 I inspected property located at: 1475 Cathey Road
18 Miranda, Ca and more specifically described as APN: 211-383-022
- 19 9. At that time, I located, identified and measured four commercial cultivation sites of a
20 type that are commonly referred to as “guerilla grows”
- 21 10. Those sites measured a combined total of 4,797 square feet of commercial cannabis
22 cultivation what was in operation prior to January 1, 2016.
- 23 11. This, coupled with the 13,882 square feet of commercial cannabis cultivation that is
24 visible from the County’s website, as well as the 1,500 square feet of indoor cultivation
25 equals a total of: 20,179 square feet of commercial cannabis in operation and/or grown
26 before January 1, 2016.
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1 I declare under penalty of perjury that the above is true and accurate of my own personal knowledge or on
2 information and belief thereon.

3
4 Date:

Chris Carroll

5 12-13-16
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DECLARATION OF CHRIS CARROLL
PAGE 2

PESTICIDE SAFETY



Information

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

A No. 8

Safety Rules for Pesticide Handlers on Farms

The pesticide label, your training, and this leaflet, tell you about pesticide dangers at work.

Your employer must teach you how to use pesticides safely and how to protect yourself when you use them. Pesticides are chemicals that are used to control unwanted insects, weeds, and plant diseases.

EMPLOYERS: This is the hazard communication leaflet for pesticide handlers. Fill in the blank lines in this leaflet and display this handout at the employee's worksite.

Emergency medical care

Your employer must make plans for emergency medical care before you start working with pesticides. If you think that pesticides made you sick or hurt you at work, tell your employer. They must make sure that you are taken to a doctor right away.

DO NOT TAKE YOURSELF.

Emergency medical care is available at
(address and telephone number):

REMEMBER: You do not have to pay for medical care if you get sick or hurt from pesticides at work.

What are my rights?

You have the right to know the following about pesticides that have been used recently where you work:



If you think pesticides have made you sick at work, your employer must make sure that you are taken to the doctor IMMEDIATELY.

- When and where the pesticide was applied
- The restricted entry interval (REI)
- Name of the pesticide and active ingredient(s)
- The EPA registration number

As part of your training, your employer must tell you where all this information is kept. Your employer must also let you see the records anytime you want without having to ask.

You can find information about recent pesticide use at (employers, this is the application-specific information):

If you get sick or hurt **BECAUSE OF YOUR JOB**, you have the right to file for worker's compensation. Workers' compensation will pay for your medical bills, and sometimes, lost pay.

You have the right to look at Safety Data Sheets (SDS) and records for all pesticides used where you work. The SDS tells you about each specific pesticide and its dangers.

These records are kept at:

Your employer must explain your rights to you. If you need more help in understanding your rights, call or go to your local county agricultural commissioner's office, local legal aid and worker's rights office, union, or the Department of Pesticide Regulation (DPR).

The DPR offices are:

- Anaheim (714) 279-7690
 - Fresno (559) 445-8111
 - West Sacramento (916) 376-8960
-

Who do I tell about dangers at work?

Pesticides are only one kind of danger at your work. If you have a complaint about a pesticide safety problem, you should call your County Agricultural Commissioner. You can look up the Commissioner's number in the government pages of your local phone book, or by calling DPR's toll-free complaint information line, **1-87PestLine (1-877-378-5463)**. Other health and safety complaints (bathrooms, heat stress, drinking water, etc.) should be filed with the California Department of Industrial Relations Cal/OSHA office.



What training should I get?

Your employer must:

- Train you in a way that you understand **BEFORE** you begin working with pesticides, and anytime you work with new pesticides.
- Give you training each year to remind you how to work with pesticides safely.
- Tell you the ways a pesticide can hurt you and how to safely use each pesticide you work with (Ask your employer for the A-1 safety leaflet to learn more about training).
- Give you extra training if you have to use a respirator (ask your employer for the A-5 safety leaflet).
- Tell you how to move pesticides from one place to another, or dispose of empty pesticide containers (there are special rules your employer must tell you about. Ask for the A-2 safety leaflet for more information).

Other safety leaflets mentioned in this document should be part of your training. They are free and are available from your employer or your County Agricultural Commissioner's office.

All the information about your training must be written down. You will be given a paper to sign to show you have been trained. Only sign this form after you have finished the training and you understand what you heard.



What can a pesticide label tell me?

All pesticides are poisonous. If a pesticide gets in or on you, it can hurt you or make you sick. The pesticide label tells you how to safely mix and apply the pesticide. **The label must be at the place where you mix or apply the pesticide.** You must read and follow ALL directions on the label. There may be additional product bulletins or label information that you must read and follow.

Some of the most important things listed on the label are:

1. Chemicals in the pesticide.
2. First aid and health warnings.
3. Protective equipment needed.
4. Directions for applying the pesticide.

Pesticide Name EPA Registration No.	
Active Ingredients	xx%
Inert Ingredients	x%
DANGER	
First Aid Duis aute irure dolor in reprehenderit in voluptate velit esse cillum dolore eu fugiat nulla pariatur.	
Precautionary Statements Hazards to Humans Personal Protective Equipment Environment Hazards	
Agricultural Use Requirements Eri ipsum dolor sit amet, consectetur hendrerit in voluptate velit esse cillum dolore eu fu	
Directions for Use Excepteur sint occaecat cupidatat non proident, sunt in pa qui officia deserunt mollit anim id est laborum	

How can I tell which pesticides are more dangerous?

Most pesticide labels have a signal word in large print on the front of the label. This signal word tells you about the acute health effect of the pesticide. If a pesticide can hurt you or make you sick right away, that's called an acute effect. If it takes months or years of exposure to a pesticide before you get sick, that's called a chronic effect.

These are the words that tell about acute effects:

- **“DANGER”**—this pesticide is extremely harmful.
- **“WARNING”**—this pesticide is moderately harmful.
- **“CAUTION”**—this pesticide is slightly harmful.

If the label doesn't have one of these words, it means that the pesticide is less likely to harm you. **However, you should handle every pesticide carefully.**

What else does the label tell me?

- If the pesticide can severely hurt your eyes or skin, the label will say something like “Corrosive, causes eye and skin damage.”
- If the pesticide can make you very sick, the label will have a skull-and-crossbones symbol and the word **“POISON.”**
- Words like **“FATAL”** or **“may be fatal if swallowed, inhaled, or absorbed through the skin,”** mean the pesticide can make you very sick or even kill you.
- Some pesticide labels tell you about other health problems that might not show up until long after use (may take years), such as cancer or dangers to unborn babies.



Are there any extra rules for very dangerous pesticides?

Yes, there are two groups of pesticides that California has extra rules for because they could be especially dangerous to you.

The first group is the organophosphate or carbamate pesticides.

If you mix, load, or apply organophosphates or carbamates, California rules might require you to get extra medical care. Ask your employer for A-10 safety leaflet for more information on these pesticides.

The doctor providing extra medical care for organophosphates and carbamates is:

NAME _____

ADDRESS _____

TELEPHONE NUMBER _____

Medical records for handlers of these pesticides are kept at:

The second group is called minimal exposure pesticides (MEP).

These are the agricultural pesticides on the MEP list:

- Omite, Comite
- Bucril
- Metasystox-R

See the A-6 safety leaflet for more information about safety rules if you have to work with these pesticides.

SUMMARY OF RECORDS YOUR EMPLOYER MUST KEEP

Information	Location
Training papers	Employer's office site
Written training program	Employer's office site
Respirator program procedures	Employer's office site
Accident response plan (fumigants)	Work site
Pesticide label	Work site
Pesticide Safety Information Series	Employer's office site
Safety Data Sheet	Employer's office site
Storage area posting ¹	Storage area
Emergency medical care notice	Work site
Doctor's report for respirator use	Employer's office site
Pesticide use records	Employer's office site

¹ Required only for pesticides with the Signal word "DANGER" or "WARNING"]



If you don't get all the information you need in your training, you should call your County Agricultural Commissioner, or the Department of Pesticide Regulation (DPR) for more information. You can find the Commissioner's number in your local white pages phone directory, by calling 1-87PestLine, or at:

<http://www.cdpr.ca.gov/exec/county/countymap/>

DPR's Regional Offices are:

- Northern (West Sacramento) 916/376-8960
- Central (Fresno) 559/243-8111
- Southern (Anaheim) 714/279-7690

Pesticide Complaint ?

1-87PestLine
INFORMATION LINE

1-877-378-5463



Proposition 65

In 1986, a law called the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) was passed. Proposition 65 requires California to make a list of chemicals that cause cancer, birth defects, or other reproductive harm. The Proposition 65 list contains many different chemicals, including dyes, solvents, pesticides, drugs, and food additives. Your employer may also choose to warn you if a pesticide on the Proposition 65 list has been sprayed, even if health problems are not likely. Your employer is required to keep information on each pesticide application and allow you to look at it. If you are not sure of the record location, ask your employer.

The list of pesticides that are on the Proposition 65 list and that might be used in California, can be found at <http://www.cdpr.ca.gov/docs/dept/factshts/prop65.htm>.

DOWNLOAD current Proposition 65 list of chemicals known to the State to cause cancer or reproductive toxicity:

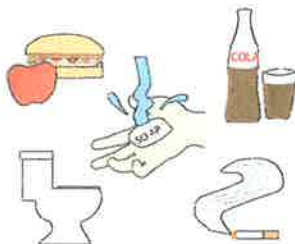
http://www.oehha.ca.gov/prop65/prop65_list/Newlist.html

Safety Tips

HOW TO PROTECT YOUR SKIN



- Wear clothes with long sleeves and long pants, shoes or boots socks, a hat and/or scarf and gloves
- Make sure they are clean and without holes



- Always wash your hands before eating, drinking, smoking, chewing gum or going to the bathroom
- Do not cook food with wood found in the field



- Pesticides get on work clothes and then on your skin
- Wash work clothes before wearing them again
- Wash work clothes separate from other clothes



- Take a bath or shower as soon as you get home from work
- Wash with soap & water and use shampoo on your hair
- Put on clean clothes

WHAT TO DO IN CASE OF ILLNESS OR INJURY



- Pesticides get on your skin and clothes when you touch sprayed plants, soil, and irrigation water or are exposed to spray drift
- They can move from your clothes and onto your skin
- Some pesticides easily go through your skin and can make you sick
- Tell your employer if you are sick or hurt at work
- If the illness/injury is work-related, your employer will pay for all medical care of that illness
- If the condition is work-related, you may be paid for your time off work while sick or hurt

Have someone else drive you to the doctor if you are sick or injured

FIRST AID



- Wash immediately with the closest clean water if pesticides are spilled or sprayed on your clothes or skin
- Change into clean clothes
- Tell your employer about the spill after washing



- Wash if your eyes or skin begin to itch or burn
- Use lots of water
- Tell your employer you should go to a doctor



- If you feel sick at work (headache, stomach ache, vomiting, dizzy) tell your employer
- He or she can make sure you are taken to a doctor
- Have someone else drive you to the doctor if you are sick or injured

ALWAYS REMEMBER



- Never put pesticides in food containers
- Do not take farm pesticides or their containers home
- Keep children away from pesticides

Application-Specific Information Display Chart (Abbreviated)

Product active ingredients and EPA Registration numbers are found on the labels displayed with this chart.

Pesticide	Location	Date/Time	Restricted Entry Interval

Complete chart within 24 hours of the application and display with the pesticide labels used where employees can review the information with unimpeded access.

804 Third Street, Suite C
EUREKA, CA 95501
(707) 441-8477
FAX: (707) 441-8479

November 15, 2016

Planning and Building Department
Humboldt County
3015 H Street
Eureka, California 95501RE: Humboldt Redwood Healing
California nonprofit mutual benefit corporation number C3827946

To whom it may concern,

My office has the privilege of representing Humboldt Redwood Healing (“HRH”) (“the Collective”). The Collective is a California medical marijuana collective operating as nonprofit mutual benefit corporation, entity number 3827946. The Collective was formed on November 2, 2015, to ensure that seriously ill Californians, as defined by *Proposition 215* commonly known as the *Compassionate Use Act*, (“CUA”) codified as California *Health & Safety Code* Section 11362.5(b)(1)(A), and by *Senate Bill 420*, commonly known as the *Medical Marijuana Program Act*, (“MMPA”) codified as California *Health & Safety Code* Section 11362.7 to 11362.83, the *Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use* (August 2008), (“AG Guidelines”); and interpreting case law have the ability to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and recommended by a California licensed physician consistent with the requirements of California law. The Collective. (Attachment A, Articles of Incorporation) The Collective operates as a “closed-circuit” with respect to its cultivation, transportation, processing, and distribution of medical marijuana, and does not make any purchases of medical marijuana from non-members nor does it distribute to any person that is not a member of the Collective. Membership in the Collective is restricted to “Qualified Patients” and their “Primary Caregivers,” as those terms are defined by California medical marijuana laws. No person is granted membership in the Collective until such time as the Governing Body, or its designees, verify that the applicant meets the following four (4) qualifications: (1) The person is a California resident with valid California ID, driver's license, or other California or Federally issued photo identification; (2) The person has a written recommendation from a California licensed physician that is in good standing stating that the person has been diagnosed with a qualifying medical condition and is authorized to use medical marijuana, or a recommendation to act as a “Primary Caregiver” for a “Qualified Patient,” which recommendation has been verified by the Collective to be valid and in effect; (3) The person is over 21 years of age (In extraordinary circumstances and with the written consent of a parent or guardian a person can

November 15, 2016

Page 2

To whom it may concern

be accepted to become and member and be provided medical marijuana in the form of edibles or other non-smoking consumables such as oils); and (4) The person agrees in writing to the terms of the Collective's: (1) Membership Rules and Conditions; and (2) Member Pledge. Each member is expected to make a contribution to the Collective to help insure realization of its purposes, its continuity and its sustenance. Those contributions may vary in nature, based on the needs of the Collective and other variables such as the time and limitations of the various members, and may be financial only. The Collective employs recordkeeping protocols and/or software programs to validate the source of any medical marijuana distributed to its members, and the amounts distributed to each member. (Attachment B, Constitution and Bylaws, Articles 3 through 4). The Collective is governed by a Governing Body. Governing Body members are expected to perform their duties in good faith, in a manner such council member believes to be in the best interests of the Collective and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would make under similar circumstances. In the event that a Governing Body member is called upon to take action with respect to a transaction or contract in which the Governing Body member has a material financial interest independent of his or her involvement in the Collective, the Collective and said Interested Governing Body member shall proceed pursuant to California *Corporations Code* §§ 7233-7235.

The Collective has three (3) Governing Body members. The Governing Body members are: (a) Thomas T. Mulder, President and Chief Executive Officer; (2) Thomas A. Mulder, Secretary and Chief Administrative Officer, and (3) Dee Nelson (formerly, Denise R. Way), Treasurer and Chief Financial Officer. The Collective lawfully cultivates medical marijuana for its members under California law on property that it leases. The Collective contracts out for goods and services necessary to operate the Collective. The Collective's only assets are the medical marijuana it cultivates and the revenue it derives from the sales of the Collective's medical marijuana to Collective members under California law. Because it is illegal for any person to possess medical marijuana that is not a "Qualified Patient" or "Primary Caregiver" under California law and they are limited to possessing only what is necessary for their personal medical needs neither the Board, the Officers nor any member may own any of the Collective's medical marijuana that in excess of their own personal medical needs. Because Health & Safety Code section 11627.765 prohibits the cultivation and distribution of medical marijuana for profit and the Board, Officers and members may only obtain reasonable compensation, the revenue the Collective has from the sale of medical marijuana to members in excess of their reasonable compensation cannot be distributed to the Board, the Officers, or the members. Therefore, the Collective issues no shares and distributes no profits or assets. As such, neither the board, the officers nor any members have any legal interests in the Collective.

November 15, 2016

Page 3

To whom it may concern

I hope this answers any questions that you may have. Please let me know if you have any further actions.

Sincerely,

GALLEGOS LAW FIRM



Paul V. Gallegos

PVG/lc

client



Humboldt County Department of Health and Human Services DIVISION OF ENVIRONMENTAL HEALTH

100 H Street - Suite 100 - Eureka, CA 95501
Voice: 707-445-6215 - Fax: 707-441-5699 - Toll Free: 800-963-9241
envhealth@co.humboldt.ca.us

AUG - 2 2012

WATER WELL APPLICATION CONSTRUCTION - REPAIR - DESTRUCTION

11/12-0043

Instructions:

1. Complete both pages of the application and submit the required fee with the Well Permit application, including Well Driller's signature.
2. The Well Permit will be returned to the property owner by mail when approved by the Humboldt County Division of Environmental Health (DEH).
3. Work on the well shall not be started prior to approval of the Well Permit Application by DEH.
4. Any changes made to the location of a new well shall be approved by DEH prior to commencement of drilling.
5. DEH shall be notified by the Well Driller a minimum of 24 hours prior to sealing the annular space.

Site Address 1475 Cathey Rd APN 211-383-022
 City/State/Zip Mifando, LA 95553 CA
 Directions to Site Turn off Ave of Giants to Cathey Rd follow until upper cathey, take upper cathey follow dirt road and at the "Y" take a right and then driveway is next Rt.
 Property Owner Thomas Theodore Mulder
 Mailing Address P.O. Box ~~1473~~ 1473 Redway, LA 95560
 City/State/Zip _____ Phone (707) 601-0260
 I hereby grant 'right-of-entry' for inspection purposes [Signature]

Drilling Contractor Bushnell Enterprises C-57 License # 403708

I hereby agree to comply with all laws and regulations of the County of Humboldt and the State of California Department of Water Resources Bulletin 74 pertaining to water well construction. I will contact Humboldt County Division of Environmental Health (DEH) when I commence work. Within 15 days after completion of work, I will furnish DEH a report of the work performed and notify them before putting the well into use.

Well Driller Signature: [Signature]

<p>Type of Application:</p> <p><input checked="" type="checkbox"/> Construction <input type="checkbox"/> Repair <input type="checkbox"/> Destruction</p> <p>Estimated Work Dates:</p> <p><u>ASAP</u> Start <u>ASAP</u> Completion</p>	<p>Construction:</p> <p>Estimated Depth (ft.) <u>200'</u> Diameter (in.) <u>9"</u> Depth of Seal (ft.) <u>20'</u> Sealing Material <u>Bentinite</u></p> <p>Casing:</p> <p>Diameter (in.) <u>5"</u> Material: <u>PVC</u></p>	<p>Intended Use:</p> <p><input checked="" type="checkbox"/> Domestic - private <input type="checkbox"/> Community Supply <input type="checkbox"/> Irrigation <input type="checkbox"/> Other _____</p> <p>Type of Sewage System:</p> <p><input type="checkbox"/> Community Sewer <input checked="" type="checkbox"/> Septic System</p> <p>Distance from well site to septic system(s) <u>900'</u></p>
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FOR OFFICE USE ONLY

Fee: \$1365.00 Site Approved By: [Signature] 8/10/12
 Date: 8/2/12 Permit Number: _____ Site Finaled By: _____
 Receipt: 252937 Sealed to Depth of: _____
 By: CLA Seal Observed: Yes No
 Approved by: _____ Date Approved: _____



SEWAGE DISPOSAL SYSTEM PERMIT APPLICATION

09/10-0138

Application is hereby made to the Humboldt County Division of Environmental Health (DEH) for a permit to construct, repair, modify, renew or destroy a sewage disposal system as specified below, in compliance with the laws and standards of Humboldt County and the State of California.	Legal Conformance	Fee	Receipt No.	Application No.
	745 12/15/09	<input type="checkbox"/> New Construction <input type="checkbox"/> Repair <input type="checkbox"/> Modification <input type="checkbox"/> Renewal <input type="checkbox"/> Destruction	1080	29772

Site Address: <u>7720</u>	Owner's Name: <u>Thomas Muller</u>
Assessor's Parcel No. (APN): <u>24-383-022</u>	Mailing Address: <u>P.O. Box 1473</u>
Previous APNs: <u>24-383-14</u>	City/State/Zip: <u>Redway CA 95560</u>
Directions to Site:	Phone: <u>707-0318</u>
	<input type="checkbox"/> Standard System <input type="checkbox"/> * Non-Standard System * Please note that non-standard systems require an operating permit pursuant to HCC, Chapter 6. The owner / operator will be subject to permit fees and inspections.
	Installation Will Serve:
No. of Units: <u>1</u>	<input type="checkbox"/> Residence <input type="checkbox"/> Multiple Housing <input type="checkbox"/> Commercial <input type="checkbox"/> Mobile Home Park
No. of Bedrooms: <u>1</u>	
Water Supply:	
<input type="checkbox"/> Public <input type="checkbox"/> Private	

FOR OFFICE USE ONLY

Septic Tank Size: <u>1200</u>	Pump Chamber Size:	No. of Lines: <u>2</u>	Line Length: <u>60 feet</u>	Trench Depth: <u>2 feet</u>
Special Requirements and/or Comments:				

Terms of Permit

1. DEH personnel will be notified a minimum of 48 hours prior to final inspection. Please note that some systems may require several inspections. Should situations arise that prohibit a final inspection at the appointed time, the applicant or the applicant's agent shall notify DEH and reschedule the appointment. Failure to do so may result in additional charges to the applicant at the current hourly rate.

2. An inspection by DEH personnel, or other qualified professional (when approved by the Division of Environmental Health), will be obtained prior to covering the system.

3. An inspection will not be performed unless a copy of the approved sewage disposal system design is available at the job site.

4. Any deviation from the approved plan without prior clearance from DEH may result in revocation of this permit.

SEP 15 2009

The issuance of a permit in no way indicates that a guarantee of perfect and indefinite operation of this system is made by DEH. Approval is based upon information submitted by the applicant. Field conditions that vary significantly from the approved application information may void this permit.

The undersigned applicant for a sewage disposal system permit certifies as follows:

Contractors' License Law Certificate	Workers' Compensation Certificate
<input type="checkbox"/> A. The applicant's contractor is licensed under the provisions of the Contractors' License Law, under license number _____, which is in full effect. <input type="checkbox"/> B. The applicant is exempt from the provisions of the Contractors' License Law.	<input type="checkbox"/> A. A currently effective certificate of Workers' Compensation Insurance is on file with DEH. Compensation Insurance: _____ Policy: _____ Company: _____ <input type="checkbox"/> B. I certify that in the performance of the work for which this permit is issued that no person will be employed in such a manner as to become subject to the Workers' Compensation laws of California.

I hereby acknowledge that I have read this application and that the above is correct and agree to comply with all County Ordinances and State Law regulating construction of sewage disposal systems.

This permit shall expire if work authorized is not commenced prior to 1 year following the Building Issuance Date.

X	<u>[Signature]</u>	<u>9/10/09</u>
Signature of Owner / Owner's Agent		Date
Building Issuance Date:		
System Design Approved by: <u>Melissa Richard</u>	Date: <u>12/9/09</u>	Construction Approved by: <u>[Signature]</u>
		Date: <u>8/9/10</u>

2014-007582-1
Recorded - Official Records
Humboldt County, California
Carolyn Crnich, Recorder
Recorded by: FNTICo
Rec Fee: \$13.00
Addtl Title: \$13.00
DA Fraud Fee: \$6.00

RECORDING REQUESTED BY:
Fidelity National Title Company of California
Escrow No.: 14-239809-DS
Locate No.: CAFNT0912-0912-0001-0000239809
Title No.: 14-239809

When Recorded Mail Document To:
Thomas T. Mulder
PO Box 1473
Redway CA 95560-1473

Clerk: MM Total:\$32.00
Apr 30, 2014 at 09:40:17

APN:

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SUBSTITUTION OF TRUSTEE AND FULL RECONVEYANCE

WHEREAS, **Thomas T. Mulder, a single man** was the original Trustor, **First American Title Company** the original Trustee, and **Community Credit Union of Southern Humboldt** the Beneficiary, under that certain Deed of Trust dated **May 27, 2009** and recorded as instrument no. **2009-11454-10** on **May 27, 2009** in book **n/a**, page **n/a**, Official Records of the county of **Humboldt**, State of **California**, and

WHEREAS, the undersigned Beneficiary desires to substitute a new Trustee under said Deed of Trust in place and instead of **First American Title Company**

now therefore, the undersigned hereby substitutes **Community Credit Union of Southern Humboldt** as Trustee

under said Deed of Trust and **Community Credit Union of Southern Humboldt** as the substituted Trustee

does hereby reconvey, without warranty, to the person or persons legally entitled thereto, the Estate now held thereunder.

DATED: April 9, 2014

State of California)
County of Humboldt)

Community Credit Union of Southern Humboldt
Sharon Toborg, EVP for
Community Credit Union of Southern Humboldt

On April 22, 2014 before me,
Jessi Stark, Notary Public
(here insert name and title of the officer), personally appeared
Sharon Toborg

Beneficiary
SHARON TOBORG, EVP

Community Credit Union of Southern Humboldt
Sharon Toborg for CCUSH
Substituted Trustee
SHARON TOBORG, EVP

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Jessi Stark (Seal)



ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division		Recommend Approval	
Public Works Land Use Division	✓	Conditional Approval	On file with Planning
Division of Environmental Health	✓	Requested verification of permits for groundwater wells.	On file with Planning, with conditions incorporated into Attachment 1
Calfire	✓	Standard inputs regarding Fire Safe, Resource Management and Cannabis	On file with Planning with conditions incorporated into Attachment 1
Department of Fish & Wildlife	✓	Conditional Approval	On file with Planning, with conditions incorporated into Attachment 1
NWIC	✓	Recommended cultural resources study. Applicant submitted cultural resources survey; concluded that the project will not affect significant historic or cultural resources.	On file with Planning
Bear River Band of the Rohnerville Rancheria	✓	Recommended cultural resources study. Applicant submitted cultural resources survey; concluded that the project will not affect significant historic or cultural resources.	On file with Planning
North Coast Regional Water Quality Control Board		No Response	
CA Division of Water Rights		No Response	
Humboldt County Agricultural Commissioner		No response	
Southern Humboldt School District		No response	
Humboldt County Counsel		No response	