



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: July 13, 2017

To: Humboldt County Planning Commission

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

Subject: **Solful Farms, LLC, Conditional Use Permit**
Application Number 10740
Case Number CUP-17-020
Assessor's Parcel Number (APNs) 209-321-056 and 533-064-017
1490 Holmes Flat Road, Redcrest, Holmes Flat area, and Johnson Road, Klamath Area

Table of Contents	Page
Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	5
Maps	
Topo Map	7
Zoning Map	8
Aerial Maps	9
Site Plans	10
Attachments	
Attachment 1: Recommended Conditions of Approval	11
Exhibit A: Public Works Memorandum	15
Attachment 2: Staff Analysis of the Evidence Supporting the Required Findings	18
Attachment 3: Applicant's Evidence in Support of the Required Findings	29
Attachment 4: Referral Agency Comments and Recommendations	63

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 July 13, 2017	Subject Conditional Use Permit	Contact Michelle Nielsen
--------------------------------------	--	------------------------------------

Project Description A Conditional Use Permit to retire, remediate and relocate (RRR) approximately 5,000 square feet (SF) of cannabis cultivation located on Assessor's Parcel Number (APN) 533-064-017 to APN 209-321-056, which is approximately 2.5 acres in size. Pursuant to Humboldt County Code Section 314-55.4.14 et seq., the existing cultivation area will be relocated to APN 209-321-056, and will total 20,000 SF. For the 2017 cultivation year, cultivation will consist solely of 20,000 SF of outdoor cultivation. For the 2018 cultivation year and thereafter, cultivation will consist of 1) 5,000 SF of mix light cultivation in four existing permitted greenhouses with a fifth greenhouse to be added in the future; and 2) 15,000 SF of full sun outdoor cultivation. The applicant will practice dryland farming with natural rainfall being the primary source of irrigation water. The applicant's cultivation methodology includes applying compost tea using a drip system. Water for the compost tea will be sourced from an on-site rainwater catchment system to be developed. The rainwater catchment system will be the installation of a 10,000 to 20,000 gallon storage tank that incorporates catchment in the design. All product grown on-site will be processed off-site at a licensed facility. Per the applicant there will be no employees for any phases of the cultivation, only for construction of the farm and residence. Domestic water will be provided by a well, and sewage disposal will be provided by an on-site sewage disposal system.

Project Location: The project site is located in Humboldt County in the Holmes Flat area, on the west side of Holmes Flat Road, approximately 343 feet south from the intersection of Holmes Flat Road and Tierney Road, on the property known as 1490 Holmes Flat Road, Redcrest. On the property known to be in Section 34 in Township 01 North, Range 02 East, Humboldt Base & Meridian. The remediation site is also located in Humboldt County, in the Klamath area, on the east and west sides of Johnson Road, approximately 1.9 miles North from the intersection of Metlaw Road and Johnson Road, on the property known to be in Section 19 of Township 11 North, Range 03 East, Humboldt Base & Meridian.

Present Plan Land Use Designations: Relocation Site: Agriculture Exclusive/Prime and Non-prime Lands (AE), Avenue of the Giants Community Plan (AVES), Density: 160 to 20 acres per dwelling unit, Slope Stability: Low Instability (1), Moderate Instability (2). Remediation Site: Public Lands (P), Framework Plan (FRWK), Density: NA, Slope Stability: High Instability (3)

Present Zoning: Relocation Site: Agriculture Exclusive (AE), with a Flood Hazard Areas combining zone (F). Remediation Site: Unclassified (U).

Application Number: 10740

Case Number: CUP-17-020

Assessor Parcel Numbers: 209-321-056 and 533-064-017

Applicant

Solful Farms, LLC
Attn.: Noah Beck
PO Box 1141 S Westhaven Dr.
Trinidad, CA 95570

Owner: Relocation Site

Happy Holmes LLC
PO Box 1141 S Westhaven Dr.
Trinidad, CA 95570

Owner: Remediation Site

Karen Beck
503 Chase Road
Columbus, OH 43214

Environmental Review: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Class 3, 15303 (New Construction or Conversion of Small Structures) Class 4, 15304 (Minor Alterations to Land), and Class 33, 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines.

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

Major Issues: None

SOLFUL FARMS, LLC
Case Number CUP-17-020
Assessor's Parcel Numbers 209-321-056 and 533-064-017

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 15303, 15304, and 15333 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Solful Farms, LLC. project subject to the recommended conditions.

Executive Summary: Solful Farms, LLC Medical Marijuana Cultivation Project (Project seeks approval of a Conditional Use Permit in compliance with the County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and the Medical Cannabis Regulation and Safety Act (MCRSA) to relocate an existing outdoor and mixed-light commercial medical cannabis cultivation located on Assessor's Parcel Number (APN) 533-064-017 to APN 209-321-056, which is approximately 2.5 acres in size. Pursuant to Humboldt County Code Section 314-55.4.14 et seq., when a qualifying grow is relocated under the Retirement, Remediation and Relocation (R-R-R) provisions of the CMMLUO the existing cultivation area may be increased by 4X or 20,000 square feet, whichever is less. In this case, the cultivation area to be relocated off site to APN 209-321-056 will total 20,000 SF.

For the 2017 cultivation year, the relocated cultivation operation will consist solely of 20,000 SF of outdoor cultivation. For the 2018 cultivation year and thereafter, cultivation will consist of 1) 5,000 SF of mix light cultivation in four existing permitted greenhouses with a fifth greenhouse to be added in the future; and 2) 15,000 SF of full sun outdoor cultivation. The applicant will practice dryland farming with natural rainfall being the primary source of irrigation water. The applicant's cultivation methodology includes applying compost tea using a drip system. Water for the compost tea will be sourced from an on-site rainwater catchment system to be developed. The rainwater catchment system will be the installation of a 10,000 to 20,000 gallon storage tank that incorporates catchment in the design. All product grown on-site will be processed off-site at a licensed facility. There will be no employees for any phases of the cultivation, only for construction of the farm and residence. Domestic water will be provided by a well, and sewage disposal will be provided by an on-site sewage disposal system.

A Remediation Plan was prepared by Samara Restoration for the cultivation site to be retired and remediated. The plan requires the decommissioning of the cultivation sites on the property and remediation and mitigation by way of revegetating with native plants and removal of invasive non-native plant species. Minor re-contouring by hand using the native soil with any imported non-native soils removed. The area will be mulched to prevent erosion and replanted with native species. Post treatment monitoring will be conducted and further remedial measures instituted if required. The plan is included as Attachment 3. The full remediation work must be completed within one year and a deed restriction recorded prohibiting commercial cannabis cultivation activities on the retirement site in perpetuity.

The Public Works Department is requiring driveway improvements and the repositioning of an existing fence outside of the County road right of way as noted in the Conditions of Approval and the Public Works Memo. Also, the Scotia Union School District has commented (Attachment 4) that the original cultivation site plan had a greenhouse located within the 600 foot buffer. A revised site plan has been submitted repositioning the cultivation area to meet this standard.

Environmental review for this Project was conducted and based on the results of that analysis, staff believes the existing cultivation and processing aspects of the Project can be considered a "Minor Alteration to Land" as defined by Section 15304 of the California Environmental Quality Act (CEQA)

Guidelines because it consists of "minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes." Additionally, the construction of the replacement greenhouses on the relocation site may be considered "New Construction or Conversion of Small Structures" as defined by Section 15303 of the CEQA Guidelines. Finally, as Lead Agency, the Department has determined that the remediation of the former cultivation site is Categorically Exempt as defined by Class 15333, Small Habitat Restoration Projects, of the CEQA Guidelines.

There is no substantial evidence of potentially significant adverse environmental effects resulting from the permitting of a recognized legal agricultural use (cultivation of medical marijuana) on property zoned AE, with slopes less than 15%, and a source of irrigation with documented appropriate water right, or other permitted non-diversionary source.

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 the three Exemption Classes stated above. 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 17-**

Case Number CUP-17-020

Assessor Parcel Numbers: 209-321-056 and 533-064-017

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Solful Farms, LLC Conditional Use Permit request.

WHEREAS, Solful Farms, LLC submitted an application and evidence in support of approving a Conditional Use Permit to retire, remediate and relocate (RRR) approximately 5,000 square feet (SF) of cannabis cultivation located on APN 533-064-017 to APN 209-321-056, and for the cultivation of commercial medical cannabis on APN 209-321-056 to consist of 1) 5,000 SF of mix light cultivation in four existing permitted greenhouses with a fifth greenhouse to be added in the future; and 2) 15,000 SF of full sun outdoor cultivation.

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 3, 15303 (New Construction or Conversion of Small Structures) Class 4, 15304 (Minor Alterations to Land), and Class 33, 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Case Number CUP17-020); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on July 13, 2017.

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

1. The Planning Commission finds the proposed project is categorically exempt from environmental review pursuant to Class 3, 15303 (New Construction or Conversion of Small Structures) Class 4, 15304 (Minor Alterations to Land), and Class 33, 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines; and
2. The Planning Commission further makes the findings in Attachment 2 of the Planning Division staff report for Case Number CUP17-020 based on the submitted evidence; and
3. The Planning Commission approves the Conditional Use Permit applied for as recommended and conditioned in Attachment 1 for Case Number CUP-17-020.

Adopted after review and consideration of all the evidence on July 13, 2017.

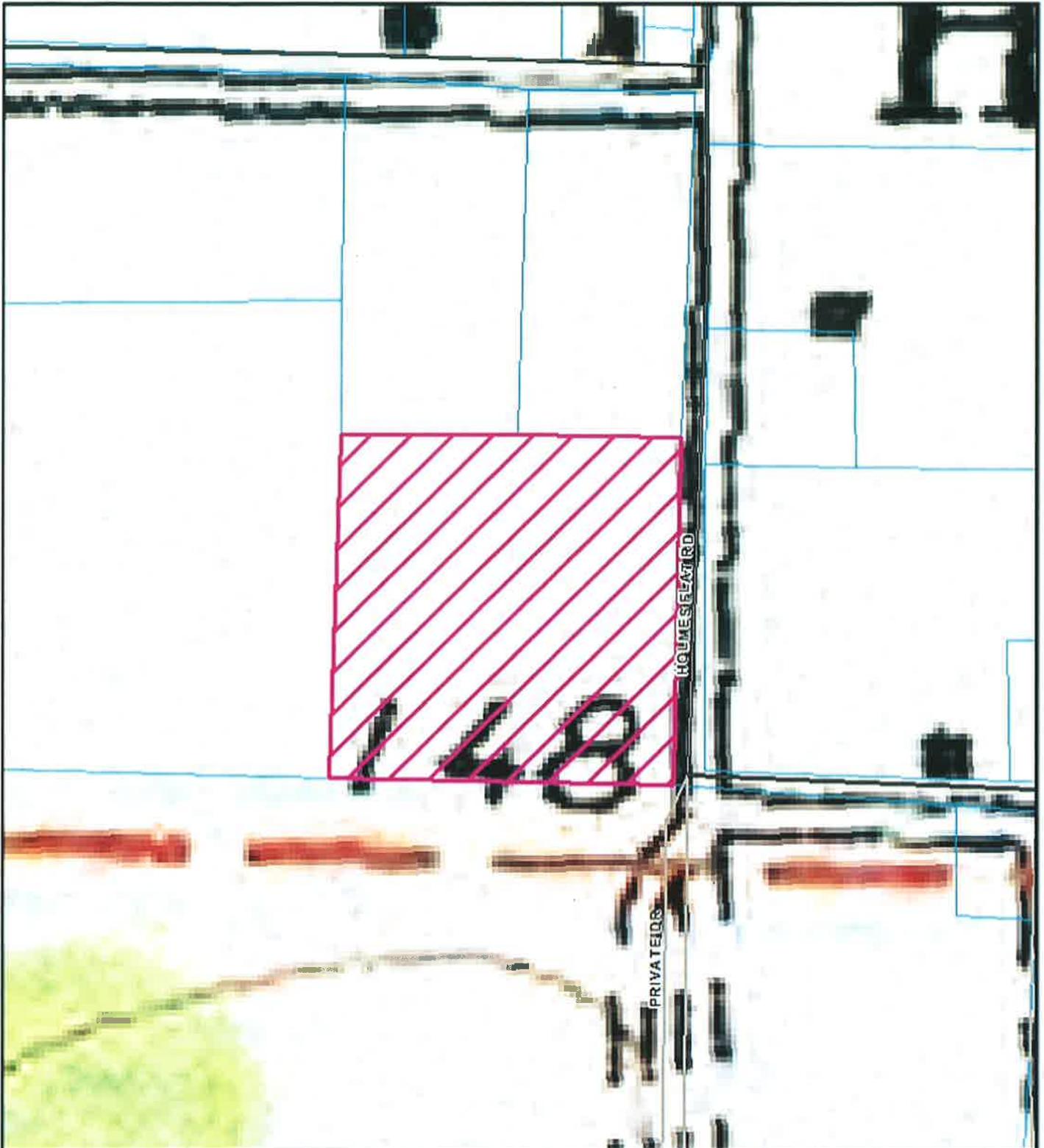
The motion was made by Commissioner ____ and seconded by Commissioner ____.

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

Robert Morris, Chair

I, Suzanne Lippre, Clerk 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.

Suzanne Lippre, Clerk

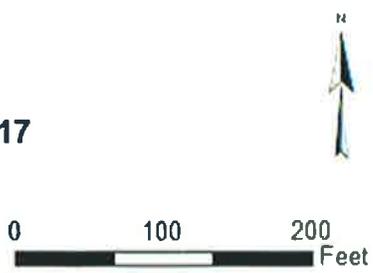


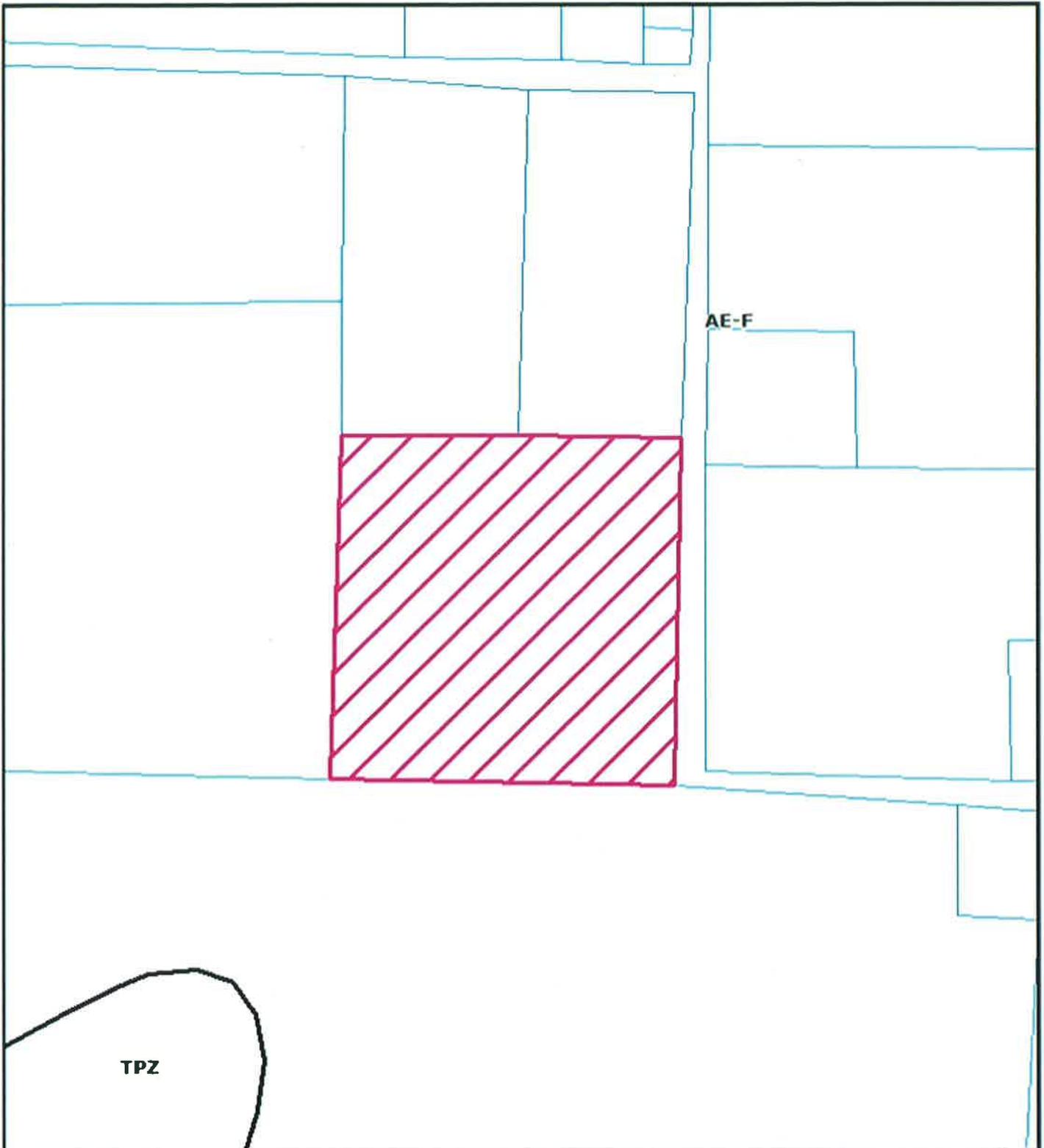
**TOPO MAP
 PROPOSED SOLFUL FARMS, LLC
 HOLMES FLAT AREA
 CUP-17-020**

**APN: 209-321-056 RRR FROM 533-064-017
 T01N R02E S34 HB&M (REDCREST)**

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.





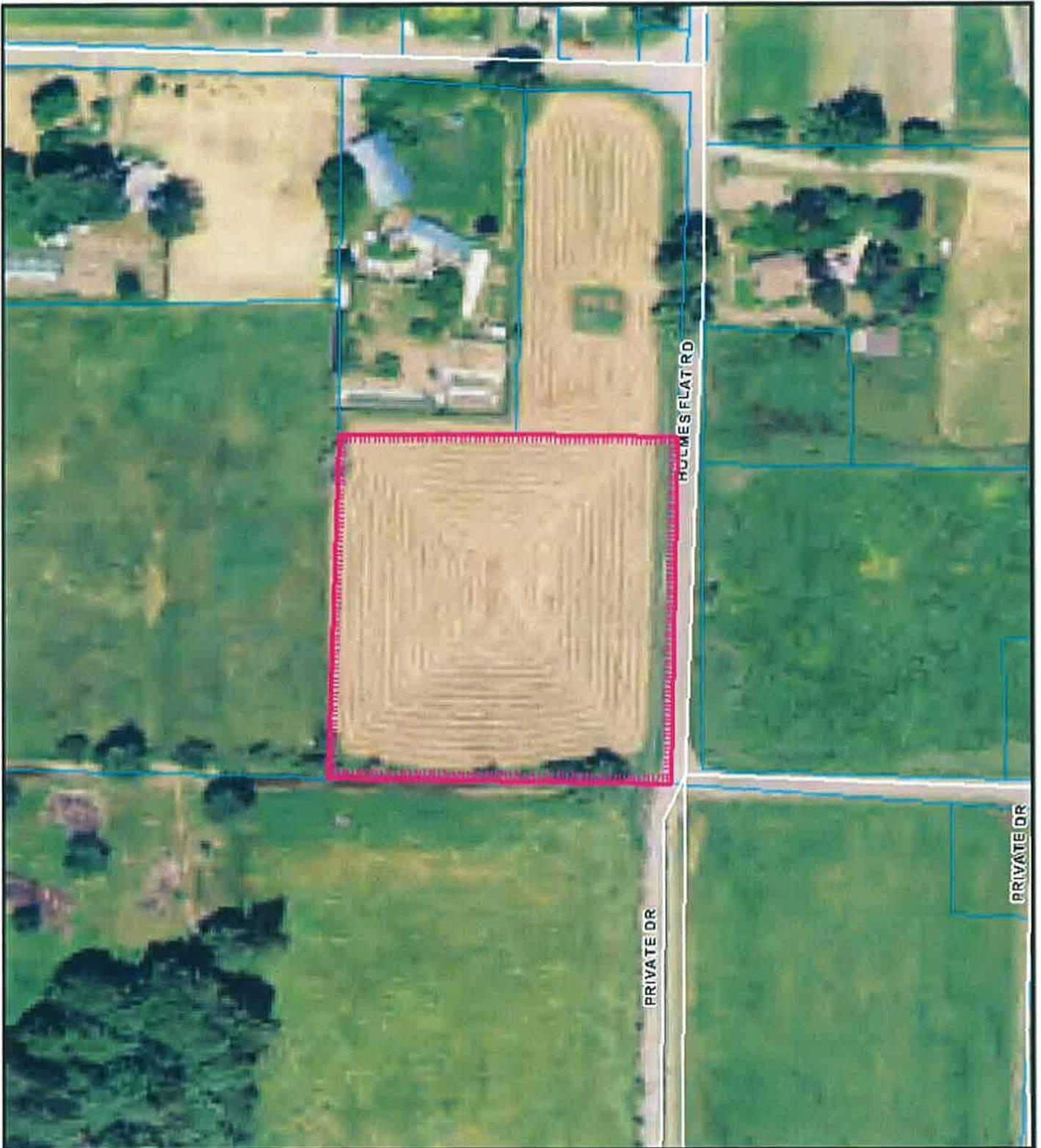
Project Area = 

**ZONING MAP
 PROPOSED SOLFUL FARMS, LLC
 HOLMES FLAT AREA
 CUP-17-020
 APN: 209-321-056 RRR FROM 533-064-017
 T01N R02E S34 HB&M (REDCREST)**



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 SOLFUL FARMS, LLC
HOLMES FLAT AREA**

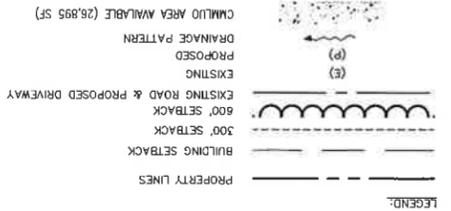
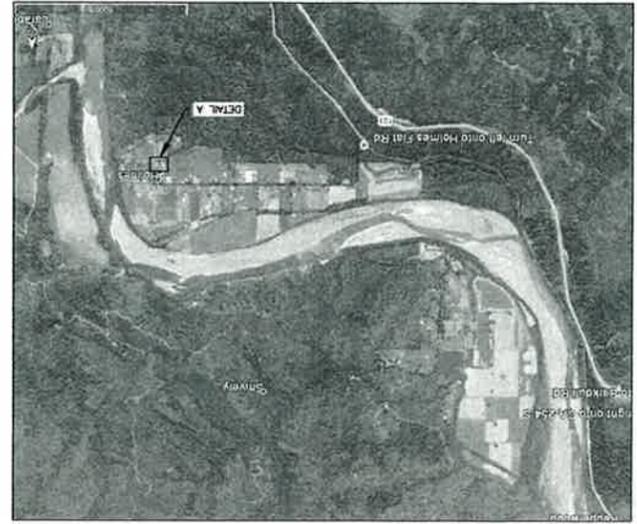
CUP-17-020

**APN: 209-321-056 RRR FROM 533-064-017
T01N R02E S34 HB&M (REDCREST)**

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.





CULTIVATION AREA DELINEATION:

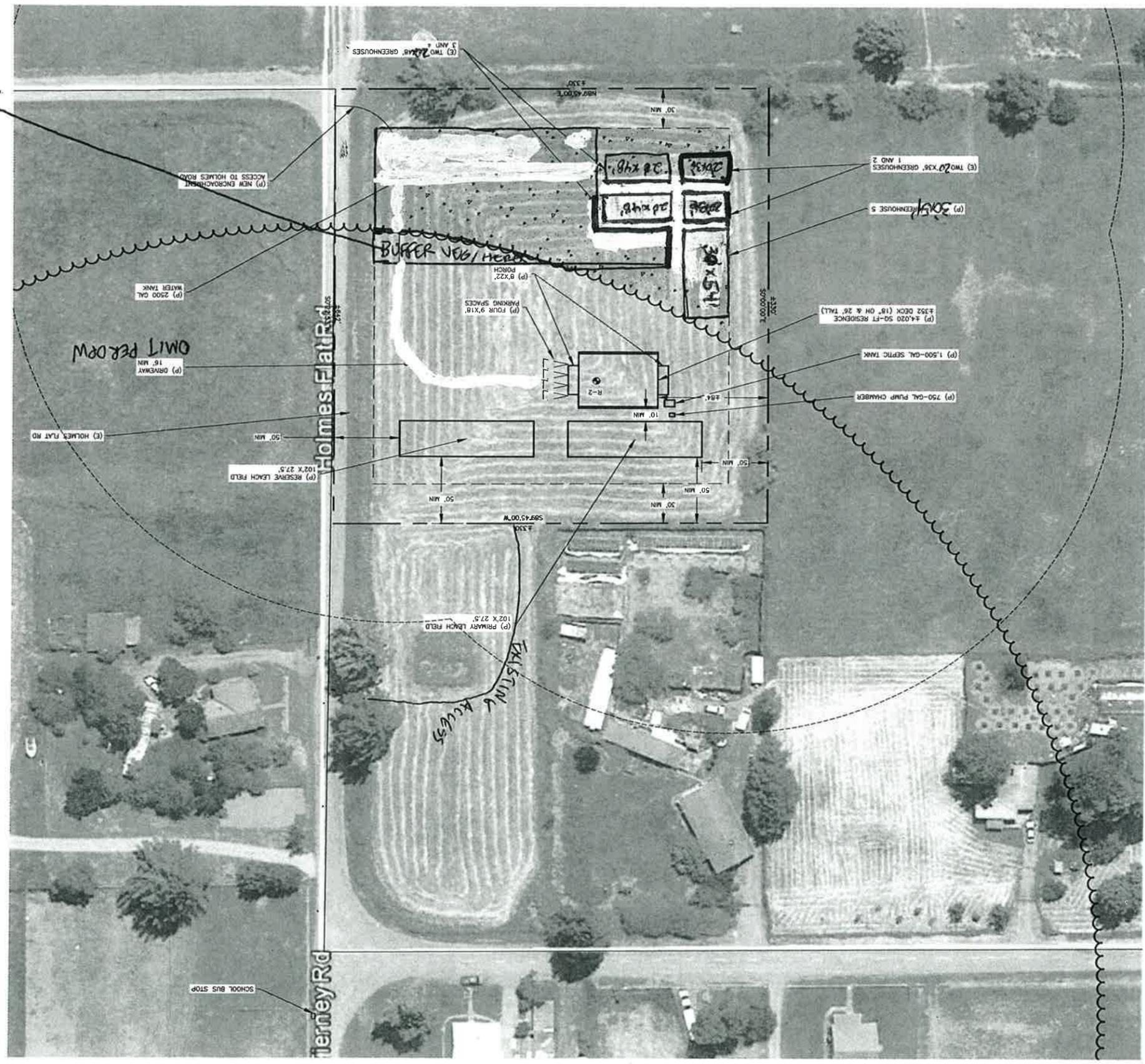
GREENHOUSE 1	- ± 864 SQ-FT MIXED-LIGHT 0-5% AVG. SLOPE
GREENHOUSE 2	- ± 864 SQ-FT MIXED-LIGHT 0-5% AVG. SLOPE
GREENHOUSE 3	- ± 1152 SQ-FT MIXED-LIGHT 0-5% AVG. SLOPE
GREENHOUSE 4	- ± 1152 SQ-FT MIXED-LIGHT 0-5% AVG. SLOPE
GREENHOUSE 5	- ± 968 SQ-FT MIXED-LIGHT 0-5% AVG. SLOPE
TOT MIXED-LIGHT	± 5000 SQ-FT
OPEN AREA	- ± 15000 SQ-FT OUTDOOR 0-5% AVG. SLOPE
TOTAL CULTIVATION	± 20000 SQ-FT

- NOTES:
1. THE WATER SOURCE FOR THIS SITE IS TO BE PRIVATE WATER AND PUMP POWER.
 2. EXISTING SRA WATER STORAGE ON SITE IS A ±2,500 GALLON RESOURCES, W/IN 600' OR W/IN 300' OF OFF-SITE RESIDENCES.
 3. SLOPES AT ALL CULTIVATION SITES ARE LESS THAN 5%.
 4. DURING WET WEATHER CULTIVATION SITES WILL BE MONITORED DAILY, AS NECESSARY, STRAW AND FIBER ROLLS SHALL BE PLACED TO MITIGATE ANY SEASONAL RUN OFF.
 5. NO SCHOOLS, SCHOOL BUSES, STORES, PLACES OF WORSHIP, PUBLIC PARKS, TRIBAL CULTURAL RESOURCES, W/IN 600' OR W/IN 300' OF OFF-SITE RESIDENCES.
 6. THE ENTIRE PARCEL IS COMPRISED OF PRIME AG SOILS.
 7. NO KNOWN EASEMENTS.
 8. IMAGE DATE: 5/26/2016

PROPOSED 6/H 30'X54' = 1,620 sq ft
 EXISTING TOTAL = 3,360 sq ft
 Total greenhouse 4,980 sq ft

SITE OVERVIEW (DETAIL A) SCALE: 1"=40'

Total Full Sun Outdoor Approx 14,400 sq ft
 Total Cultivated area 19,380 sq ft



VEG/HERB BUFFER (in line)

DISCLAIMER:
 INFORMATION PROVIDED IS FOR HUMBOLDT COUNTY PLANNING PERMITTING PURPOSES ONLY. THIS SITE PLAN REFLECTS MANY MAPPING DETAILS THAT TO ASSURE THAT THE STRUCTURES ARE LOCATED APPROPRIATE TO THEIR SURROUNDINGS, HOWEVER, NONE OF THE INFORMATION TO BE SHOWN SHOULD BE CONSIDERED A SUBSTITUTE FOR A CONTRACTED ACTUAL LAND SURVEY.

A. M. BAIRD, ENGINEERING AND SURVEYING, INC. ASSUMES RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED OTHER THAN WHAT HAS BEEN SPECIFICALLY INTENDED FOR THE CANNABIS LAYOUT.

DIRECTIONS:
 EXIT US-HWY 101 (67) HOLMES/REDGEST TURN LEFT ONTO BARKDULL ROAD TURN RIGHT ONTO CA-HWY 254 SOUTH 1264 HOLMES FLAT ROAD

LOCAL AREA ANALYSIS

LOT SIZE:	425 ACRES
OWNER:	NOAH & CRYSTAL BECK 1111 BARKDULL RD THUNDERBOLT, CA 95570 PHONE: (707) 961-2119
ASSESSOR'S PARCEL NUMBER:	209-221-056
ADDRESS:	HOLMES FLAT ROAD
SETBACK:	30' FRONTIER

Page 10 of 10

NOAH & CRYSTAL BECK
 AP# 209-221-056
 HOLMES FLAT ROAD, HOLMES, CA
 CANNABIS & AS BUILTS
 CANNABIS SITE PLAN

DATE: 10/27/2016
 DRAWN BY: PDS/MLN
 SCALE: AS SHOWN

A.M. Baird
 Engineering & Surveying
 1257 Main St., P.O. Box 306, Fortuna, CA 95540
 (707) 722-5182

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

Approval of the Conditional Use Permit is conditioned on the following terms and requirements which must be satisfied before release of the building permit or initiation of operations, whichever occurs first.

Section 1: Development Restrictions

1. The applicant shall be responsible for obtaining all necessary County and State permits or licenses, and for meeting all of the requirements as set forth by other regulatory agencies.
2. For the remediation site, APN 533-064-017, the applicant shall notify the Department of Fish and Wildlife pursuant to Fish and Game Code 1602. A letter from that agency indicating approval has been issued will satisfy this condition.
3. The applicant shall meet all of the requirements specified in the Department of Public Works, Land Use Division's memorandum of June 1, 2017, Exhibit A of Attachment 1, to the satisfaction of that agency. A letter from that agency indicating approval has been issued will satisfy this condition.
4. The applicant shall obtain all necessary building permits and grading permits from the Building Inspection Division (BID) for all structures and grading related to the cannabis cultivation and other commercial cannabis activity. The applicant/owner shall submit plans by a California-licensed engineer for the building permit and grading permit. All building and grading plans submitted for approval shall be consistent with those approved by the Planning Commission.
5. The applicant shall submit a cost estimate accounting for the costs to carry out the remaining remediation work as specified in the Samara Restoration dated March 2017 including those activities undertaken during the monitoring phase. Labor costs is calculated using prevailing wages. The applicant shall post a bond, or other financial equivalent that provides same assurance, in a sufficient amount that will allow the County to contract to complete the work specified in the plan in the event that the operator of the RRR Site fails to do so.
6. The operator or the record property owner of the remediation site, APN 533-064-017, shall record a covenant executed by the property owner not to cultivate marijuana or disturb the remediation area on the subject property in perpetuity, with the enforcement clause as specified in Humboldt County Code Section 314-55.4.14.4, on forms provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$111.00 and applicable recording fees) will be required.
7. In accordance with the Framework, Vol.1, General Plan, the applicant shall:
 - A. Maintain erosion control as specified in §3432(9) of the Framework Plan;
 - B. Implement "Best Management Practices" for erosion and sediment control during the construction phase of the project;
 - C. Use dust control techniques when excavating to minimize dust problems on adjacent dwelling(s).
 - D. Reseed/gravel disturbed areas prior to winter rain.
 - E. Take all precautions necessary to avoid the encroachment of dirt or debris on adjacent properties.

This condition shall appear as an information note on the building permit and grading permit plot plans.
8. The approved building plans shall address odor management by incorporating a ventilation/air filtration system which limits potential adverse odor emission impacts to employees and/or properties located in the vicinity. The system shall be designed, signed, and stamped by a mechanical engineer for review and approval by the Building Official.

9. The applicant shall obtain a Business License from the Humboldt County Tax Collector.
10. 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.
11. Prior to the issuance of building or grading permits the applicant shall pay the \$125.00 Review for Conformance with Conditions deposit as required by the County's adopted Schedule of Fees and Charges.

Section 2: On-Going Requirements/Development Restrictions Which Must Continue for the Life of the Project

1. The project shall be developed, operated and maintained in accordance with the project description, the Cultivation/Operations Plan, and site plan. Changes to the project except for Minor Deviations to the Plot Plan as provided in Section 312- 11.1, shall require Modification of this permit.
2. All lighting shall be compatible with the existing setting and directed within the property boundaries. All lighting associated with mix-light cultivation shall comply with International Dark Sky Association Standards.
3. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and the Medical Cannabis Regulation and Safety Act (MCRSA), as may be amended from time to time, as applicable to the permit type.
4. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner or State equivalent, when available.
5. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
6. Possession of a current, valid permit or license, issued by the Humboldt County Department of Health and Human Services-Environmental Health Division, as soon as such permits or licenses become available.
7. At all times, on-site workers 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.
8. Odors shall be contained on the property on which the Cannabis activity is located. To implement this requirement air filtration and ventilation equipment is to be maintained in good working condition and monitored on an on-going basis to limit potential adverse odor emission impacts to employees and/or properties located in the vicinity of the operation. If the County receives any odor complaints, the permit holder shall work with the Building Official to correct odor concerns.
9. **Permit Duration.** The Permit shall be valid for one year from the effective date of approval, and on the anniversary date of such effective each year thereafter, unless an annual compliance inspection has been completed and the permit has been found to comply with all conditions of approval. In the event the inspection finds noncompliance, a written notification of shall be provided to the permit

holder identifying the items not in compliance and the action the permit holder may take to cure the noncompliance. Failure to cure the noncompliance shall result in termination of the permit. The process of notification, re-inspection and appeal of any noncompliance determination shall be as set forth in sections 55.4.1.2.2 and 55.4.13 of the CMMLUO.

10. **Permit renewals to comply with updated laws and regulations.** Permit renewal per Ongoing Condition of Approval #9 above is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
11. **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 conformance with conditions review shall accompany the request. The request shall include the following information:
 - (1) Identifying information for the new Owner(s) and management as required in an initial permit application;
 - (2) A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - (3) The specific date on which the transfer is to occur; and
 - (4) Acknowledgement of full responsibility for complying with the existing Permit; and
 - (5) Execution of an Affidavit of Non-diversion of Medical Cannabis.
12. **Modifications to the Facility.** Prior to making any modifications to a permitted facility, the permittee shall submit to the Planning Director a request for determination of County approvals, together with the appropriate fee. The request shall contain a description sufficiently detailed to allow the Planning Director to determine what permits and other approvals, are needed, and whether a modified Permit is required.
13. **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.
14. Site visibility must be maintained at the driveway approach in conformance with County Code Section 341-1 et seq.
15. The following provides means of responding to the circumstances of a significant discovery during the cultural monitoring of the final implementation of the proposed agricultural development within the project parcel. If cultural materials for example: chipped or ground stone, historic debris, building foundations, or bone are discovered during ground-disturbance activities, work shall be stopped within 20 meters (66 feet) of the discovery, per the requirements of CEQA (January 1999 Revised Guidelines, Title 14 CCR 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the materials and offered recommendation for further action.

In the event that paleontological resources are discovered, work shall be stopped within 20 meters of the discovery and a qualified paleontologist shall be notified. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. If fossilized materials are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agency to determine procedures that would be followed before construction is allowed to resume at

the location of the find.

If human remains are discovered during project construction, work will stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner will be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner will contact the NAHC. The descendants or most likely descendants of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

The applicant is ultimately responsible for ensuring compliance with this condition.

16. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Informational Notes:

1. One (1) nameplate non-illuminated and not exceeding twenty (20) square feet in sign area may be permitted without modification of this permit. The sign shall conform to Section 314-87.2 of the Humboldt County Code and will maintain adequate sight visibility from points of ingress/egress.
2. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
3. This 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 construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. Once initiated, the use is subject to the Permit Duration and Renewal provisions set forth in Condition of Approval #9 and 10 of the On-Going Requirements /Development Restrictions, above. The period within which construction or use must be initially commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.
4. A well as the primary water source for domestic use may be jurisdictional to CDFW. CDFW requests a well completion log for the existing well, to further assess if it is. Hydrologically connected wells are generally jurisdictional for CDFW, and their use, for domestic purposes or otherwise, generally requires notification pursuant to Fish and Game Code 1602.

Exhibit A
Attachment 1



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

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Michelle Nielsen, Senior Planner, Planning & Building Department
FROM: Kenneth M. Freed, Assistant Engineer II
DATE: 06/01/2017
RE: **SOLFUL FARMS LLC, APN 209-321-056, CUP17-020, APPS# 10740**



JUN - 2 2017

The Department of Public Works reviews projects for issues relating to the adequacy of the roadway network to accommodate the proposed use; issues relating to encroachments (such as driveways and private roads) onto County maintained roads; ensuring that any outstanding violations relating to County Encroachment Permit Ordinance and Visibility Ordinance have been addressed; identifying any necessary frontage improvements that are required along County maintained roads; impacts of projects on nearby airports; ensuring that deferred subdivision improvements, if any, are completed; and identifying impacts of the proposed project to adjacent County owned properties or facilities.

The Department's review of this project is limited to what is shown on the submitted plot plan and accompanying materials. The plot plan does not show the County road right of way for Holmes Flat Road. It appears that setbacks are not being measured from the County road right of way on the east side of the parcel.

ROADS: The subject property is located within the State Responsibility Area. The Department has not conducted a field investigation of the roadway(s) serving the subject property. The roadway(s) serving the subject property may or may not meet road category 4 standards. The road(s) may or may not have capacity to accommodate the proposed use. The applicant shall submit a *Road Evaluation Report* pursuant to County Code Section 313-55.4.11(u)(viii) "*description of increased road use resulting from processing and a plan to minimize that impact*". The Department has developed the attached *Road Evaluation Report* forms that are to be used.

See the attached diagram of the road(s) that need to be evaluated. The Department has used its best judgement to determine the offsite road(s) that would most likely be used for the project. If this is not the correct route that would be used, please contact the Department for clarification before preparing the *Road Evaluation Report*.

In general, road(s) must meet Category 4 road standards in being at least 20 feet in width when 2-way traffic is expected. In addition, a 4 foot wide shoulder is necessary when pedestrians are expected. However, 2-way traffic on a single lane road (Category 2 road) may be appropriate when a road serves only the cannabis operation and when no other parcels of land use the road for access. Access roads not meeting the above standards must be improved to those standards, unless otherwise approved by the Department.

In lieu of constructing road improvements to meet a category 4 road standard, the Department may approve a *Neighborhood Traffic Management Plan*. The Department's criteria for approving a *Neighborhood Traffic Management Plan* is based upon site specific conditions; sound engineering judgment; the proposed ADT and DHV of the roads; the need to accommodate other road users (pedestrians, bicycles, equestrians, etc); and the frequency and quantity of traffic associated with the proposed use. The applicant's Civil Engineer can address this in Part B of the *Road Evaluation Report*.

The Department recommends that the Road Evaluation Report be submitted to the County prior to the project being presented to the Planning Commission for approval.

Note: There may be other projects that have been conditioned to improve the road(s). Prior to constructing any improvements the Department recommends that the applicant determine what work has already been accomplished so that efforts are not duplicated.

DRIVEWAYS: The proposed commercial driveway apron (encroachment) will need to be constructed to County standards. The driveway shall be improved to meet the County visibility ordinance and encroachment permit ordinance standards. This requires that the driveway apron be paved for a minimum width of 18 feet and a length of 50 feet [Reference: County Code Sections 314-109.1.2.2.5, 314-109.1.5.1, 341-1, 411-51]

Prior to constructing improvements within a County maintained road right of way, the applicant shall apply for and obtain an encroachment permit from the Department of Public Works. [Reference: County Code 411-11(a)(b)]

The applicant shall submit an encroachment permit application for the review of driveway encroachments existing or proposed onto a County maintained road. An Encroachment Permit application is attached.

AIRPORT: The subject property is not located near a public airport.

DEFERRED SUBDIVISION IMPROVEMENTS: The subject property does not have any deferred subdivision improvements that have not been fulfilled.

ADJACENT COUNTY OWNED PROPERTY OR FACILITIES: The proposed project does not have any impact on any adjacent county owned property or facilities.

FENCES/GATES: It appears that the subject property has constructed fencing within the County right of way. Pursuant to County Code Section 411-11 (j) and California Streets & Highways Code Sections 1481 & 1482, fencing and gates shall be relocated (or removed) out of the County right of way as part of the project. In addition, fencing and gates on private property may need to be setback further to comply with the County Visibility Ordinance (County Code Section 341-1).

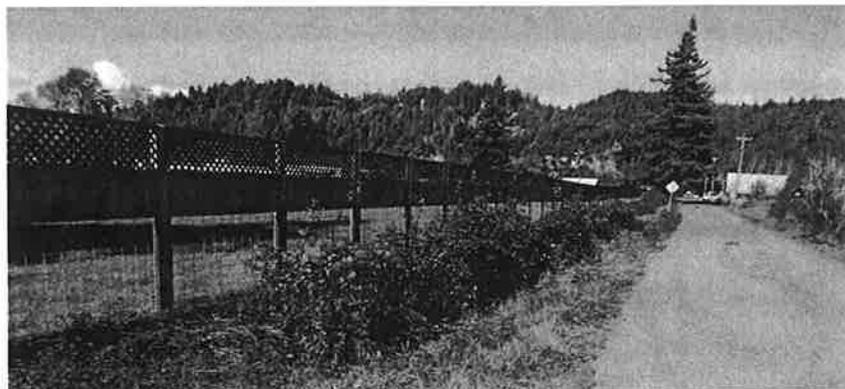


Photo: Fence on east side of parcel within the County road right of way.

PUBLIC WORKS RECOMMENDED CONDITIONS:

1. Applicant must apply for and obtain an encroachment permit to construct a rural commercial driveway entrance on Holmes Flat Road. The permit will require the applicant to construct and surface a new commercial driveway entrance with asphalt concrete or as approved by the Department. [reference: County Code section 411-11 (a)(b)]
2. The commercial driveway encroachment shall be improved to meet the County visibility ordinance and encroachment permit ordinance standards. This requires that the commercial driveway be paved for a minimum width of 18 feet and a length of 50 feet. [References: County Code Sections 341-1, 411-51]
3. The applicant shall submit a *Road Evaluation Report* pursuant to County Code Section 313-55.4.11(u)(viii) “*description of increased road use resulting from processing and a plan to minimize that impact*”.
4. The applicant will need to remove the fence out of the County road right of way. [References : County Code Section 411-11 (j) and California Streets & Highways Code Sections 1481 & 1482]

Informational Notes:

1. FENCES/GATES: Pursuant to County Code Section 411-11 (j) and California Streets & Highways Code Sections 1481 & 1482, fences are not allowed within the public right of way of County maintained roads. Prior to constructing any fences along (or near) the right of way line, the applicant is advised to consult with the Department of Public Works Encroachment Permit Office at 707.445.7205.

It is important to note that fences constructed outside of the public right of way are still subject to the County's visibility Ordinance (County Code Section 341-1). Fences and gates on private property may need to be setback further to comply with the County Visibility Ordinance.

Gates must be set back sufficiently from the road so that a vehicle can completely pull off the road while opening or closing the gate. In addition, for properties in the State Responsibility Area, conformance with Fire Safe Regulations (County Code Section 3112-13) is also required.

Fences and gates taller than 6 feet may require a building permit. The applicant is advised to consult with the Planning and Building Department – Building Division at 707.445.7245 prior to constructing any fences or gates.

// END //

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 evidence which supports finding that the proposed development is in conformance with all applicable policies and standards of the Framework Plan (FRWK) and the Avenue of the Giants Community Plan (AVES).

Plan Section, Summary of Applicable Goal, Policy or Standard, and Evidence Which Supports Making the General Plan Conformance Finding	
<p>Land Use §2725 (FRWK) Appendix A.I. (AVES) Agricultural Exclusive (AE): includes prime agricultural lands. Primary and Compatible Uses: Primary uses shall be limited to the production of food, fiber, plants, timber, timber agriculturally related uses, and agricultural recreational uses.</p>	<p>The project is for the cultivation of commercial medical cannabis using employing both outdoor and mix-light production. While commercial medical cannabis is recognized under State law as an agricultural product, pursuant to Humboldt County Code Section 314-55.4.3.7, the commercial cultivation of cannabis for medical use is a regulated specialty crop and the cultivation of that specialty crop is not a principal permitted use under the General Agriculture use type classification in the Humboldt County Zoning Regulations. The applicant has applied for the requisite permit. Based on the referenced primary and compatible uses and the above, a finding of consistency with the AE land use designation can be made for the project.</p>
<p>Cultural Resources §3500 (FRWK/AVES) Protect cultural resources, including historic, archaeological, and scenic resources.</p>	<p>A Cultural Resource Investigation Report prepared by Roscoe and Associates, dated June 2017. The research conducted included literature, a filed investigation, and consultation with the Tribal Historic Preservation Officer (THPO) of the Bear River Band of the Rohnerville Rancheria (BRB). No cultural resources were identified within or adjacent to the proposed cultivation project area. The report concludes that the project will not cause a substantial adverse change to any historical resources, and recommends the adherence to protocols for inadvertent discoveries (page 14). The report was reviewed by the BRB THPO, and she concurred with the report's recommendations.</p>
<p>Housing §2400 (FRWK/ AVES) Encourage innovative designs that facilitate optimum use of sites.</p>	<p>The portion to be developed is not planned or zoned for residential use as it is zoned and planned for agricultural use, and the property was not included in the 2014 housing inventory. The project does not involve residential development. Given the above, the project will not impact existing or future housing availability.</p>

<p>Geologic Hazards §3210 (FRWK/ AVES) Goals: To reduce public exposure to natural and manmade hazards. To ensure the continuity of vital services and functions. To educate the community. Policy: Regulate land use to ensure that development in potentially hazardous areas will not preclude preserving and promoting public safety. Standards: Require geologic reports according to the Geologic Hazards Land Use Matrix as denoted in the Framework Plan.</p>	<p>The project is for the cultivation of commercial medical cannabis with the majority of the cultivation being out door. This project is similar in nature to the previous use of the property for hay cropping. The parcel is relatively flat, and has a low and moderate slope instability rating. There are no mapped earthquake faults traversing the project site. The project site is not subject to liquefaction. In their referral comments Building Inspection (BI) did not require the submittal of either an R-2 or R-1 soils report, and this requirement is discretionary the Framework Plan's Geologic Hazards Land Use Matrix for this type of development. Based on the characteristics of the area of development and project as proposed, staff believes the project will not expose people or property to significant geologic hazards.</p>
<p>Hazards §3200 (FRWK/AVES): Flood §3220 (FRWK) and Fire Hazards §3230 (FRWK) Per FEMA mapping the entire parcel is located in the 100-year flood zone and the floodway. These flood hazard designations applied to the property prior to FEMA's 2016 flood hazard mapping update. The County's Flood Damage Prevention Ordinance allow for agricultural development such as that proposed. The property is not subject to inundation from tsunami or an upstream dam. Because the project does not include the development of new habitable structures or other infrastructure improvements that could engender further residential or commercial development the project will not increase the exposure of people or property to flood hazard. The property is situated in an area with a low fire hazard rating. The project will not engender development that will increase the exposure of people or property to fire hazards. All new structures will be setback at least 30 feet from the property lines. The access road is adequate per applicant's completed road evaluation report. The project is consistent with the policies to not increase the exposure to this hazard.</p>	
<p>Noise §3240 (FRWK) Conform with noise standards.</p>	<p>According to the applicant's plan of operation power for operations will be provided by PG&E and solar; generators will not be used. Therefore, the project will conform with the County's noise standards.</p>
<p>Sewage Disposal §4530, 4531.5, 4531.6, 3361.2 (FRWK) Goal: To ensure a safe means for waste disposal and protect the County's water resources for the public's health and safety. Policy: Septic systems shall not be permitted where the slope exceeds 30% or within 50 feet from an unstable land form. Policy: Sewage disposal systems placed on an existing lot must meet all of the requirements of the Humboldt County Department of Public Health and the North Coast Regional Water Quality Control Board. Policy: Regulate development that would pollute watershed areas. During the construction phase, the applicant anticipates that 6 employees will be on-site to complete this phase. Once construction is completed, cultivation activities will be carried out by the operation and will require additional outside employees. The applicant will provide portable a toilet. The Division of Environmental Health recommended conditional approval of the project: that the applicant obtain a permitted well should a well be used. The use of a well will require an approved modification of this permit first be secured. There will be no on-site processing of cultivated cannabis. The project site has slopes of less 15 percent.</p>	

<p>Biological Resources §3400 (FRWK) Goal: To maximize where feasible, the long-term public and economic benefits from the biological resources within the County by maintaining and restoring fish and wildlife habitats. Policies: Maintain values of significantly important habitat areas by assuring compatible adjacent land uses, where feasible.</p>	<p>According to the applicant's site plan, a site visit, and comments from California Department of Fish and Wildlife, the project will not impact biological resources as protected resources were not identified on the project site or in the vicinity. Therefore, the project will conform with the County's biological resource protection policies.</p>
--	---

<p>220, 4237.7 (FRWK): Access Goal: To develop, operate, and maintain a well-coordinated, balanced, circulation system that is safe, efficient and provides good access to all cities, communities, neighborhoods, recreational facilities and adjoining areas. Policy: New Development shall only be approved which will not significantly create or aggravate safety, capacity or parking problems on County roads.</p> <p>The applicant has completed the Department of Public Works' Road Evaluation Report and has self-certified that the access road, Holmes Flat Road, is developed to the equivalent of a road category 4 standard. Access to the cultivation site will be over the adjacent parcel, APN 209-321-055, which has an existing encroachment from Holmes Flat Road and is owned by the same property owner. The applicant will make improvements to the encroachment to the satisfaction of the Department of Public Works.</p>

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

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

Zoning Section and Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
<p>§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.</p>	<p>The parcel of land known as APN 209-321-056 is Parcel 2 of Parcel Map No. 1218 recorded in Book 10 of Parcel Maps Page 133 on December 29, 1977. 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>

<p>§314-7.1 Agricultural Exclusive (AE): Intended to be applied in fertile areas in which agriculture is and should be the desirable predominate use and in which protection of this use from encroachment from incompatible uses is essential for the general welfare.</p> <p>§314-21.1 Flood Hazard Areas (F) combining zone: Minimize public and private losses due to flood and tsunami conditions. Prohibited new Development Within 100-Year Floodway and Floodplain:</p> <ul style="list-style-type: none"> • Mobilehome Parks • Health Care Services • Extensive Impact Civic use • Solid Waste Disposal • Hazardous Industrial 	<p>All general agricultural uses is enumerated as a principally permitted use in the AE zoning district. The project is for the cultivation of commercial medical cannabis using employing both outdoor and mix-light production. Commercial medical cannabis cultivation is recognized under State law as an agricultural product. Although State law specifies it is agricultural use and general agricultural uses are principally permitted in AE, pursuant to Humboldt County Code Section 314-55.4.3.7, the commercial cultivation of cannabis for medical use is a regulated specialty crop and the cultivation of that specialty crop is not a principal permitted use under the General Agriculture use type classification in the Humboldt County Zoning Regulations. The applicant has applied for the requisite permit. Based on the referenced principally permitted use and the above, a finding of consistency with the AE zoning district can be made for the project.</p> <p>As discussed above, the entire parcel is in the 100-year flood plain as FEMA'S 2016 mapping. The project does not entail any prohibited development as per Section 314-21.1.4.</p>
--	--

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
Minimum Lot Size	20 acre	Per Parcel Map No. 1218, the subject parcel is 2.5 acres in size. Pursuant to HCC Section 314-107.2.1, a substandard lot may be developed or sold if it was legally created. As discussed above, the subject parcel is a separate legal parcel.
Maximum Ground Coverage	35 percent	38,115 square feet is the maximum allowable coverage for this parcel. Beginning in 2018, the application will initiated 5,000 SF of mix-light cultivation, which is well below the lot coverage.
Minimum Lot Width	100 feet	330 feet
Maximum Lot Depth	None specified	N/A
Setbacks Front: 30 feet Rear: 20 feet Side: ten percent of lot width but not more than 20 feet. Subject parcel has a lot width 330 feet, so the side yard setback is 20 feet.		Front, east property line: plot plan shows a 30 foot setback. Rear, west property line: plot plan a 30 foot back. Side, north and south property lines: as the submitted plot plan shows a few improvements within the specified setback, prior to initiation of cultivation activities or issuance of building permit, whichever event occurs first, it has been made a condition of approval that the applicant relocate any existing improvements outside the 20 foot setback and submit a plot plan for the review and approval of the Planning Director showing conformance with this standard.
Max. Building Height	None specified	The applicant will use convention single story greenhouses for mix-light cultivation. The height of these structures will not exceed the height standard.

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)		
§ 314-55.4.8.2.1.3	On...AE parcels between 1 acre and 5 acres in size, outdoor and mix-light cultivation may be permitted with a Use Permit.	In accordance with the referenced section the applicant has applied for the necessary CUP due to the parcel being 2.5 acres in size.
§314-55.4.8.2.1 Criteria for approval of new outdoor and mix-light cultivation areas:		
Prime agricultural soil		Per Humboldt County WebGIS, the entire subject parcel is prime farmland if irrigated per the Natural Resources Conservation Services 2014 soils mapping.
Slopes less than 15 percent		Per Humboldt County WebGIS, the slopes on the subject parcel do not exceed 15 percent.

	<p>With documented current water right or other non-diversionary source of irrigation water.</p>	<p>The applicant's operation will not use well or a diversionary source of irrigation water. Per the Plan of Operation and Water Resource Protection plan, the operation will employ dryland farming with natural rainwater being the primary source of irrigation water. Farming practices will include applying compost tea using drip irrigation. Captured rainwater will be the water to be used for producing compost tea that will be applied. For rainwater catchment, the applicant is proposing to install water tanks designed to catch rainwater. The total storage capacity will be 10,000 to 20,000 gallons. The applicant is not proposing to use a surface diversion or well for irrigation water. Based on the submitted evidence, the project complies with the referenced section.</p>
	<p>Cultivation shall be located on the Prime Agricultural Soils on the parcel and no more than 20 percent of the area of Prime Agricultural soils may be permitted for commercial medical cannabis cultivation.</p>	<p>As the parcel is 100 percent prime agricultural soils the no more than 21,780 SF of the parcel can be used for cannabis production. The project as proposed is consistent with this standard.</p>
<p>§314-55.4.8.2</p>	<p>In all zones where cultivation is allowed consisting of timberland, the commercial cultivation of cannabis for medical use shall only be permitted within a 3-acre conversion exemption area, or non-timberland open area, subject to the conditions and limitations set forth in this Section.</p>	<p>Per Calfire's May 17, 2017 comments, "[c]onversion of timberland takes place when trees are removed and the land use changes even without the sale, barter, exchange, or trade of trees". According to the applicant's Water Resource Protection Plan the land in recent years has been used for the production of hay. A review of Google Earth imagery shows the parcel has been an open field since at least 1998. Also the imagery indicates that the land was used for agricultural production intermittently over the years. No trees are proposed to be removed as part of the project. The project will not result in a conversion of timberland because the project will result in the land being used for agricultural production and no trees will be removed.</p>
<p>§314-55.4.8.10 Permit Limit</p>	<p>No more than four commercial cannabis activity permits may be issued to a single person, as defined in the referenced section.</p>	<p>According to records maintained by the Department, the party who is the member of Solful Farms, LLC, applicant, hold no other cannabis activity permits, and is entitled to four. This application is for one permit.</p>
<p>§314-55.4.9.1 Accessory Processing</p>	<p>Processing for cultivation requiring a Special Permit or Use Permit will be considered in the Use Permit application.</p>	<p>All commercial medical cannabis cultivated will be processed at a licensed off-site location.</p>
<p>§314-55.4.9.4 Pre-Application Registration</p>	<p>Existing cultivation sites shall register with the County within 180 days of the effective date of this ordinance.</p>	<p>A Commercial Cannabis Registration Form for the remediation site, APN 533-064-017, was filed with the Planning Division on July 22, 2016, and within the specified window.</p>

§314-55.4.10 Application Requirements	Identifies the Information Required for All Applications	Attachment 3 identifies the information submitted with the application, and shows all the required information was received.
§314-55.4.11 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities	All the applicable performance standards are included as Conditions of project approval. They are required to be met throughout the timeframe of the permit.
§314-55.4.11.c Performance Standards-Water	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.	The applicant is practicing dryland farming with natural rainwater being the primary source of irrigation water. Farming practices will include applying compost tea using drip irrigation. Compost tea will be mixed with captured rainwater. For rainwater catchment, the applicant is proposing to install water tanks designed to catch rainwater. The total storage capacity will be 10,000 to 20,000 gallons. The applicant is not proposing to use a surface diversion or well for irrigation water. Based on the submitted evidence, the project complies with the referenced section.
§314-55.4.11.d Performance Standards-Setbacks	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).	The applicant's site plan shows that the cultivation area conforms to the 600-foot school bus stop. The applicant revised the original site plan circulated to the Scotia Union School District in response to the District's recommendation. The site plan shows the project complies with property line setback. There are no parks as defined HCC Section 314- 55.4.7 within 600 feet of the cultivation site based on a review of aerial imagery. Nor is there a place of religious worship within 600 feet. One outcome of the cultural resources study was there are no TCRs present on the site.

<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>As discussed above the primary power source for the project will be conventional grid power supplied by PG&E and solar power. Therefore, the project conforms with the referenced standard.</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 July 22, 2016.</p>
<p>Sites eligible for RRR incentives (RRR Sites) shall be those that were in operation on or before January 1, 2016 and are located in TC, FR, TPZ, U, RA, AG or AE zones with source of irrigation water from surface water diversion without DWR water right or permit or DFW streambed alteration permit on a parcel with slopes in excess of 15%.</p>	<p>The parcel subject to remediation (also referred to as the donor site) is zoned Unclassified (U). According to the submitted remediation plan prepared by Samara Restoration dated March 2017, the slope of the hillside where cultivation previously occurred is in excess of 15 percent. The water source for cultivation at the donor site is a spring that is not permitted and has been used via verbal/historic agreement from the neighboring property. The remediation site meets all of the eligibility criteria.</p>	
<p>Sites eligible for relocation of RRR Sites (Relocation Sites) shall be those specified in Section 314-55.4.8.2.1.</p>	<p>As discussed above, the relocation site (also referred to as the receiving site), meets all the criteria specified in Section 314-55.4.8.2.1.</p>	

Operators of RRR Sites shall be eligible to receive a Zoning Clearance Certificate for commercial cultivation of medical marijuana on an eligible Relocation Site, for an area up to four times the area of the previously existing RRR Site, but in no event larger 20,000 SF.	Due to the size of the receiving parcel, a Conditional Use Permit is required pursuant to HCC Section 314-55.4.8.2.1.3 for this project rather than the Zoning Clearance Certificate. The proposed cultivation area will not exceed 20,000 SF.
The operator of a RRR Site shall prepare a plan for the full environmental remediation of the RRR Site, including removal of all cultivation related materials, equipment and improvements, regrading to preexisting contours, reseeding with native vegetation, reforestation, and habitat restoration.	The remediation plan prepared by Samara Restoration dated March 2017 and submitted to Planning meets all of the specified content requirements. Said Plan is included in Attachment 3.
The operator shall execute an agreement to complete the work specified in the remediation plan within twelve (12) months, and shall post a bond in a sufficient amount that will allow the County to contract to complete the work specified in the plan in the event that the operator of the RRR Site fails to do so.	The applicant has submitted the property owner's notarized consent for the donor site to be remediated using the RRR qualifications. The applicant is preparing the cost estimate for the scope of work for the remaining remediation work, as specified in the Samara Restoration dated March 2017, needing to be undertaken. The cost estimate will account for activities undertaken during the monitoring phase.
The operator or the record property owner of the RRR Site shall record a covenant executed by the property owner not to cultivate marijuana or disturb the remediation area on the subject property in perpetuity, with the enforcement clause as specified in HCC Section 314-55.4.14.4.	Execution of this document has been made a condition of approval in Attachment 1.

4. Public Health, Safety and Welfare, and 6. 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.	The Department finds that the proposed project will not be detrimental to the public health, safety and welfare since all reviewing referral agencies have approved the proposed project design. The project as proposed and conditioned is consistent with the general plan and zoning ordinances; and the proposed project is not expected to cause significant environmental damage.
§§ 15304 (a) and 15311 of CEQA	Categorically exempt from State environmental review.	CEQA Exemption Sections Class 3, 15303 (New Construction or Conversion of Small Structures) Class 4, 15304 (Minor Alterations to Land), and Class 33, 15333 (Small Habitat Restoration Projects), of the State 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. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Attached)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Attached: on CD)
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. (Not applicable)
9. If the source of water is a well, a copy of the County well permit, if available. (Not applicable)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE. (Not applicable)

11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in section 55.4.8.2.3, and plan for compliance with applicable Building Codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed will not support diversions for irrigation. (On file)
14. Acknowledge that the county reserves the right to engage with local Tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the Tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to Tribal Cultural Resources, as defined herein. Examples include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On-file)
15. Cultural Resources Study, Roscoe and Associates, June 2017 (on file and confidential)
16. Beck Property Remediation Plan, Samara Restoration, March 2017 (attached)
17. Solful Farms LLC Operations Manual, received April 5, 2017, and Revisions to Solful Farms LLC Operations Plan dated June 15, 2017 and July 1, 2017 (attached)
18. Solful Farms LLC Water Resource Protection Plan, received May 19, 2017 (attached)
19. DEH Worksheet (on file)
20. Photo documentation regarding access road and fence submitted July 3, 2017 (attached)

RECEIVED
APR - 5 2017
Humboldt County
Planning Division



BECK PROPERTY REMEDIATION PLAN

APN 533-064-17

March 6, 2017

Prepared by:
Eric Johnson
Samara Restoration
PO Box 4586, Arcata, CA 95518
(707) 834-4379

Page 1 of 7 March 2017
Beck Remediation Plan: APN: 533-064-17

zone (u) Tribecel

PROJECT LOCATION

The project is located in Humboldt County mile marker 11 along Johnson Road in Orick, California. From Highway 101, head south on Bald Hills Road and turn left on Johnson Road for 11 miles to the property (see attached Addendum 1).

Parcel Numbers: APN 533-064-17

USGS 7.5 Minute Quad Map:

Township: 12N

Range: 2E

Section: 19

Meridian: Humboldt

Elevation: 1,077 feet

Coordinates: Latitude 41.3325, Longitude: -123.8744

PROJECT DESCRIPTION

This remediation plan proposes to mitigate the environmental damages caused by small cannabis cultivation along Johnson Road on the Yurok Reservation near Bald Hills in Humboldt, California. This plan mitigation measures associated to each project that will address and remediate the sites environmental impacts. The overall impact of the site due to cannabis cultivation is very low due to the fact that very little grading has occurred, there are no sediment delivery sources as a result of the operations, and there are no water courses near the cultivation areas. The overall site does not show signs of soil sluffing or erosion. The vegetation surround these proposed remediated areas is primarily comprised of native vegetation and is well established. The water source is a spring that is not permitted and has been used via verbal/historical agreement from the neighboring property. We plan to do minimal disturbance to the intact vegetation and will revegetate any areas in which there is soil disturbance. The plan also includes planting specifications, Best Management Practices, performance standards, and a monitoring protocol to be reported to the associated agencies. The attached Project Site Map in Addendum 2 illustrates the location of the projects described below.

Project 1: Remediation of Cultivation Area on APN 533-064-17

Approximately 5,000 square feet of the site was utilized for cannabis cultivation and this plan is to decommission cultivation sites on this parcel and remediate the site and mitigate by way of revegetating with native plants and removal of invasive non-native plant species. There are 15 planting pits (see A on map) approximately 20 square feet each along the hillside below the cabin that will be removed totaling 3,000 square feet. The slope of the hill is greater than 15% and will be re-contoured by hand using the native soil and all the nonnative soil within the pits will be removed. The re-contoured hillside will be planted with *Rubus parviflorus*

(Thimbleberry), *Vaccinium ovatum* (Evergreen Huckleberry), and *Heteromeles arbutifolium* (Toyon), and *Philadelphus lewisii* (Mock Orange). There is a 1000 square foot area (see B on map) that had a cold frame hoop house located below the plating pits that will be removed by hand and the site will be planted with native shrubs including *Vaccinium ovatum* (Evergreen Huckleberry), *Rubus leucodermis* (Black-cap Raspberry), and *Arctostaphylos columbiana* (Hairy Manzanita) at eight foot on-center. There is a 20' by 50' area adjacent to the house (see C on map) that had a greenhouse on it totalling 1,000 square feet. This site will also be planted with native vegetation with similar species as site B. The plants will be mulched with hardwood bark mulch and the other disturbed soils areas will be mulched using weed-free rice straw. Within these three locations, all the *Rubus armeniacus* (Himalayan Blackberry) and *Cirsium sp.* (thistle) will be removed prior to revegetation efforts.



Left: Cultivation Planters area (Site A, 2,000 square feet) to be removed and slope regraded with native soils and revegetated with native plant species. **Right:** Greenhouse frame (Site B, 1,000 square feet) to be decommissioned and area to be revegetated with native shrubs.



Above: Old greenhouse location that has been abandoned (Site C, 1,000 square feet) to be clean of trash and non-native vegetation and revegetated with native plants.

PROJECT SCHEDULE

Task	Completion Date
Submit Remediation Plan to Humboldt County Planning and Building Department	March 2017
Begin project implementation: Trash and potting soil removal, slope recontouring, cold frame removal, revegetation, and erosion control	May 2017
Inspection upon project completion	July 2017
Vegetation Monitoring	October 2017
Submit Monitoring Report to Humboldt County Planning and Building Department	December 2017
Implement Remedial Measures as Necessary	Within 30 days of Monitoring

SITE PREPERATION

All trash and invasive plant debris will be removed from the site. All non-native soils will be removed from the re-contoured areas and used for future cultivation operations.

PROJECT PLANT SPECIES LIST

Project 1 and 2 Hillside Revegetation Species List

Species Name	Common Name	Quantity	Container	Spacing (inches)
<i>Vaccinium ovatum</i>	Evergreen Huckleberry	20	1 gallon	96
<i>Rubus leucodermis</i>	Black-cap Raspberry	20	1 gallon	96
<i>Heteromeles arbutifolium</i>	Toyon	18	1 gallon	96
<i>Arctostaphylos columbiana</i>	Hairy Manzanita	10	1 gallon	96

PLANTING SPECIFICATIONS

All shrub species shall be mulched with hardwood bark mulch (3' diameter by 4" thick) and browse protection using rigid biodegradable protective netting (minimum 4" diameter, minimum 36 inches tall) with wood or bamboo stakes and standard agricultural grade bailing wire or plastic ratchet-locking ties. Plants shall be watered within 24 hours of planting. All plants shall be installed within holes twice the diameter and depth of the container and the soil shall be compacted in order to remove any air spaces near the roots. In the event that there plants are stressed due to lack of water, the plants are to be watered as needed to support active growth and survival.

BEST MANAGEMENT PRACTICES

Weed-free rice straw will be applied at 2 tons/acre on all exposed soil areas. All disturbed areas will be seeded and/or planted and mulched within 2 days post construction. Erosion control materials will be on-site at all times during the approved project work period, but do not expect

any erosion issue due to work not occurring in a wet area. Other Best Management Practices will be implemented as needed. Project implementation will be completed during dry periods and with agency approval. Minimal and cautious use of equipment will be used to avoid disturbance to soil, vegetation, and habitat. When possible, hand tools will be used to minimize compaction and vegetation disturbance. Native vegetation and/or bird habitat will be flagged and avoided during construction. Noise reductions measures will be instated to minimize bird disturbance. Vehicles and equipment will not be fueled, cleaned or stored near water courses in order to avoid impacts to soil, fish, wildlife, and plants.

PERFORMANCE STANDARDS (Years 1)

Vegetation: 90% survival of planted vegetation over one year following summer monitoring for all plantings.

MONITORING

The vegetation monitoring will occur during the first summer months (during active flowering time) after planting. The vegetation will be monitored annually in the summer for percent survival for the Hillside Revegetation species. Success criteria for the hillside planting are 90% viability. Vegetation monitoring will be conducted by a qualified professional and the reports will be submitted to the agencies within 30 days of monitoring.

Agencies to Receive Monitoring Reports

Humboldt County Planning and Building Department, Eureka, CA

REMEDIAL MEASURES

In the event that the performance criteria's are not met within the proposed timeframe, additional planting, erosion control, and BMP's will be executed to address the problem areas. If in the event additional project rehabilitation is to occur, those areas of remedial measures will be monitored for one year post the newly executed implementation.

ADDENDUM 1: Site Location Map

Beck Property Site Location Map

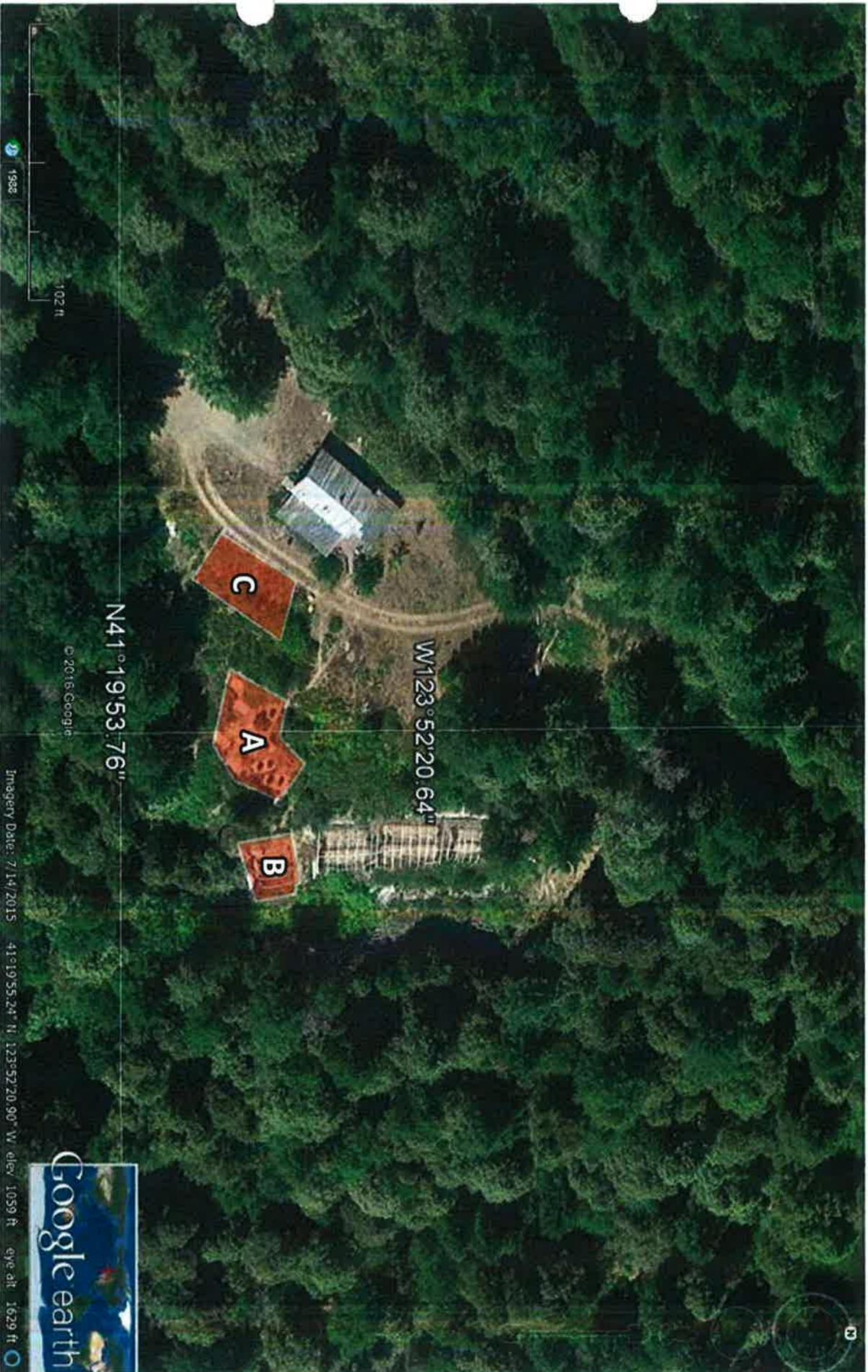
APN - 533-064-17



ADDENDUM 2: Projects Location Map

Beck Property Projects Location Map

APN - 533-064-17



PROP 533-06417 HAS NO STRUCTURES &
 NO DEVELOPMENT. ASIDE FROM HOOP HOUSES
 & TERRACED GARDEN BEDS.

RECEIVED
 APR - 5 2017
 Hamilton County
 Planning Division



533-06417

Approx 1,250 MIXED LIGHT total
 2x(20'x25') HOOPS FOR EARLY LIGHT DEP/STARTS (De-commissioned 2014) I still standing
 1x(10x25) in flat up by driveway (de-commissioned 2006)
 TERRACED GARDEN BEDS w/Pits (50' x 75')
 3,500-4,000 sq. ft

Pink highlighted area FULL SUN OUTDOOR
 YELLOW HOOP HOUSES / MIXED LIGHT

July 13, 2017



Final Amendments to SolFul Farms Operations Plan

July 1, 2017

SolFul Farms will have all of the medical cannabis produced this season processed offsite. SolFul Farm is a family run operation, and the residence/ barn in the operations plan will not be completed by fall. Therefore, 75% of the cannabis will be sent to extract fresh from the field, and the remainder will be harvested in succession and hung to dry in the greenhouses. Dried cannabis will be processed into totes and delivered to the permitted extraction facility. It is our intention to dry, cure and process the medical cannabis at the SunFed processing center *Redcrest Mill (APN 209-351-083)* at the mill site in Redcrest once it is permitted and available for use. (2018 Season) This will eliminate impacts of trimmers and allow us to continue to operate as a family farm with no employees.

Additional concerns:

DPW claims that our fence may be in the right of way. After discussion with Public Works, I was asked to measure the distance and report back. The new fence was constructed exactly in the same place the fence has been for decades and is out of the county right of way. It is beyond the ditch and in line with all the other fences in the neighborhood. I have attached pictures along with the measuring tape, showing the road is 20' wide and from the center of the road, the fence is exactly 30' away. Decision was made with Public Works that we would use existing access and not construct an additional encroachment on Holmes Flat Road. Site map has been modified to reflect that decision. This will satisfy the DPW concerns.

DFW asked for us to file a Initial Statement of Diversion because our well could potentially be connected to the Eel River via groundwater. That was filed and received June 30th, 2017.

Initial site map showed the proposed garden 580-590 feet from the bus stop. The bus actually stops about 10-15 feet past the sign on the map, but we have pulled back the cultivation area to beyond 600'.

Nutrient Shed (A) has been moved into cultivation area.

REVISIONS TO SOLFUL FARMS LLC OPERATIONS PLAN

June 15, 2017

CONCERN 1: County has suggested that the cultivation area be moved back 20 feet per Michelle Niensens calculations regarding school bus stop.

ACTION TAKEN:

1. AM Baird engineering has addressed the school bus setback, so per discussion June 15 with either John Ford or Michelle Nielsen, cultivation area will be adjusted to satisfy setback requirements. A revised map will be sent in on Monday, June 19th, 2017.

2. Due to school bus stop setback (and delayed building start date), there will be no processing on site.

CONCERN 2: Encroachment/ Access to Holmes Flat Rd and Fence

ACTION TAKEN:

1. Per discussion with Glen Anderson, a decision was made to allow us to use the existing encroachment on neighboring parcel 209-321-055 and upon completion of building project, we will pave or make the first ~~50~~ 25 feet off of Holmes Flat Rd a "hard surface". He was pleased with our decision to use/ upgrade the existing encroachment and we will work with public works to satisfy their requirements.

2. The fence is not deemed in the county right of way. We are working with public works to address the right of way and the fence will be moved if deemed necessary. The fence is contiguous in Holmes Flat and was only deemed in the roadway regarding the encroachment access. The mediated encroachment addresses this concern.

CONCERN 3: ARCHEOLOGICAL REVIEW

ACTION TAKEN

1. Arch study and review are completed by Jamie Roscoe June 2017



~~FulSol Farms~~

(Legal Name Change to Solful)

Solful Farms LLC Operations Manual

Updated 07/12/2016

SolFul Farms LLC
Cultivation and Operations Plan

Site Address:
APN: 209-321-056
Holmes Flat Rd. Redcrest, CA 95569

Introductory Statement:

SolFul Farms is honored to apply for medical cannabis cultivation in Humboldt County. We cultivate premium grade medical cannabis in a way that promotes the health and wellness of our patient members, our community and our planet. We are committed to an agricultural approach that is beyond sustainable and is regenerative in nature. Our commitment is demonstrated at every level of the project from the sourcing of materials for infrastructure, to the dry farming methods used and the CCOF certified land we cultivate. The farm plan consists not only of cannabis but of a wide variety of medicinal herbs, organic fruits, vegetables and berries that contribute to the health of our patient members, community and families. Thank you for considering our application and we are honored to work with the County of Humboldt during this transition into the regulatory framework of the MMRSA.

Description of water source, storage and irrigation plan:

The water source is a private well (See Site Map) which fills two 2500 gallon storage tanks. The Barn will also have rainwater catchment that feeds two additional tanks that will be primarily used for the agricultural operations. Due to the rich alluvial soil, the silty loam and the advanced mulching techniques, the goal is to have the cannabis operation use 100% rainwater to establish a good root base and then use advanced dry farming techniques to drastically minimize and potentially completely stop water use during the driest months of the summer. SolFul farms is actively pursuing certification as a Salmon Safe and watershed compliant farm, which is the highest standard for water usage available. The projected water usage is about .5- 1.5 liters per plant and is administered as a root drench only 2/ week, once with just fresh water and once

to apply the compost tea blends (made from onsite composted material). Once plants roots are well established, watering will cease or be drastically reduced and only be used as a foliar spray and for the application of compost tea. There are no synthetic or chemical fertilizers used anywhere on the parcel. The parcel is CCOF certified for food and vegetable production and the cannabis operations are being held to the same standards. Water usage will never exceed 500 gallons per week.

Site Drainage, runoff and erosion control measures:

The site is completely flat. It is zoned AE and has historically been used for vegetable and hay production. This is an agriculturally exclusive parcel meant for production of agriculture due to its flat topography and its rich alluvial soil. The medical cannabis is farmed using the native soils which have excellent drainage. The greenhouses are mulched and planted with flowers and other herbs to avoid runoff, there is no slope and the pathways are mulched to avoid any discharge at all, even from walkways and wheelchair access points. There are no synthetic fertilizers or pesticides used.

Measures taken to protect wildlife and the nearby habitat:

There will be no negative impact on the wildlife or habitat (aside from the Jack Russell terrier that will keep deer out of the garden).

Protocol for proper storage of fertilizers, pesticides and regulated products:

FulSol Farms strictly adheres to a chemical free environment. All of our amendments are OMRI or organically certified and are stored in buckets inside a shed on the parcel. We do not use pesticides that are not listed as safe and certified OMRI and follow an IPM program that uses even those organically listed as a last resort. See attached sheet for a list of approved pesticides or amendments that may be used on the farm, and there is zero tolerance for not following this protocol. All family members or patient members are well versed in the CCOF certification and are aware of the strict standards we uphold. This is a moral obligation and a philosophy in the farms mission statement and we take this seriously. We intend to take the DPR course offered by Weylon Shaw at the county Ag Commisioners office in regards to pesticide application to make sure that we are following all protocol even when using OMRI certified products.

Description of Cultivation Activities:

This site will be both an outdoor and a mixed light environment.

The power comes from the PG&E grid and solar. We intend to enroll in the PG&E Solar and Renewable Energy program (100% offset)

SolFul Farms is committed to the energy policy of California and uses the most efficient lighting available. The greenhouse that uses the mixed light is primarily to maintain vegetative states for an early start and to promote healthy vigorous plants that will be best suited for disease and pest resistance as a part of our IPM. We will uphold the lighting standards as referred to in the MMLUO and no light will be visible before dawn or after dusk.

Processing Plan:

Plants are harvested at peak ripeness and hung to dry. There is no heating or cooling used in this process, simply airflow and darkness. Depending on weather, this activity can happen in the greenhouse or in the barn onsite. Processing is minimal. The majority of the dried cannabis is sent to a manufacturer to be processed into CO2 oil to be distributed to the patient members in the capsule form that has been recommended to them by their physicians. The remainder of the medical cannabis is trimmed onsite, there are no employees and there is minimal impact on the farm. The dried and cured cannabis is securely stored in locked totes and trimmed as needed throughout the year before being distributed to our patient members, our partner dispensaries and our relationship with the Humboldt Sun Growers Guild. We hope to use off site processing centers when available.

Number of annual cultivation cycles:

We anticipate two harvest cycles, one light deprivation cycle harvest and one full season. We also maintain small plants for juicing that do not have a harvest cycle. They are juiced as needed and frozen.

Schedule of Activities during each month of the growing and harvesting season including generator use:

There is no anticipated generator use. The property is AE, located in a farming community and follows a typical farming season/ activity schedule. Springtime seed starting and amending, summer growing season and fall harvest season. The activities are principally permitted activities for the zoning for the area.

Security Plan:

The farm is fully fenced on the perimeter of the property line. The property can only be accessed through a locked gate. The cannabis cultivation area is separately fenced with a 6' tall fence with green privacy screening and deer bells on each gate. There are two dogs, a 24 pound farm dog and a 12 lb Jack Russell that deal with the intruding gophers and deer. They are small and have an impeccable ear to alert us of anybody trying to enter the property. We maintain strict adherence to CA Health and Safety Codes 11362.5 and 11362.7, SB 420, the newly adopted MMRSA and all HIPPA privacy laws protecting our patient members recommendations and their sensitive information. There is an active phone tree in the neighborhood to alert law enforcement of any suspicious behavior. All cannabis grown is kept solely in a closed loop system between patient farmer/patient members/ manufacturers and legal partner dispensaries. We prevent diversion by carefully keeping records and logs of harvests/ weights and reconciling them against our projections. It is also imperative that we maintain good relationships with our patient base, which consists primarily of local families. A young man who uses CBD to control seizures, elderly and hospice care patients, a few cancer patients on a maintenance dose, and some patients w Auto-immune and neuropathic pain. We partner with herbalists who make herbal tonics using other herbs on the farm and are not involved in any criminal activity. SolFul Farms is committed to medical cannabis and will work to develop a security plan that matches what the MMRSA will require when that information is made available. SolFul Farms is in a farming neighborhood, at the end of a paved road and easily accessed by law enforcement if there is a need for them. SolFul Farms management is trained in CPR and First Aid and can act appropriately in an emergency.

Distance from schools, bus stops and parks

SolFul Farms Cultivation area is not within 600 ft of a school, bus stop or public park.

Attached Items:

1. SolFul Farms Operations Manual
2. Letters of Support from Dispensaries and Patients
3. List of Accepted Inputs/Pesticides
4. Site Map
5. Proof of membership Humboldt Sun Growers Guild

Mission Statement

SolFul Farms strives to cultivate health and wellness in our community by producing plant based food and medicine. SolFul Farms is committed to growing medicinal cannabis that honors the process from farmer to patient. We recognize the interconnectedness of all life and strive to operate in that balance. Nurturing the soil microbes, planting and harvesting healing herbs, growing nutrient dense fresh fruit and vegetables and cultivating a healthy community are our primary goals. We believe that empowering people to use plant based medicine is a positive contribution to our society and will help foster a love and respect for our natural environment. Regenerative practices and the highest level of environmental stewardship are the foundation of our farm. We strive to be a model of small scale farming that represents the values and culture of the place we call home, Humboldt County California.

SolFul Farms Business Structure

SolFul Farms LLC is registered as an LLC with the State Of California

SolFul Farms EIN # is: 81-4038388

SolFul Leases the "cannabis specific" garden site from Happy Holmes LLC

Managing Member: Noah Beck

Emergency Contacts

Main Phone (707) 298-1718

Legal: Mark Harris (707) 822-9506

Process Server: Sequoyah Hudson (707) 834-4509

Personnel Selection

SolFul Farms is a family farm operation and does not have employees. If any changes are made to this structure, we plan to follow the implementation of AB 266 w background checks, community references, character assessment, non disclosure agreements and employee code of conduct.

FulSol Outdoor Full Sun Garden Plan

Primary Objectives

1. Environmental Stewardship and Resource Protection
 - a. All procedures are designed to create the highest standard of sustainability by responsible resource use. Water conservation, renewable energy, organic inputs, and on farm efficiency are top priorities.
2. Health and Wellness
 - a. The health and wellness of our family and patient members are of the highest concern. Making sure that all products used on the farm are contributing to the health and safety of the farmers and the patient members is a top priority. Many patients have compromised immune systems and are vulnerable to pathogens. It is imperative that the health and safety of the family and the patients are the top priority. Anything that threatens to endanger the health of the members should be not used and immediately discarded appropriately.

Cultivation

SolFul Farms is a primarily sun grown operation. All genetics are either propagated from seed stock or cut as clones from a mother plant. Careful consideration is taken to keep all genetics on the farm and to maintain clean stock to minimize the risk for pests and pathogens. If new nursery stock is needed, SolFul farms maintains its closed loop system by only procuring genetics from patient members or partner dispensaries.

Spring time: seeds are started and kept under supplemental fluorescent lighting. Strong genetics are selected to be planted and the rest are juiced or composted.

Early Summer: Greenhouses are planted with ample room for growth and air flow. Hoops that are to be covered for light deprivation techniques begin to be covered at 12 hour intervals.

Late Summer: Light dep crops are harvested and hung in hoops to dry. Full season crops continue to grow.

Fall: Crops are harvested in succession to allow ample room for drying.

Quality Control

Cannabis flowers are visually inspected for mold and impurities. Once dried, they are sent to SC Labs for full spectrum testing for Potency, Microbial Content and Pesticides. A pesticide fail is grounds for immediate destruction of the plant material. A microbial content of higher than 100,000 is sent to the lab for a double test and if it fails, that batch is sent to extraction and not distributed in its flower form.

Integrated Pest Management

SolFul Farms works in collaboration with DBS soil analytics to properly identify pests and pathogens. Once there is a positive identification, steps are immediately taken to rectify the problem. The primary objective of our IPM is to minimize the need for pest control by preventing the problems from ever occurring. This process is founded on proper soil management, strong healthy genetics and good practices. Our IPM consists of these steps in this order:

1. Prevention
2. Identification
3. Physical removal or traps
4. Biological controls (predator insects, etc.)
5. OMRI listed chemical controls
6. Destruction of the plant matter and complete removal of potentially contaminated soil.

Harvest Protocol

SolFul Farms harvests medicinal cannabis at peak ripeness. There are different stages that the medicinal compounds are most effective. For juicing, the leaves are juiced at 30day intervals throughout the season and then fresh frozen for the patient members juicing needs. CBD and THC flowers are selected for harvest by visual observation of the trichomes for color and fullness. When it is determined that the flowers are ready for harvest they are hung to dry with no heat and no cooling. When the dried flowers have been tested for moisture content (visual and physical inspection), they are then sent to SC Labs for testing. After the flowers have been dried and tested, they are then sent to a manufacturer for extraction or stored in secure totes for trimming. Patient members are notified that their medicine is available in either flower form or gel capsules w coconut oil.

Security protocol to prevent diversion

SolFul Farms is committed to transparency and building trust between regulating bodies and the medical cannabis community. SolFul Farms is a strictly medical cannabis operation and follows the guidelines in the SB 420 and the Ca Health and Safety Codes 11362.5-.7. We encourage regulations and guidelines that will protect the health of our community and our watersheds. We are excited to lead the way with integrity and best practices. Our farm manual is open for review, our farm is open for inspection and we commit to trying our best to anticipate harvest dates and yields, as well as maintaining current batch and lot numbers on all units. Inventory is tracked using Quickbooks software and is available for review/input upon permitting. SolFul Farms has had a working relationship with some of the best dispensaries in the state. CBCB in Berkeley CA and Phytologie in Oakland have programs that give free cannabis to low income patients and patients in active Chemotherapy. We have had cultivation agreements with CBCB for over 8 years, making sure that clean medicine is made available to patients in need. We are proud of this relationship and have attached letters of support from partner dispensaries. SolFul Farms is also supportive of the local cannabis ag co-op and are proud members of the Humboldt Sun Growers Guild. HSGG is a closed loop system of member farms and dispensaries that is specific to Sun Grown Cannabis. We are excited to see this relationship grow. The Humboldt Sun Growers Guild is part of the county's track and trace program, and as members we are encouraged to

explore that option and look forward to joining that program when it becomes available. We use a scale that is certified by the Agricultural Commission to be certain that our weights are accurately represented. We encourage input and will follow all regulations as they arise at the state and local level.

Protocol for waste/contaminated product

All molded or contaminated cannabis is composted in the compost heap, and layered with manures and grasses to immediately start decomposition or burned in the fire pit.

Patient Member and Dispensary Protocol

All patient members are verified by CA ID and current doctors recommendation. Patient members sign the SolFul Farms collective agreement and commit to the policies of SolFul Farms. All dispensaries are verified using their sellers permit number. Tax ID and current permit or business license in their jurisdiction. SolfulFarms is not expanding and our current member base uses all the medicine grown. There is no need to pursue new relationships at this time. Attached are letters of support from some of our patient members. We respect HIPPA privacy laws and do not post the recommendations but are available upon request. SolFul Farms has a binder with all the pertinent information on the farm at all times. We maintain a strict closed loop in accordance with SB 420. ****see attached copies of documents***

SolFul Farms LLC Water Resource Protection Plan

Water Resource Protection Plan
1470 Holmes Flat Road
Redcrest, CA
Humboldt County APN# 209-321-056

This parcel is zoned AE, and its principally permitted use is for agriculture. The Holmes Flat neighborhood is primarily made up of small farms including orchards, livestock, hay and cannabis/vegetable production. Most of the parcels range between 6 and 40 acres, with some smaller parcels clustered at the end of the road near the river (at the intersection of Holmes Flat and Tierney Road). Agricultural activity is present throughout the neighborhood from dawn until dusk with the rotating animals to pasture, the sound of the tractors mowing the fields and the general activity of working farms.

Topography:

The site is completely flat, has no slope and is situated along Holmes Flat Road on the east side, a sheep field on the west side and Holmes Flat Road also to the North side, as the property is on the corner where Holmes Flat Road meets Tierney Road and is called the "Holmes T".

Historic use:

The historic use of this parcel is California Certified Organic Farm (CCOF) certified hay production of both Timothy Hay and Alfalfa. While certainly not necessary, the hay was historically irrigated using overhead watering in a highly inefficient manner (daylight hours, windy days, etc). Comparatively, the best management practices of SolFul Farms have drastically decreased water usage and increased efficiency. Being situated in the river valley, Holmes Flat boasts a rich, fertile silty clay loam that needs very little water to grow plants and trees to abundance.

Water Source:

The water used for this parcel is an old well situated on an adjacent parcel that has been used as the source of irrigation water for decades. Due to there not being a well log nor permit on file, the assumption is that due to the proximity of the Eel River and the age of the well it may be hydrologically connected to surface waters of the Eel river. SolFul Farm holistically manages the landscape to encourage groundwater recharge via rainwater infiltration. SolFul Farm has also chosen to develop a rainwater catchment system to supply 100% of the water used to support cannabis operations. The rainwater catchment system is in its design phase and planned for installation in the fall of 2017 and implemented in the ag operations for the 2018 season. This consideration is not only to be good stewards but also to achieve Salmon Safe Certification, the highest standard of water conservation available to cannabis farmers.



in June and much less to no water is used at all in September and October. We will monitor and record water usage with the intention of reducing usage annually.

Sediment/Runoff:

SolFul Farms is flat. In heavy rain years, rain accumulates on the surface of the soil nearest the northwest corner of the parcel. With attention paid to diversifying the plant species and repairing the compacted soil from years of tractor use, the drainage will improve and the rain will sink into the water table. SLOW IT, SINK IT, SPREAD IT. By using drip irrigation applied to the root zone, diversifying the plant species and sinking the rain water, Solful Farms will have no runoff. The greenhouses are mulched and planted with cover crop, as are the outdoor rows. Cannabis plants are grown with companion plants and the rows between them cover cropped with hairy vetch and clover. The plants will rotate between rows and cover crop annually. If runoff occurs, corrective action will be taken immediately and it will be recorded in the WRPP with dates and corrective action taken.

Pest/Pathogen Management:

SolFul Farms has a thorough pest management protocol. The farm is CCOF, so all pesticides are approved in the NOP for CCOF production. The pest management protocol is in this order:

1. Prevention
2. Manual removal methods (Spray off, pick off, remove, etc.)
3. Beneficial insects/ predators
4. Organic treatments such as neem oil and castile soap (pollinator friendly sprays only)
5. Removal and destruction of affected plant

All pest management sprays and tools are stored in Shed A (see site map) near the cultivation area. SolFul Farms employees will take a Pesticide Applicators course from Humboldt County Ag commission. Please see attached document for list of potential pesticides stored on site.

SolFul Farms follows the regulations provided by the state via the Northcoast Regional Water Quality Control Board and all standard conditions are met.

Features that need improvement:

There is a proposed driveway accessing the property from Holmes Flat Rd. This work has not been done, but will be done by an engineer and the work recorded in the WRPP with measures listed to control erosion.

A 20K gallon Water Storage Tank has not been installed to store the rainwater and will not be permitted in time for the 2017 season. Solful Farms will have the tank installed after October 15th of 2017 and will use the existing ag well with a meter and accurately record all water used this summer (2017) in the log and switch the operations completely to rainwater by May 15th



(2) 2500 gal H2O tanks

Well

BnB

B/C RV

HOUSE RESIDENT

Overhead view of property

Both parcels 055 & 056

owned by UC

SolFul Farms LLC Pesticide List/ Fertilizer List

Below is a list of inputs that may be stored onsite in the sheds. The property is organic, so only things listed on the National Organic Program are acceptable.

SHED A

Neem Oil
Soap (castile or organic dish)
Kelp (powder or liquid)
Mycchorizae and benficial microbes
Grandevo
Regalia
Sulfur (liquid or powder)
Epsom Salts
Worm Castings
Compost tea and inoculant
Limestone
Chicken Manure
Alfalfa pellets
Hydrogen Peroxide
Rooting Gel
Aloe Vera Gel
Fermented Plant Juices
Bone Meal
Blood Meal
Fulvic Acid

SHED C

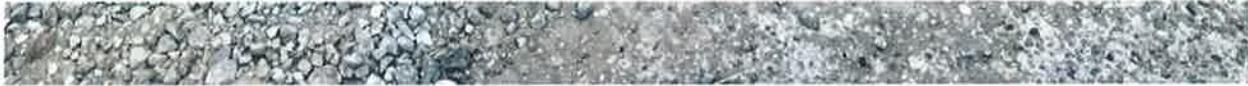
Gasoline
New and Used Motor Oil
Oil Filters
Transmission fluid Tractor
Coolant Tractor
Chain Lube/ Grease for PTO
Bleach
Household Cleaners

EXISTING FENCE MEETING NEW FENCE - SAME LINE

RECEIVED
JUL - 3 2017
Huntfield County
Planning Division









Close up of tape

RECEIVED
JUL -3 2017
Humboldt County
Planning Division

30' tape fully extended

Ⓟ

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		Recommendation	Location
Building Inspection Division	✓	Approval	On file with Planning
Land Use Division	✓	Conditional Approval	Exhibit A of Attachment 1
Division Environmental Health	✓	Conditional Approval	On file with Planning, with recommendations incorporated into Attachment 1
Calfire	✓	Conditional Approval	On file with Planning
Department of Fish & Wildlife	✓	Conditional Approval	On file with Planning, with recommendations incorporated into Attachment 1
NWIC	✓	Further Study	On file with Planning
Bear River Band of the Rohnerville Rancheria	✓	Conditional Approval	On file with Planning
Round Valley Tribes		No response	
RWQCB		No Response	
CA Division of Water Rights		No Response	
Humboldt County Sheriff		No response	
Humboldt County District Attorney		No response	
Humboldt County Agricultural Commissioner		No response	
Scotia Union School District	✓	Denial - cultivation less than 600 feet from bus stop	Attached *Note: cultivation location moved by applicant to respond to this comment
Willow Creek Fire Protection District		No response	

Scotia Union School District

P.O. Box 217
Scotia, California 95565
(707) 764-2212 FAX: (707) 764-5111
Chris Cox, Superintendent/Principal



May 22, 2017

Applicant Name Solful Farms LLC
Parcel No. 209-321-056-000
Application Number 10740
Case number CUP17-020

Planning Commission,

The Scotia Union Elementary School District has determined that the proposed marijuana cultivation project is within 600 feet of a school bus stop. After careful review, we cannot safely move the bus stop and recommend the application be denied.

A handwritten signature in black ink, appearing to read "Chris Cox", is written over the printed name and title.

Chris Cox
Superintendent/Principal