



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: April 21, 2022

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Rusinov, Special Permit**
Application Number: PLN-2019-15298
Assessor's Parcel Number: 107-136-005
Honeydew area

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Please contact Michael Holtermann, Planner, at 707-268-3737 or by email at mholtermann@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date April 21, 2022	Subject Special Permit	Contact Michael Holtermann
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Project: A Special Permit for 10,000 square feet of existing outdoor cannabis cultivation. The operation will achieve up to two harvest cycles with the use of light deprivation. Propagation is on-site in a proposed 1,000 sf nursery section of a cultivation greenhouse. Irrigation water is sourced from a proposed rainwater catchment system. Estimated annual water use is 70,000 gallons due to an irrigation practice of watering every other to every third day. Storage totals 8,100 gallons in four (4) hard tanks. Up to ten workers are needed for the project during peak operations. Drying, curing and processing is proposed on-site in an existing building. The project will be powered from a proposed Solar array with a generator kept on site as an emergency backup power source.

Project Location: The project is located in Humboldt County, in the Honeydew area, on the south side of Fox Springs Road, approximately 3,800 feet east from the intersection of Wilder Ridge Road and Fox Springs Road, on the property known as 3400 Fox Springs Road.

Present Plan Land Use Designations: Timberland: (T) Density: 40 to 160 acres per unit, 2017 General Plan, Slope Stability: Moderate Instability (2).

Present Zoning: Timberland Production (TPZ)

Record Number: PLN-2018-15298

Assessor's Parcel Number: 107-136-005

Applicant

Rusinov
Rosen M. Rusinov
8101 Shorecrest Dr.
Las Vegas, NV 89128

Owner

Rosen M. Rusinov
8101 Shorecrest Dr.
Las Vegas, NV 89128

Agent

Green Road Consulting, Inc.
Kaylie Saxon
1650 Central Ave. Suite C
McKinleyville, CA 95519

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

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

Major Issues: None.

Rusinov

Record Number: PLN-2018-15298
Assessor's Parcel Number: 107-136-005

Recommended Zoning Administrator 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 that the Zoning Administrator has considered the Addendum to the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving the Rusinov, project as recommended by staff subject to the recommended conditions.

Executive Summary

The applicant is seeking a Special Permit for 10,000 square feet of existing outdoor cannabis cultivation. The operation will achieve up to two harvest cycles with the use of light deprivation methods. Propagation is on-site in a proposed 1,000 sf nursery area within a proposed cultivation greenhouse. Irrigation water is sourced from a proposed rainwater catchment system. Estimated annual water use is 70,000 gallons due to an irrigation practice of watering every other to every third day. Proposed water storage totals 70,600 gallons in fourteen (14) five-thousand-gallon hard tanks and two (2) three hundred gallon hard tanks. Up to 10 workers are estimated to be on-site during peak operations, in addition to the residents. Drying, curing and processing is proposed on-site in a proposed building that will be constructed to meet commercial building standards. The applicant is proposing a solar array to provide for energy needs with generators as a backup energy source.

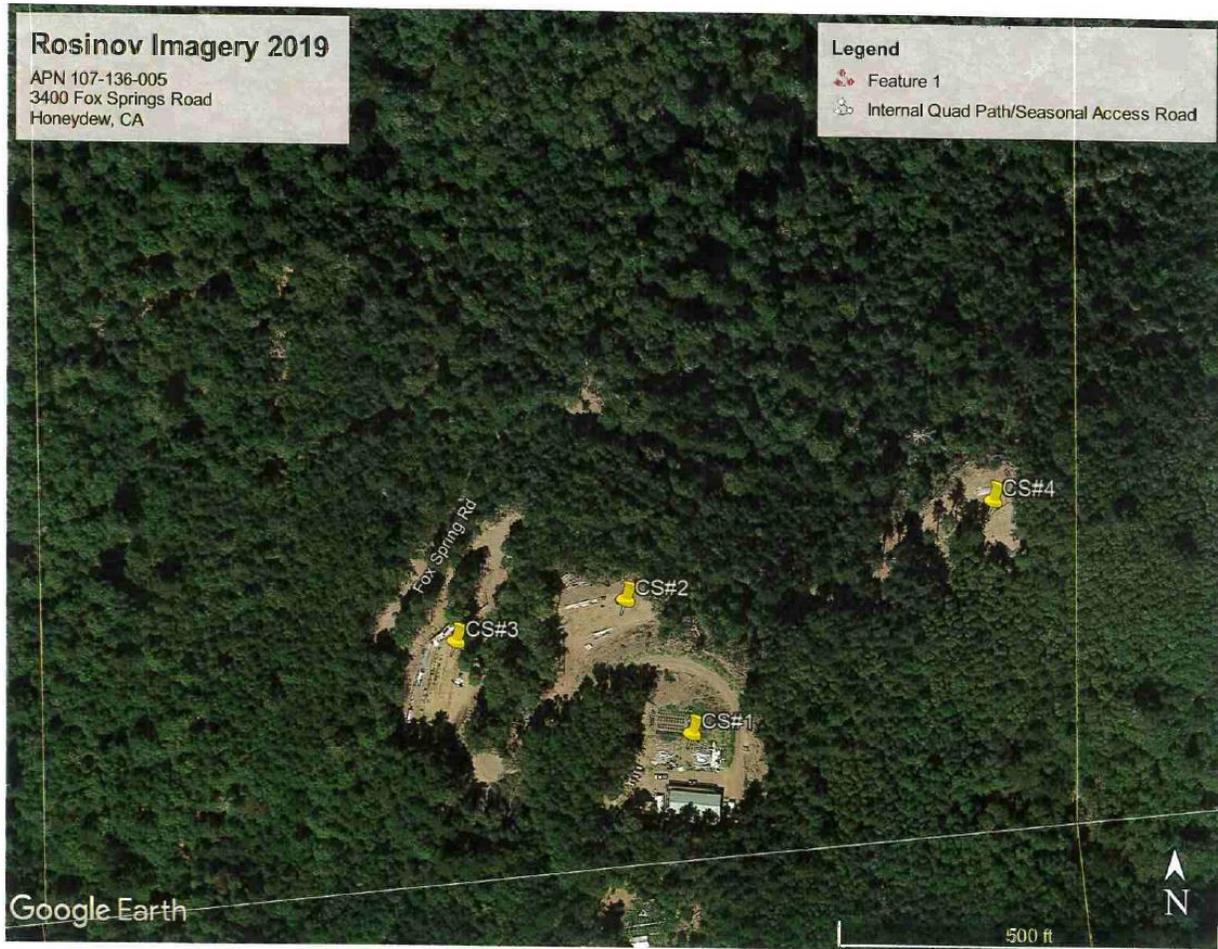


Figure 1: Current conditions on APN 107-136-005. Cultivation areas are labeled CS#1-4 and are referred to in the Cultivation Operations Plan using the same identifiers.

Water Resources

The applicant projects an annual water usage of 70,000 gallons (6.7 gal/sf), roughly 15,000 gallons per month at peak use occurring in July and August. The water source for the project is a proposed rainwater catchment system. The residence on-site will be outfitted with a rainwater catchment system and can collect an estimated 116,047 gallons annually. Existing available water storage is 70,600-gallons.

The applicant is not currently cultivating, and the project is not currently enrolled in the State Water Resources Control Board's (SWRCB) General Order (No. WQ 2019-0001-DWQ) for Waste Discharge Requirements and Water Quality. The project is conditioned to enroll in the SWRCB's General Order prior to commencing cultivation activities on-site, and shall submit a Notice of Applicability letter or Notice of Receipt as proof of enrollment before cultivation activities can occur. The project is also required to have a Site Management Plan prepared within 90 days of enrollment to outline on-site measures required to meet the standards of the SWRCB's General Order. The applicant shall submit to the Planning Department the final Site Management Plan, and shall adhere to the measures and recommendations within the final SMP.

There are no streams or stream crossings located on the subject parcels, and the project will not utilize any stream diversion, therefore no Lake or Streambed Alteration Agreement with the California Department of Fish & Wildlife (CDFW). The applicant shall submit to the Planning Department a letter from the CDFW stating that no Lake or Streambed Alteration Agreement is required for the project, and in the event that one is needed the applicant shall submit the Final LSAA to the Planning Department and shall adhere to the work described within the Agreement. The project is located in the Cape

Mendocino Planning Watershed which under Resolution 18-43 is limited to 650 permits or 223 acres, whichever occurs first. With the approval of this project the total approved permits in this Planning Watershed would be 214 permits and the total approved acres would be approximately 75.57 acres of cultivation.

Energy Resources

The project's main source of energy will be delivered by solar power. The applicant proposes installing a solar array to support project needs. A generator will be kept on-site for emergency power use. The project is conditioned such that generators will be stored in enclosed structures.

Biological Resources

A *Biological Assessment* prepared by Pacific Watershed and Associated dated December 2019 outlines the potential for sensitive species presence on-site, as well as recommended mitigation measures for the project. The biologist recommendations include the following:

- No vegetation removal or any ground disturbance activities shall occur outside of proposed cultivation areas and the 150-foot buffers without a survey by a qualified biologist.
- No ground disturbance activities shall occur within the northern unoccupied portion of the property without a survey by a qualified biologist.
- The landowner shall reduce and control all surface runoff from cannabis cultivation related activities to ensure that runoff does not discharge to or enter any streams on the property so as to protect water quality and salmonid critical habitat.
- The landowner shall have a qualified biologist conduct NSO surveys to determine presence or absence on the parcel. The landowner shall comply with all county mitigation efforts for the NSO until determined otherwise.

The applicant will be conditioned to adhere to the three initial biologist recommendations, however the final measure recommending Northern Spotted Owl surveys is not recommended by staff to be required, as there are no mapped occurrences of Northern Spotted Owl activity centers within roughly two miles of the project area and tree clearing is not proposed. As there are no nearby mapped activity centers or NSO occurrences within 0.7 miles of the pre-existing cultivation site, Humboldt County Code does not require protocol level surveys for the Northern Spotted Owl as outlined in Resolution 18-40, the Resolution Certifying the Environmental Impact Report.

Geologic Suitability

A review of WebGIS determined that the project is located within a parcel that has been classified as being moderately unstable. The project site is located within an area that has slopes ranging between 15-30 percent. All cultivation is proposed to take place on existing graded flats.

Timber Conversion

The applicant currently has four areas of cleared timberland on-site, labeled in the Cultivation Operations Plan and Site Plan as cultivation sites 1, 2, 3, and 4 (See figure 1 above). Cultivation areas 1 and 4 were both cleared before January 1, 2016, and areas 2 and 3 were cleared after January 1, 2016. The CCLUO requires that cannabis operations result in no net loss of timberland, and as such an acreage equivalent to the converted timberland in areas 2 and 3 (0.87 acres total) will be required. The applicant also proposes to relocate cannabis from cultivation area 4 to cultivation area 2 and restock cultivation site 4, with environmental justification for relocation prepared by Pacific Watershed Associates.

A *Timber Conversion Report* was prepared by Timberland Resource Consultants' Registered Forestry Professional, Chris Carrol dated November 26, 2018. The report details four (4) areas and an access route that have had conversion of timber prior to 2016 and the adoption of the Commercial Cannabis Land Use Ordinance. According to the report, approximately 1.8 acres of timberland have been converted on the project parcel. The report recommends that all slash and woody debris that occurred from timber removal be treated, as well as the removal of a fill-slopes at Cultivation Site #1 and the improvement of a segment of steep roadway to prevent erosion and sedimentation.

The project proposal and the Timber Conversion Report were referred to Cal Fire in January of 2020. Cal Fire reviewed the report and concurred with the mitigation recommendations of the Register Forestry Professional. The project will be conditioned to implement the recommended improvements made within the Timberland Conversion Report. Further, the applicant will be required to restock 0.87 acres of timberland that was converted after January 1, 2016. A Restocking Plan prepared by Timberland Resource Consultants dated January 12, 2022, was submitted to the Planning Department. Restocking recommendations have been included as recommended conditions of approval for this project.

Tribal Cultural Resource Coordination

The project is located within the ancestral territories of the Sinkyone, and Tribes represented by the Bear River Band of the Rohnerville Rancheria. The project proposal was referred to the Northwest Information Center, Sinkyone Intertribal Wilderness Council, and the Tribal Historic Preservation Officer (THPO) of the Bear River Band. The THPO representative for the Bear river Band recommended approval with the inclusion of inadvertent discovery protocol. The project will be conditioned as such.

Security and Safety

The subject parcel is located within both the Telegraph Ridge Fire Protection District and the State Fire Responsibility Area where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. A review of the Humboldt County WebGIS showed the subject parcel as being located in an area deemed to have a high fire hazard severity. The project was referred to CALFIRE in January of 2020. The Department commented that the project should adhere to the mitigation recommendations of the Timber Conversion Report.

Access

The project is accessed via Fox Springs Road, approximately 0.6-mile road segment that intersects the county-maintained Wilder Ridge road. A Road System Assessment & Improvement Plan prepared by Rinehart Engineering dated April 19, 2019 was submitted to the Department of Planning and Building on December 9, 2019. The assessment evaluated a .6-mile road segment of Fox Springs Road that travels through two parcels prior to reaching the subject parcel, and details improvements required to bring the access road into congruence with Category 4 road standards. The project has been conditioned to implement these recommendations.

The project was referred to the Department of Public Works in December of 2019 who recommended approval of the project with conditions that would require the applicant to improve visibility where the private road meets the County maintained road. Public Works has also recommended the private road be graveled where it intersects with the County maintained road for a length of 50 feet and a width of 18 feet. Prior to any work occurring within the County maintained right of way, an encroachment permit will be obtained from the Public Works Department. The project has been conditioned as such.

Environmental Review and Recommendation

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted Environmental Impact Report that was adopted for the Commercial Cannabis Land Use Ordinance and has prepared an addendum to this document for consideration by the Zoning Administrator (See Attachment 2 for more information). Staff recommends that the Zoning Administrator describe the application as a part of the consent agenda, survey the audience to see if any person would like to discuss the application and, if no one requests discussion, make all the required findings based on the evidence in the record and approve the application subject to the recommended conditions.

Alternatives

Several alternatives may be considered: 1) The Zoning Administrator could elect not to hear this item and put the decision making in front of the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Zoning Administrator could elect to add or delete conditions of approval; 3) The Zoning Administrator

could deny approval of the requested permits if you are unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

- c) A Timber Conversion Report prepared by Timberland Resource Consultants dated November 2018
- e) A *Biological Assessment* prepared by Pacific Watershed Associates dated December 2019

FINDINGS FOR SPECIAL PERMIT

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

EVIDENCE The CCLUO identified Timberland Production Zone (TPZ) parcels as sites where existing cannabis cultivation activities could be allowed. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

4. FINDING The proposed development is consistent with the purposes of the existing TPZ zone in which the site is located.

EVIDENCE Humboldt County Code § 314-55.4.6.5 allows applications submitted prior to December 31, 2018 to apply for cultivation at one hundred percent of documented pre-existing cultivation. In TPZ zones the pre-existing cultivation sites may not be expanded. As set forth in the following subsections, Pre-Existing Cultivation Sites that meet all other Eligibility and Siting Criteria and Performance Standards, may be permitted within AE, AG, RA, FR, FP, TPZ, and U zoning districts, where accompanied by a Resource Production, General Plan land use designation or Residential land use designation requiring parcel sizes on more than 5 acres. The application is for 10,000 square feet of pre-existing outdoor cultivation on a 190-acre parcel.

5. FINDING The proposed development is consistent with the requirements of the CCLUO Provisions of the Zoning Ordinance.

- EVIDENCE**
- a) The applicant's primary energy is solar power. Generator use will be limited to emergency use.
 - b) The subject parcel has been determined to be one legal parcel as described in Patent 493359
 - c) The project will obtain irrigation water from a proposed rainwater catchment system.
 - d) Access to the site via Fox Springs Road, the road segment leading to the site is approximately 0.6 miles long from intersection of the County maintained road, Wilder Ridge Road. Bret Rinehart of Rinehart engineering prepared a *Roadway Evaluation Report* for the access road and private driveway, dated April 2019. The report detailed improvements required to bring the road into congruence with Category 4 road standards. The project has been conditioned to implement these

recommendations. The project was referred to the Department of Public Works who recommended approval of the project with conditions. The project was conditioned as such.

- e) The project site is forested, zoned TPZ and was reviewed for timberland conversion. Unpermitted conversions have been identified and evaluated by a Registered Professional Forester (RPF). CALFIRE responded to the referral sent in January of 2020 with comment stating CALFIRE concurred with the RPF conclusions, and that provided recommended mitigation measures as per the RPF report are followed and verified as complete, no further action by the department is anticipated.
- f) The location of the cultivation complies with all setbacks required in Section 314-55.4.6.4.4. (a.-f.). It is more than 30 feet from any property line, more than 300 feet from any off-site residence, and more than 600 feet from any school, church, public park or Tribal Cultural Resource.

6. FINDING

EVIDENCE Cultivation of 10,000 square feet of outdoor pre-existing cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The site is located on a road that has been certified by a licensed engineer as being capable of safely accommodating the amount of traffic generated by the proposed project.
- b) The site is in a rural part of the County where the typical parcel size is over 80 acres. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this 190-acre site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sizes in the area.
- c) Irrigation water will be sourced from a proposed rainwater catchment system.
- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

7. FINDING

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

EVIDENCE

- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does support one housing unit. Approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

FINDING

Approval of this project is consistent with Humboldt County Board of

Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds.

EVIDENCE

- a) The project is located in the Cape Mendocino Planning Watershed which under Resolution 18-43 is limited to 650 permits or 223 acres, whichever occurs first. With the approval of this project the total approved permits in this Planning Watershed would be 214 permits and the total approved acres would be approximately 75.57 acres of cultivation.

DECISION

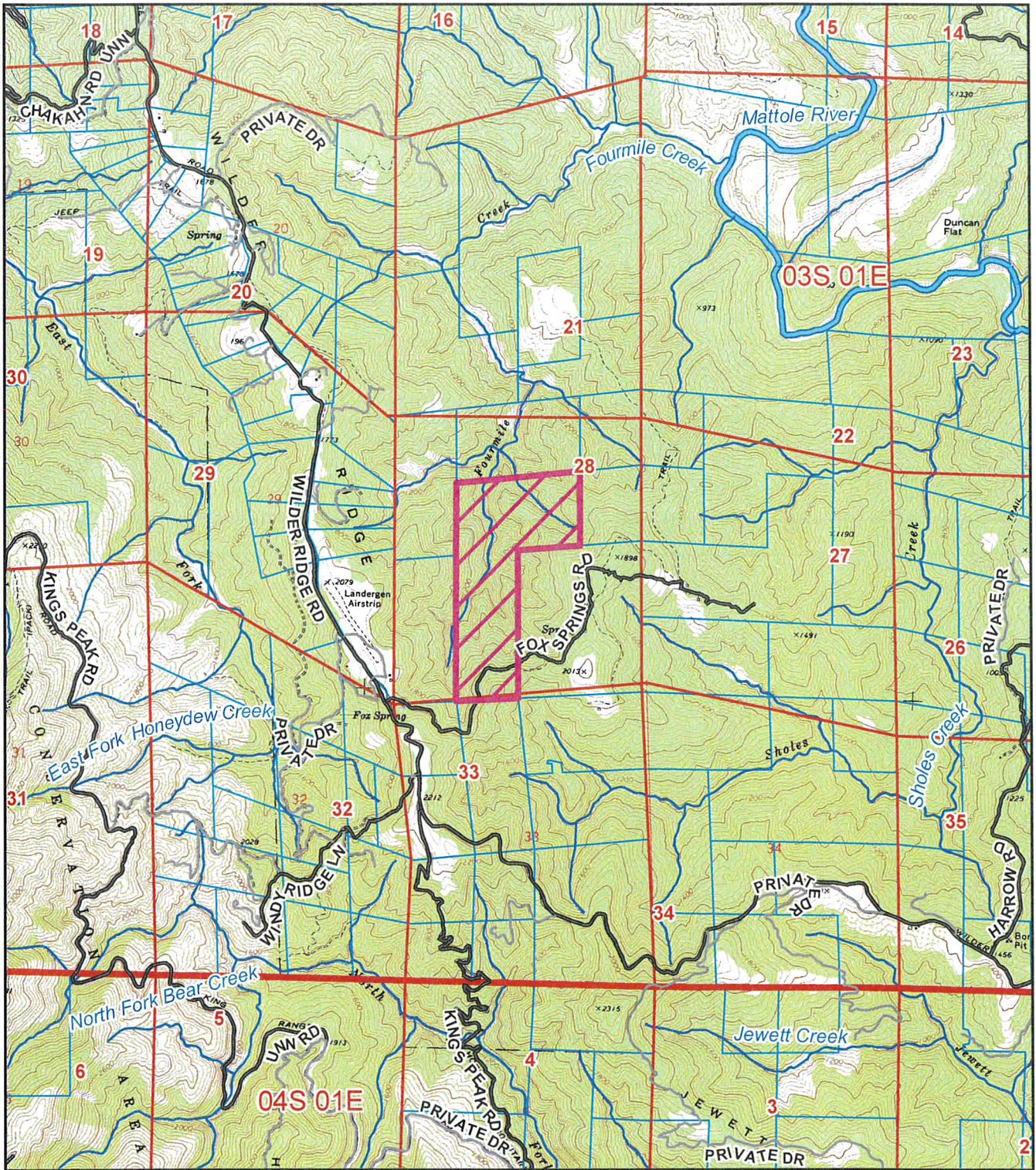
NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special Permit for Rusinov, based upon the Findings and Evidence and subject to the conditions of approval attached here to as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **April 21, 2022**,

I, John Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.

John H. Ford, Zoning Administrator,
Planning and Building Department



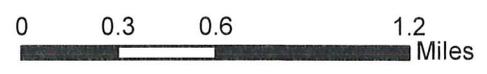
**TOPO MAP
 PROPOSED RUSINOV
 HONEYDEW AREA
 PLN-2018-15298
 APN: 107-136-005**

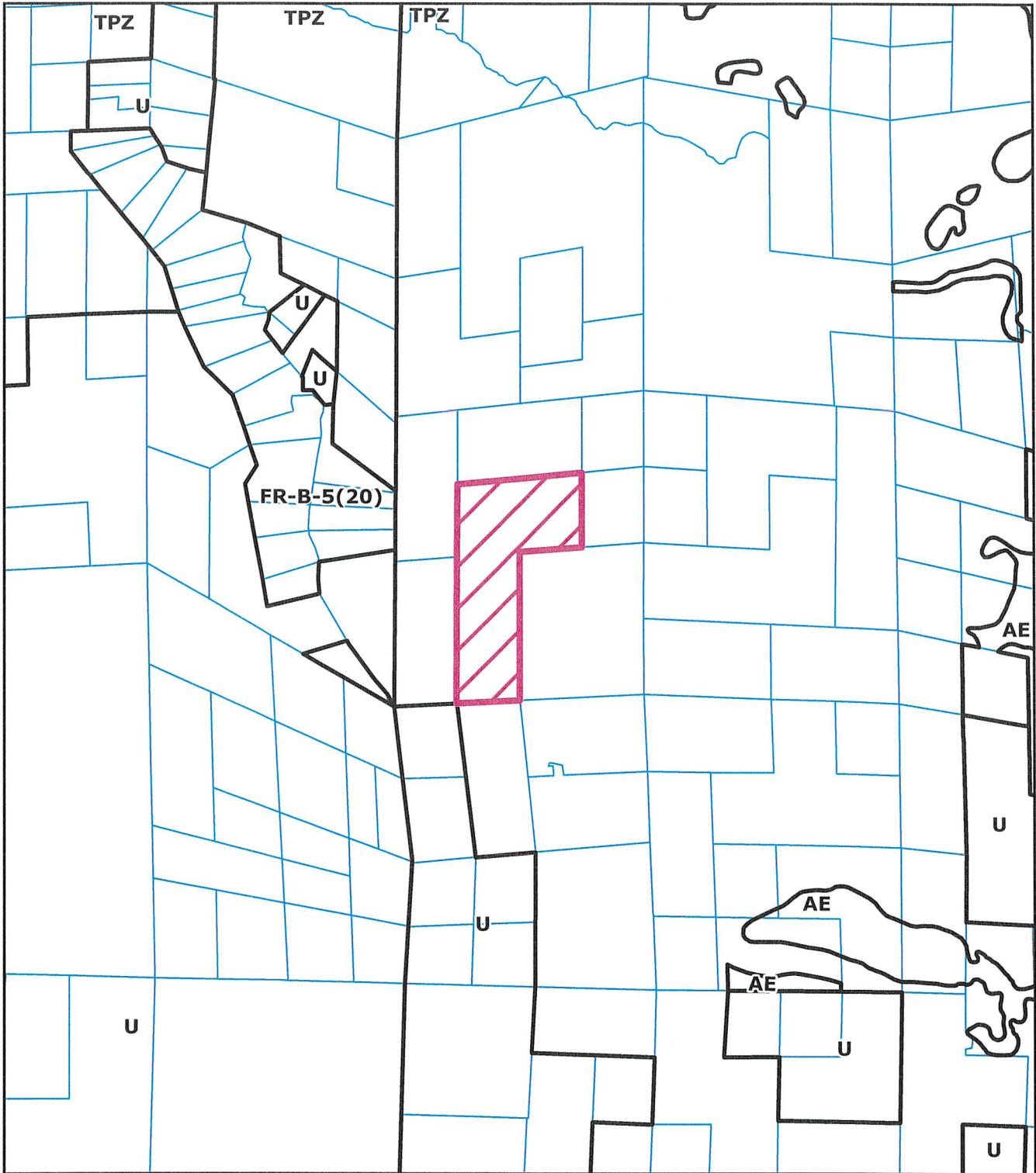
Project Area = 

T03S R01E S28; S33 HB&M (HONEYDEW)



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



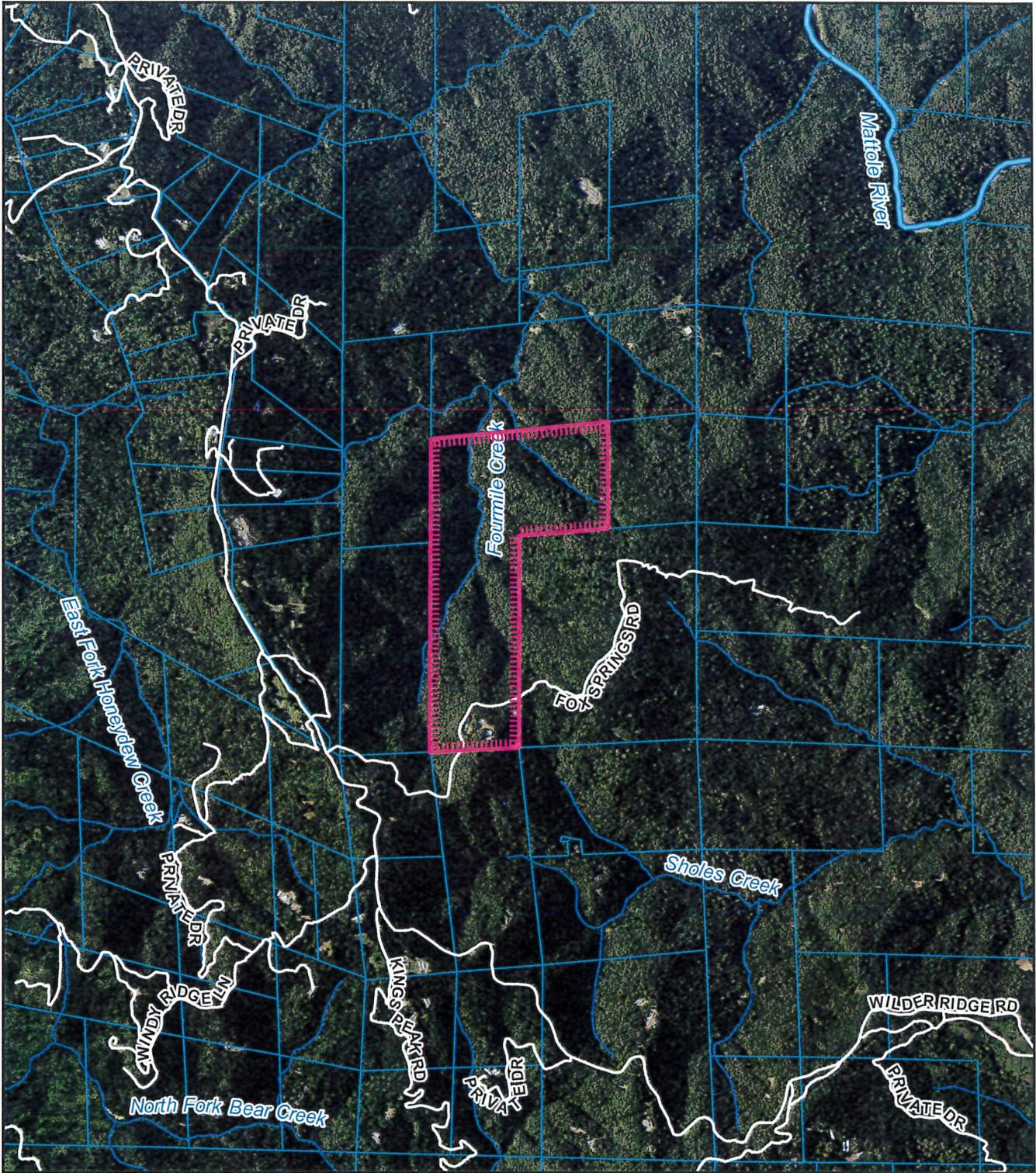


**ZONING MAP
PROPOSED RUSINOV
HONEYDEW AREA
PLN-2018-15298
APN: 107-136-005
T03S R01E S28; S33 HB&M (HONEYDEW)**

Project Area = 




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



**AERIAL MAP
PROPOSED RUSINOV
HONEYDEW AREA
PLN-2018-15298
APN: 107-136-005
T03S R01E S28; S33 HB&M (HONEYDEW)**

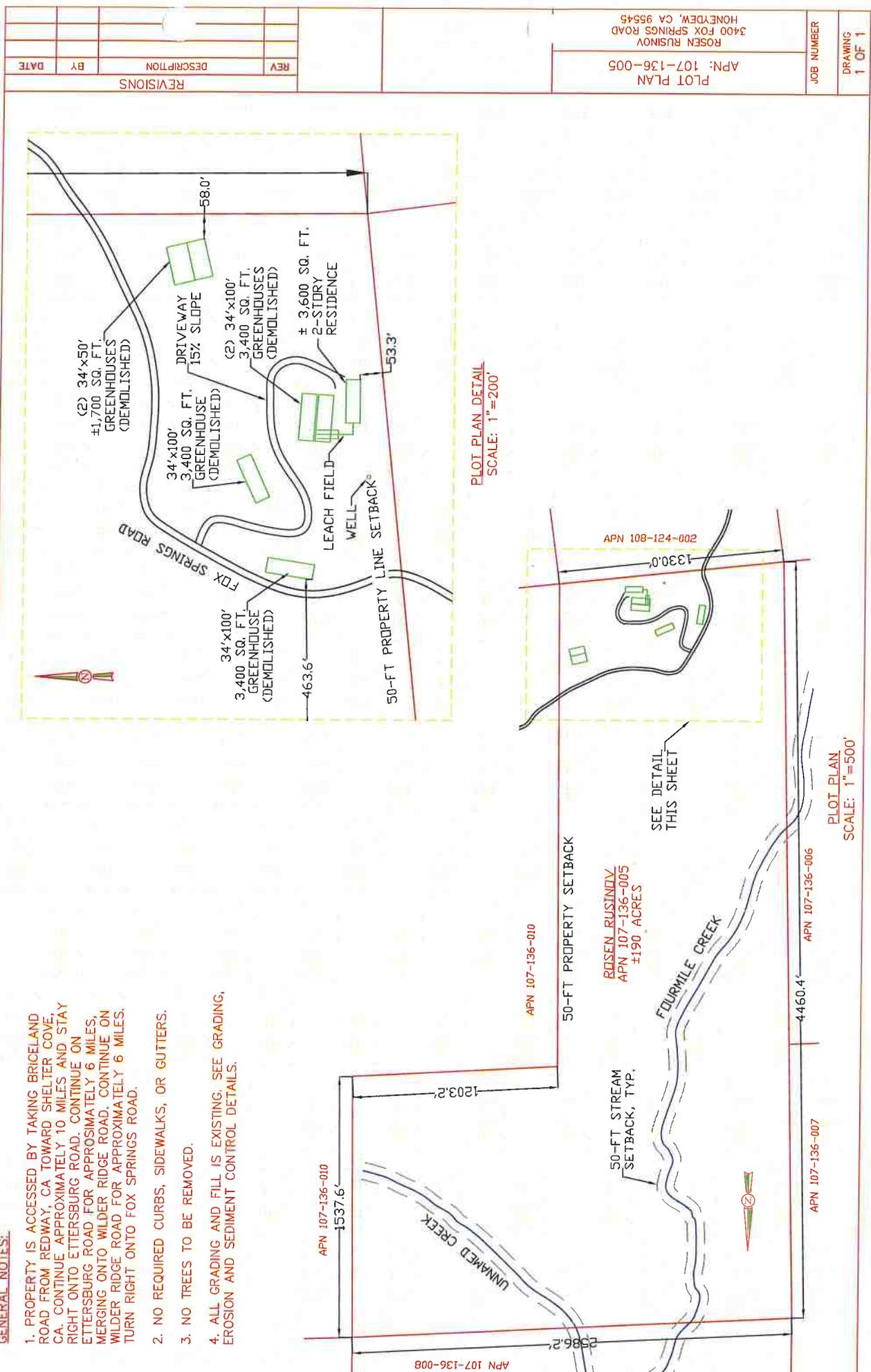
Project Area = 

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.


 0 1,000 2,000 4,000
 Feet

GENERAL NOTES:

1. PROPERTY IS ACCESSED BY TAKING BRICELAND ROAD FROM REDWAY, CA TOWARD SHELTER COVE, CA. CONTINUE APPROXIMATELY 10 MILES AND STAY RIGHT ONTO ETTERSBURG ROAD. CONTINUE ON ETTERSBURG ROAD FOR APPROXIMATELY 6 MILES, MERGING ONTO WILDER RIDGE ROAD. CONTINUE ON WILDER RIDGE ROAD FOR APPROXIMATELY 6 MILES. TURN RIGHT ONTO FOX SPRINGS ROAD.
2. NO REQUIRED CURBS, SIDEWALKS, OR GUTTERS.
3. NO TREES TO BE REMOVED.
4. ALL GRADING AND FILL IS EXISTING. SEE GRADING, EROSION AND SEDIMENT CONTROL DETAILS.



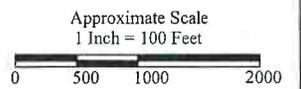
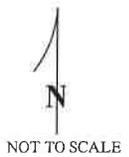
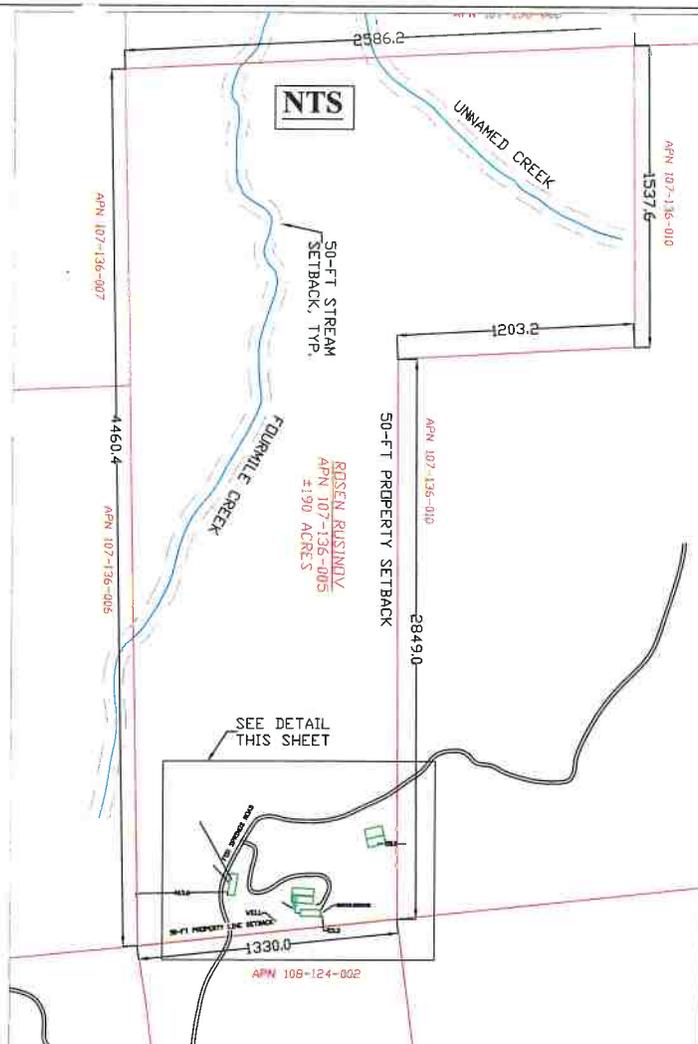
REV	DESCRIPTION	BY	DATE

REVISIONS APN: 107-136-005 PLOT PLAN ROSEN ROSINOV 3400 FOX SPRINGS ROAD HONEYDEW, CA 95545	JOB NUMBER 107-136-005	DRAWING 1 OF 1
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ALL LOCATIONS APPROXIMATE

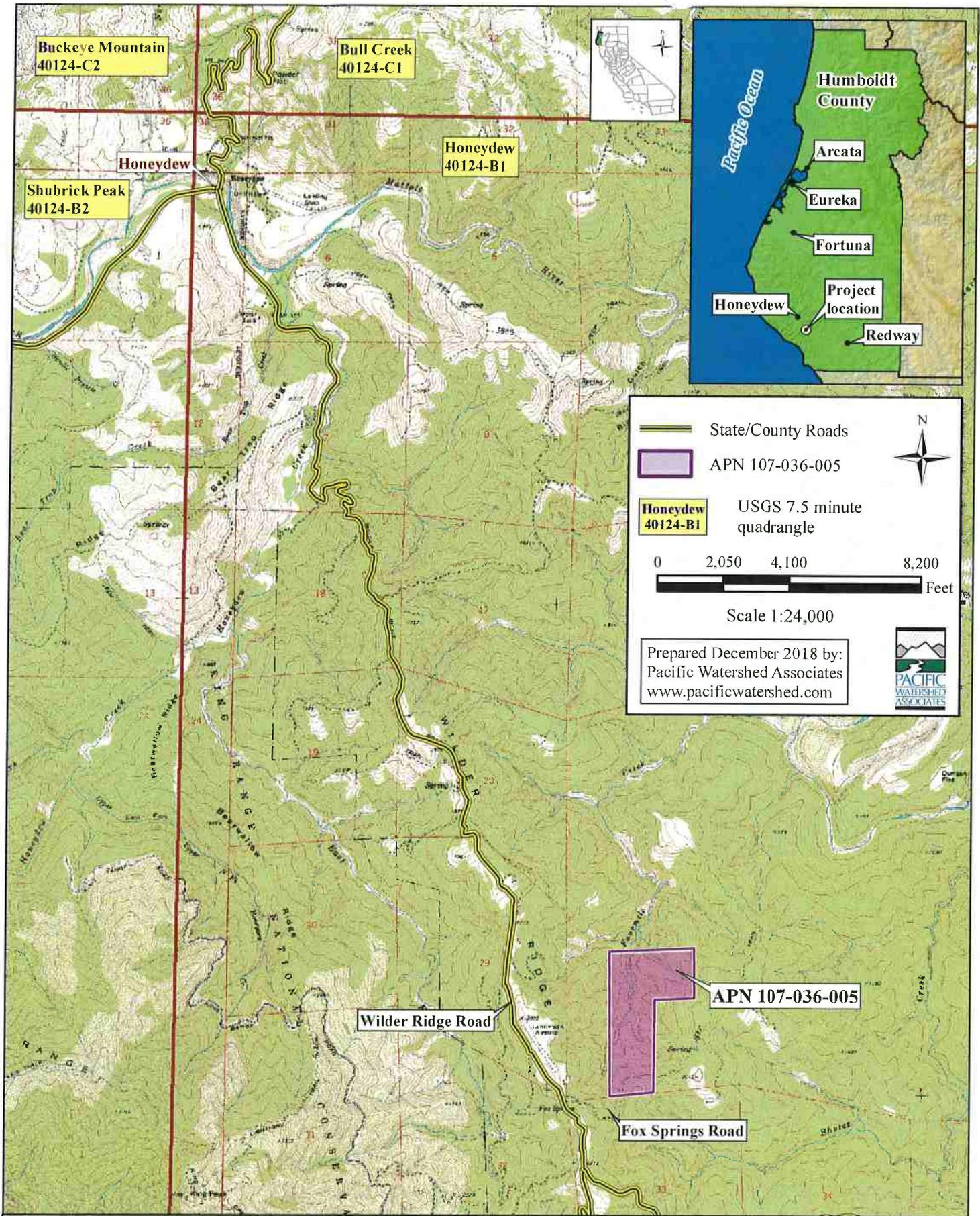
Notes:

- Road Easement is Fox Springs Road
- There are no public schools or school busses within 600 feet of cultivation
- There are no public parks within 600 feet of cultivation
- There are no places of worship within 600 feet of cultivation
- There are no tribal cultural resources within 600 feet of cultivation
- All roads are surfaces are native



INSET MAP





General Location Map for APN 107-036-005, Located at 3400 Fox Springs Road, Honeydew, Humboldt County, California.

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #16. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing greenhouses, water tanks over 5,000 gallons, existing structures associated with drying and storage and processing, or any activity with a nexus to cannabis. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
7. The applicant shall execute all corrective recommendations listed in the *Timber Conversion Report* developed for the parcel by Timberland Resource Consultants. A letter or similar communication from an RPF verifying that all their requirements have been met will satisfy this condition.

8. The applicant shall obtain a permit for, and install, an approved onsite wastewater treatment system to support the processing location and either install approved septic systems or provide portable toilets to cultivation areas.
9. The applicant shall adhere to the recommendations made by Public Works which require the applicant to improve visibility where the private road meets the County maintained road to comply with Humboldt County Code 341-1. If the County Road is paved at the surface at the location of the private road, the private road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects with the County road. An encroachment permit shall be secured before any work is initiated within the County right-of-way.
10. The applicant shall implement all corrective actions detailed in the *Roadway Evaluation Report* prepared by Rinehart Engineering to ensure access roads comply with Humboldt County Code Section 314-55.4.12.1.8. A letter or similar documentation from a qualified professional verifying completion will satisfy this condition.
11. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection to keep the permit valid.
12. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
13. The applicant shall complete all restocking recommendations in the restocking plan prepared by Timberland Resource Consultants dated January 12, 2022. A report or similar documentation from a RPF verifying success of replanting and minimum restocking standards will satisfy this condition.
14. The applicant shall submit documentation from a qualified professional verifying that the solar array is appropriately sized for the energy requirements of the project. Final signoff from the Planning Department will satisfy this condition.
15. Prior to processing on-site, the applicant shall obtain a permit for, and install, an approved onsite wastewater treatment system to support the processing location. Final signoff from the Planning Department will satisfy this condition.
16. Prior to cultivation, the applicant shall either install approved septic systems or provide portable toilets to cultivation areas. If portable toilets are utilized, the applicant shall retain receipts or similar documentation to be furnished during annual inspections.
17. Prior to cultivation the applicant shall submit a Notice of Applicability letter or Notice of Receipt as proof of enrollment in the State Water Resources Control Board's (SWRCB) General Order (No. WQ 2019-0001-DWQ) for Waste Discharge Requirements and Water Quality. The applicant shall prepare and submit to the Planning Department a Site Management Plan within 90 days of enrollment to outline on-site measures required to meet the standards of the SWRCB's General Order.
18. Prior to cultivation the applicant shall submit to the Planning Department a letter from the CDFW stating that no Lake or Streambed Alteration Agreement is required for the project, and in the event that one is needed the applicant shall submit the Final LSAA to the Planning Department prior to initiating cultivation.
19. The applicant shall follow mitigation recommendations outlined in the *Biological Reconnaissance Survey* listed as follows:

- a. Prior to vegetation removal or ground disturbance activities outside of proposed cultivation areas and the 150-foot buffers, a qualified biologist shall perform protocol level surveys for *pipera candida* (white flowered rein orchid).
- b. No ground disturbing activities shall occur within the northern unoccupied portion of the property without a survey by a qualified biologist.
- c. The landowner shall reduce and control all surface runoff from cannabis cultivation related activities to protect water quality and salmonid critical habitat.
- d. If the landowner purchases soil or straw for their operations, the soils shall be sterilized and only rice straw will be utilized for erosion control measures.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by CCLUO Section 55.4.12.6 (b) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation. The applicant is to limit the use of heavy equipment during nesting season February 1st through August 15th.
2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
4. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. Generators shall be housed in enclosed structures with noise attenuation measures to reduce auditory disturbance.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. The operator shall provide information to all workers about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of

Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.

10. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
11. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO and MAUCRSA, as applicable to the permit type.
12. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
13. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
14. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
15. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11 (d).
16. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order WQ 2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
17. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife, if applicable.
18. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
19. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
20. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.

21. Pay all applicable application, review for conformance with conditions and annual inspection fees.
22. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
23. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
24. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

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

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

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

29. All cultivators shall comply with the approved processing plan as to the following:

- a. Processing practices
- b. Location where processing will occur
- c. Number of employees, if any
- d. Employee Safety Practices
- e. Toilet and handwashing facilities
- f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
- g. Drinking water for employees
- h. Plan to minimize impact from increased road use resulting from processing
- i. On-site housing, if any

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

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

32. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.

33. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.

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

- a. Identifying information for the new owner(s) and management as required in an initial permit application;
- b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
- c. The specific date on which the transfer is to occur;

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

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

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CCLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CCLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #5 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

ATTACHMENT 2

**CEQA ADDENDUM TO THE
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE COMMERCIAL CANNABIS LAND USE ORDINANCE**

**Commercial Cannabis Land Use Ordinance Final Environmental Impact Report (EIR)
(State Clearinghouse # 2017042022), January 2018**

APN 107-136-005 3400 Fox Springs Road, Honeydew area, County of Humboldt

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

May 2022

Background

Modified Project Description and Project History –

The Commercial Cannabis Land Use Ordinance (CCLUO) updated the County's existing Commercial Medical Marijuana Land Use Ordinance (Section 313-55.4 and 314-55.4 of Chapter 3 of Division 1 of Title III of the County Code) as well as repeal of the Medical Cannabis Testing and Research Laboratories provisions and on-site consumption prohibition found in Sections 313-55.3.15, 314-55.3.15, 313-55.3.11.7, and 314-55.3.11.7 of Division 1 of Title III of the County Code, respectively. These regulations establish land use regulations for the commercial cultivation, processing, manufacturing, distribution, testing, and sale of cannabis within Humboldt County. These regulations were developed in concert with the Final Environmental Impact Report (EIR) that was adopted for the ordinance in order to implement the mitigation measures of the EIR. The EIR addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The EIR specified that the regulations established in the CCLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. The EIR prepared for the CCLUO also established local land use regulations to allow for continued commercial cannabis operations in the unincorporated area of the County that ensure the health and safety of residents, employees, County visitors, neighboring property owners and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all mitigation measures of the EIR. Commercial cannabis cultivation in existence as of December 31, 2015, was included in the environmental baseline for the EIR. The current project was contemplated by the EIR and compliance with the provisions of the CCLUO will fully mitigate all environmental impacts of the project to a less than significant level.

The project is located in Humboldt County, within the Mattole River watershed. The project parcel is located near a ridge top at an elevation ranging between 1,800 feet and 2,040 feet. The cultivation occurs on two (2) flats that were graded prior to 2016. A review of WebGIS determined that the project setting is located on a parcel that has been determined to be moderately unstable and having a high fire severity. Further analysis determined that the project parcel does not have any documentation of rare or sensitive species occurring on-site.

The Special Permit is for 10,000 square feet of pre-existing outdoor cultivation. The project will source water or irrigation from rainwater catchment. The applicant's estimated annual water use is 70,000 gallons due to an irrigation practice that only waters every other or third day. Processing such as drying, curing, and trimming will occur on-site within a proposed commercial structure. Power is provided by a proposed solar array and a generator housed onsite to provide emergency energy if needed. During peak production, up to ten (10) employees may be needed to conduct cultivation operations.

The project will also comply with provision of the CCLUO intended to eliminate impacts to sensitive species from noise and from light and noise. Compliance with these and other measures of the CCLUO ensure consistency with the EIR.

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

1. Substantial changes are proposed in the project which require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

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

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the Final EIR recommended mitigations. The proposal to authorize the project and minor improvements necessary to bring the operation into compliance with the CCLUO is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

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

- *Cultivation, Operations and Security Plan, Amended Sections* prepared by the applicant submitted August 13, 2020.
- *Cultivation, Operations and Security Plan* prepared by the applicant submitted December 9, 2019.
- *Site Plan* prepared by *Green Road Consulting, Inc.* received January 2022.
- *Timber Conversion Report* prepared by *Timberland Resource Constants*, dated November 26, 2018.
- *Road System Assessment and Improvement Plan* prepared by *Rinehart Engineering*, dated April 16, 2019
- *Biological Assessment* prepared by *Pacific Watershed Associates*

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the EIR was adopted. Based upon this review, the following findings are supported:

FINDINGS

1. The proposed project will permit a new cannabis operation and bring the operation into compliance with county and state requirements intended to adequately mitigate environmental

impacts.

2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.
3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted as complete.

CONCLUSION

Based on these findings it is concluded that an Addendum to the previous Final EIR is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the EIR, remain in full force and effect on the original project.

There are no new significant environmental effects and no substantial increases in the severity of previously identified effects. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (Not applicable)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (**Attached** in Maps)
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; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (**Attached**)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in item 4 above)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order WQ 2019-0001-DWQ, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Conditioned)
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 California Department of Fish and Wildlife. (Conditioned)
9. 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. (**Attached**)

10. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
11. 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)
12. 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)
13. 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)
14. *Biological Reconnaissance Survey*, prepared by Pacific Watershed Associates, dated December 6, 2019. (On file and confidential)
15. *Road System Assessment and Improvement Plan* prepared by Rinehart Engineering, dated April 16, 2019. (**Attached**)
16. *Sound Evaluation Report* Prepared by Greenroad Consulting, dated July 2020. (**Attached**)
17. *Restocking Plan* prepared by Timberland Resource Consultants, dated January 12, 2022. (**Attached**)

Application # PLN-2018-15298

Rosen Rosinov: APN# 107-136-005

3400 Fox Springs Road, Honeydew

Humboldt County, California

Cultivation, Operations and Security Plan

Amended Sections



Application # PLN-2018-15298
Rosen Rosinov: APN# 107-136-005
3400 Fox Springs Road, Honeydew
Humboldt County, California
Cultivation, Operations and Security Plan
Amended

DESCRIPTION OF CULTIVATION ACTIVITIES

Proposed cultivation on this property includes 10,520 ft² of greenhouse cultivation utilizing light deprivation. See amended site map for location of proposed cultivation areas.

Applicant proposes to construct 10,520 ft² of greenhouse area within similar footprint of cannabis cultivation previously existing on the property. Greenhouse floors will be native soils and pervious. Cultivation will be conducted in-ground and in raised beds to prevent excess runoff and promote soil moisture retention.

The proposed square footage of cultivation (10,520 ft²) is based on visual evidence through areal imagery prior to January 1, 2016 (see Proof of Cultivation attached to this application).

Due to the required reduction in the usage of generators for cultivation, cultivation will be conducted as full-sun with light deprivation cultivation techniques until an ample solar array can be established.

Applicant will be using groundwater from a permitted groundwater well for cannabis irrigation.

Cultivation Relocation to Environmentally Superior Location

There are two areas on the parcel that were utilized for cannabis cultivation prior to 2014. Two additional areas were converted for cultivation post 2015. For convention, the unique names for property features used in this document are consistent with the identification of these graded clearings/cultivation sites in Timberland Resource Consultants' (TRC) 2018 evaluation of the timberland conversion on this property. Therefore, the timberland areas converted prior to 2013 are identified as CS #1 and CS #4, and the areas converted after 2015 are identified as CS #2 and CS #3.

Based on Google Earth imagery, the conversions at CS#1 and CS#4 were conducted between 2012 and 2014. One area was converted for the purpose of constructing a residence and cannabis cultivation area (Cultivation Site #1 (CS#1)). Contrary to TRC's report, which states that CS#4 was converted between 2015 and 2016, Google Earth imagery clearly illustrates that CS#4 was converted between 2012 and 2014 (See attached Google Imagery, 2012, 2014, 2019).

Further clearing was conducted between 2015 and 2016 to develop CS #2 and enlarge CS#3 for cultivation. Based on current Humboldt County Building and Planning (HCBP) County Cultivation Land Use Ordinance (CCLUO) regulations, cultivation shall only occur in areas which were occupied prior to January 1, 2015. Based on those regulations, CS#1 and CS#4 should be eligible for cultivation. However,

the Applicant proposes to abandon CS#4 and relocate that square footage to CS#2. The Applicant further proposes to restock CS#4 with seedlings of merchantable timber species. PWA considers the relocation of cultivation from CS #4 to CS #2 as superior for several reasons.

Cultivation on CS#2 is superior to CS#4 because:

- Primary cultivation activity is centered around and within the vicinity of CS#1.
- Fertilizers and amendments are stored within CS#1.
- The water source for the property, a permitted well, is located within CS#1.
- CS#2 is closer to CA#1.
- CS#4 is farther from the cultivation center of CS #1.
- CS#2 is a short walk downslope from CS#1.
- Cultivation on CS#2 would require a lower level of infrastructure than continued cultivation of CS#4.
- CS#4 is a short drive from both CS#1 and CS#2.
- Transportation of tools, amendments, fertilizers, and other necessities to CS#2 is less extensive than transporting them to CS#4 (380' (CS#2) vs 1500' (CS#4) via the road).
- Typical mobilization of materials from the cultivation center, within the vicinity of CS#1 to CS#4 would require a motorized vehicle and travel via unimproved roads for approximately 1,500 feet.
- Cultivating within CS#4 requires water lines traverse a greater distance through and across wooded terrane (500' (CS#4) vs 150' (CS#2)).
- Cultivating within CS#2 keeps activities more centralized.
- CS#4 is on the outskirts of the developed areas.
- Restoration of CS #4 would provide for increased contiguous habitat with the remainder of the 190-acre parcel.

RESTORATION/RESTOCKING

As part of relocating the cultivation from CS#4 to CS#2, HCBP will require a restoration/restocking plan for CS#4. According to TRC's report the converted area for CS#2 is 0.40 acres. Also, according to TRC's report, CS#4 is 0.19 acres in size. However, based on PWA's measurements on Google Earth, the converted area for CS#2 is approximately 0.36 acres and the converted area for CS#4 is approximately 0.37 acres.

As part of relocating the square footage from CS#4 to CS#2, the Applicant proposes to restore and restock approximately 0.37 acres of CS#4.

TRC's Timberland Conversion report states that downed timber at the conversion locations shall be treated in accordance with 14CC1104.1(a)(2)(D) - Treatment of Slash and Woody Debris. PWA identified through a Biological Reconnaissance Survey of the property (PWA, 2019) that the pushing, felling, and sidestepping of trees into adjacent forested areas has likely resulted in some disruption of habitat, however, the downed timber may be utilized as habitat for the North American porcupine and the fisher. This practice may have increased the potential habitat for these species. Because of the identified habitat value of the downed timber, this restoration/restocking plan does not include the removal of downed timber in and around any graded pads.

As per TRC's report the property is forested with second growth tanoak, madrone and Douglas fir. Typical restocking plans involve the planting of predominant vegetation until 80% regrowth has been achieved. As part of this restocking plan it is recommended that the landowner restore the area to "timberland" as defined by PRC 4526. Replant area with conifer seedlings to comply with minimum

stocking standards of 14CCR 912.7 (b)(1) (200 trees per acre or 1 tree every ~210 square feet or minimum tree spacing of 14-15 feet).

Trees planted for restocking shall be monitored for no less than 3 years, in which the success rate of revegetation reaches the 80% level. It is anticipated that the native understory will naturally encroach on the graded area as natural revegetation occurs.

As per the above referenced Biological Reconnaissance Survey (PWA, 2019), the understory is composed predominantly of:

- *Vaccinium ovatum* (evergreen huckleberry)
- *Lysimachia latifolia* (Pacific starfire)
- *Berberis nervosa* (Oregon-grape)
- *Chimpaphila umbellata* (Blake princess pine)

Also, as stated in the Biological Reconnaissance Survey, the graded pads, or portions of the graded pads, which will not be in use shall be treated by application of weed-free rice straw as a surface erosion control measure and to reduce the volume of transported invasive vegetation cuttings and seeds. Furthermore, areas of the property which are not to be utilized shall be restocked with appropriate native vegetation as described above.

STAFFING NEEDS

The Applicant anticipates two (2) to four (4) individuals to work the farm throughout most of the growing season. At least one or two of these individuals will be living on the property. Other individuals that do not live within the residence will commute to the site daily. The existing septic system is of sufficient size, along with suitable soils, that the OWTS is suitably sized for this load.

During the harvest season, a crew of up to 10 workers will be retained to harvest, trim and package product. These employees will also commute to the project site daily.

This increase of crew is estimated to be on site for a period of approximately four (4) to six (6) weeks, from early September through the middle of October. Portable toilets will be brought onto the property for sanitary needs during this time of increased workers on the property.

Staff will be encouraged to carpool to limit parking on the site and to minimize traffic on Fox Creek Road and Wilder Ridge Road.

NOISE SOURCE ASSESSMENTS AND MITIGATION PLAN

A pre-project baseline noise survey was conducted by Green Road Consulting (see attached). The survey was conducted during a time of non-cannabis cultivation activities. This sound survey is the first of two sound surveys to be conducted. The second survey will be conducted after the property receives their Cultivation Permit and Cannabis activities have begun. If there is an average increase of 3-decibels or more, changes will be made to attenuate sound production. Mitigation methods are attached within Appendix A (Green Road Consulting, 2020).

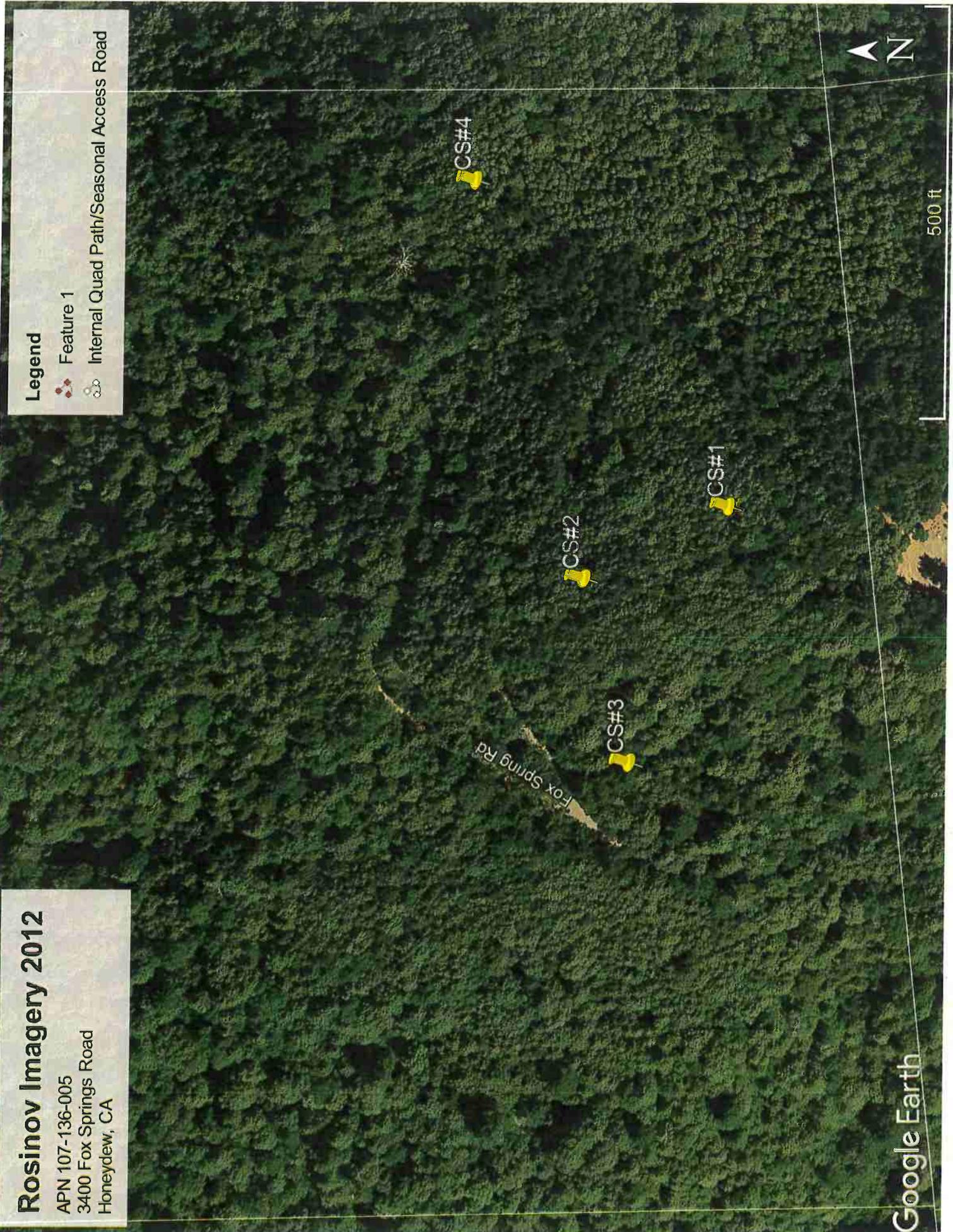
Generators are not allowed in the use of Cannabis activities. These activities include cultivating, drying and processing. If power is needed for these activities, solar panels shall be installed. Currently, generators can only be used for residential use.

Rosinov Imagery 2012

APN 107-136-005
3400 Fox Springs Road
Honeydew, CA

Legend

- Feature 1
- Internal Quad Path/Seasonal Access Road



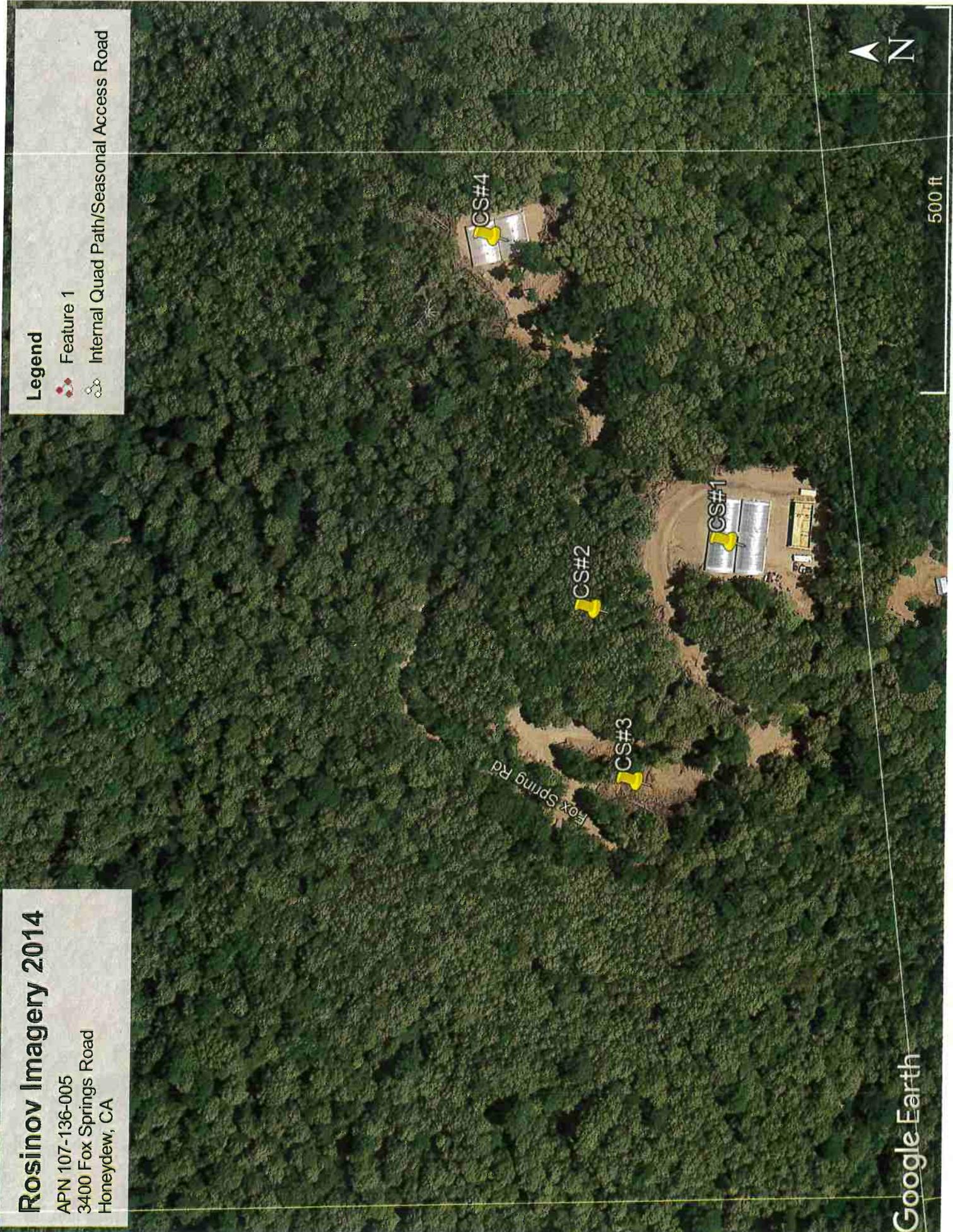
Google Earth

Rosinov Imagery 2014

APN 107-136-005
3400 Fox Springs Road
Honeydew, CA

Legend

-  Feature 1
-  Internal Quad Path/Seasonal Access Road



Google Earth

Rosinov Imagery 2019

APN 107-136-005
3400 Fox Springs Road
Honeydew, CA

Legend

-  Feature 1
-  Internal Quad Path/Seasonal Access Road

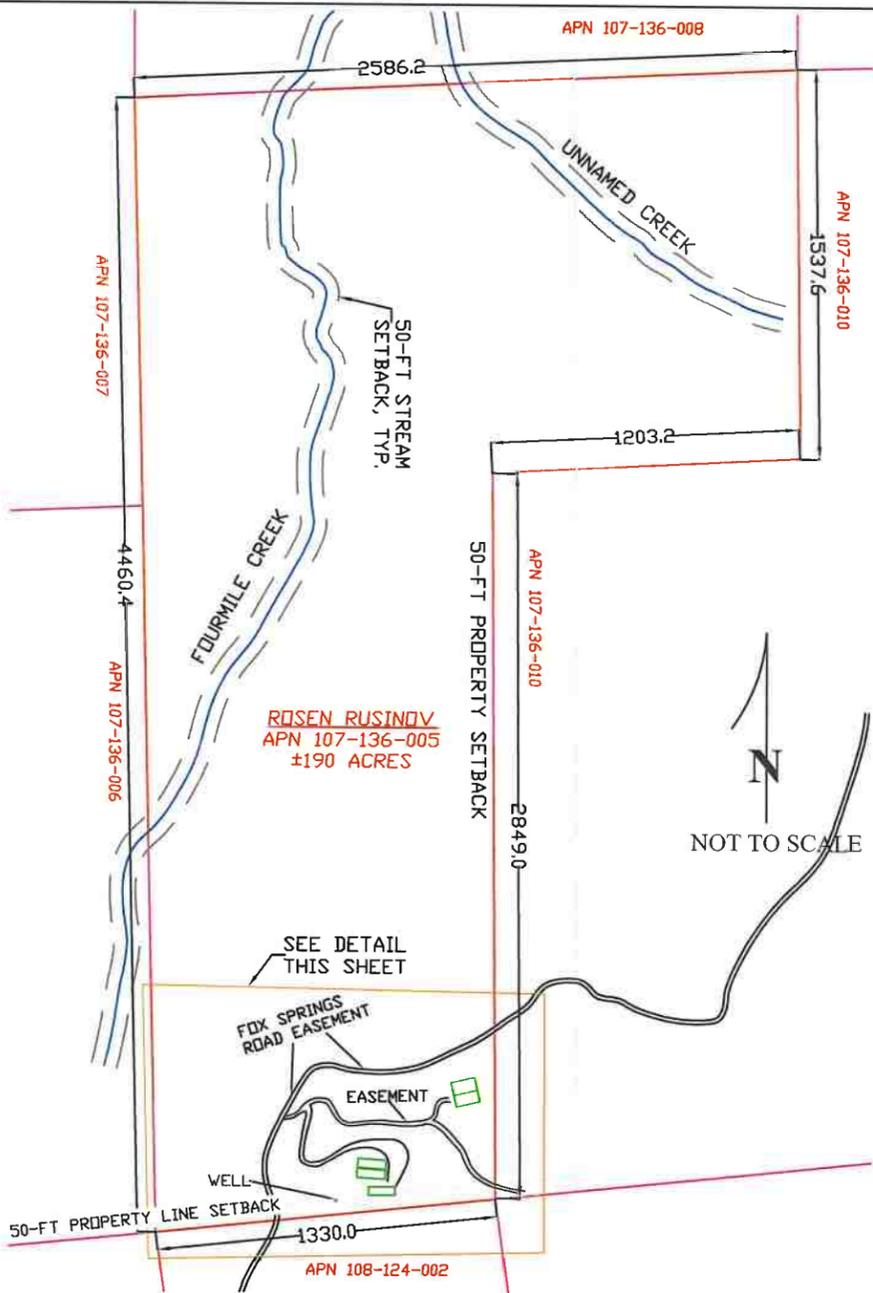


Google Earth

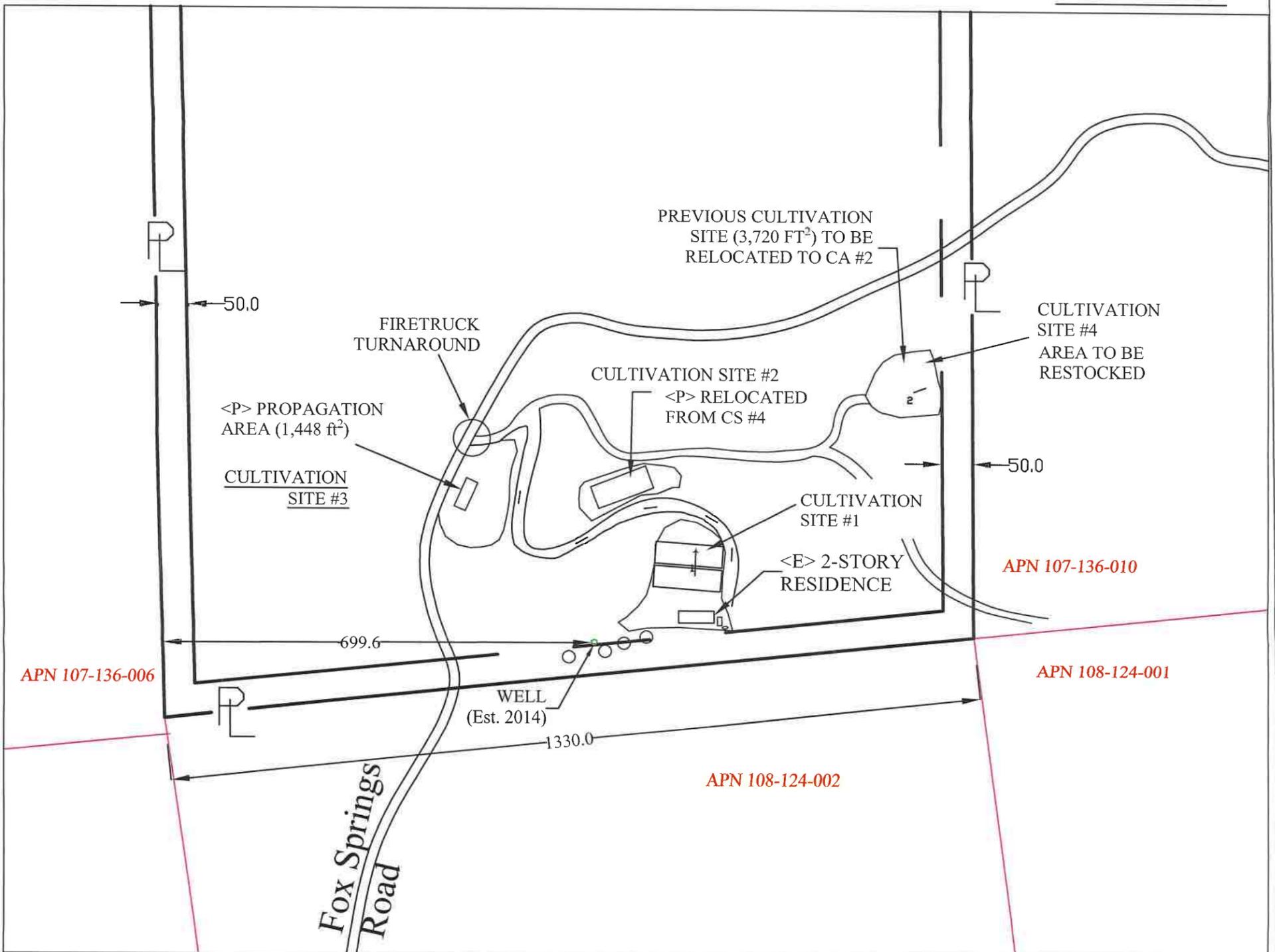
ALL LOCATIONS APPROXIMATE

Notes:

- Road Easement is Fox Springs Road, Unknown if recorded.
- There are no public schools or school busses within 600 feet of cultivation
- There are no public parks within 600 feet of cultivation
- There are no places of worship within 600 feet of cultivation
- There are no tribal cultural resources within 600 feet of cultivation
- All roads surfaces are native
- All access roads are between 16' and 25' wide
- No public power to the property

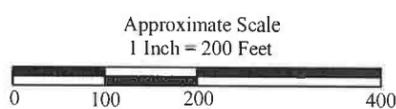


INSET MAP



APPLICANT

Rosen Rosinov
8101 Shorecrest Drive
Las Vegas, Nevada 89128
Ph: (702) 288-7112

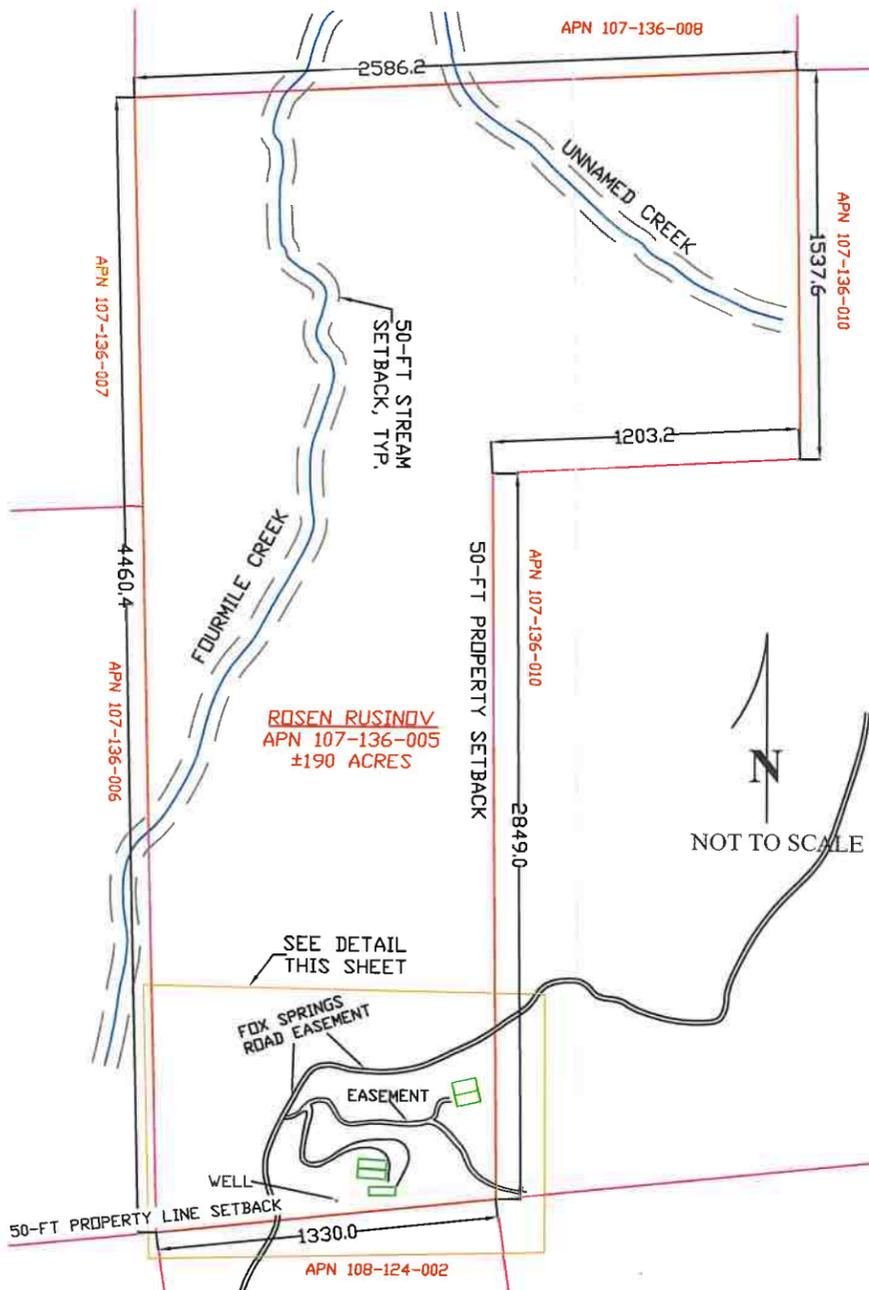
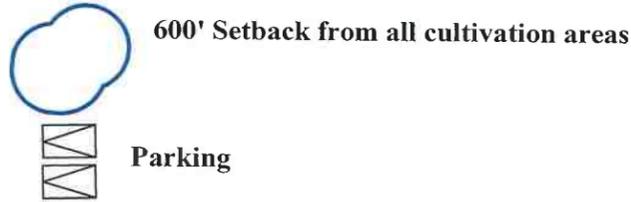


AUGUST 2020

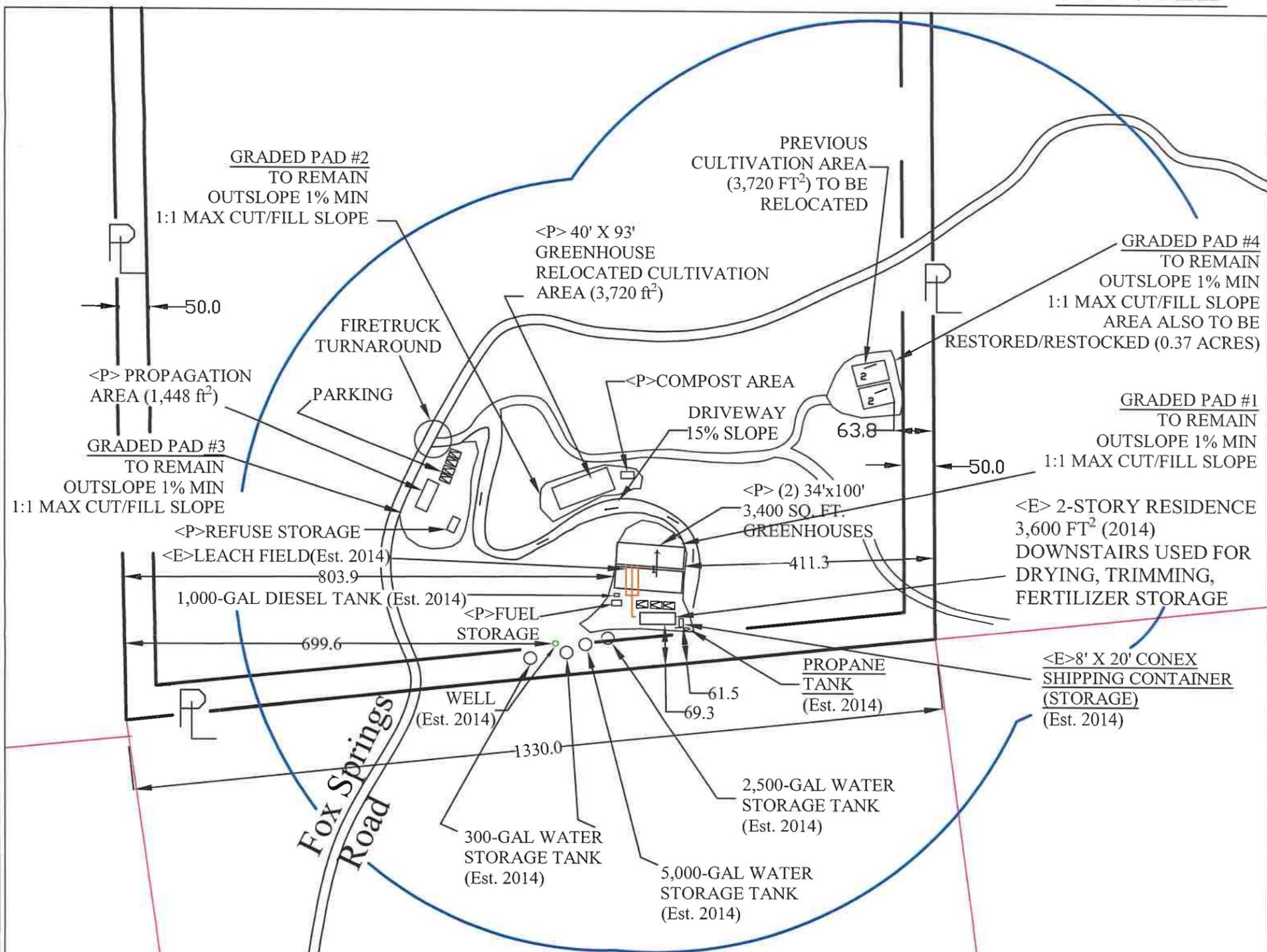
ALL LOCATIONS APPROXIMATE

Notes:

- Road Easement is Fox Springs Road, Unknown if recorded.
- There are no public schools or school busses within 600 feet of cultivation
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- There are no tribal cultural resources within 600 feet of cultivation
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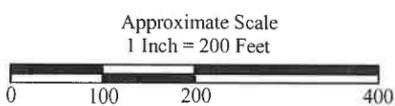


INSET MAP



APPLICANT

Rosen Rosinov
8101 Shorecrest Drive
Las Vegas, Nevada 89128
Ph: (702) 288-7112



UPDATED
AUGUST 2020



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

November 26, 2018

Rusinov Rosen Milchov
8101 Shorecrest Drive
Las Vegas NV 89128

Dear Rusinov,

Re: APN 107-136-005

The following is an evaluation of timberland conversion on cannabis cultivation sites and a home site (Application #47344) for APN 107-136-005. Please accept this letter as the RPF's written report required by Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.12.2.4 sited below.

"Where existing or proposed operations occupy sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall circulate the report to CAL-FIRE for review and comment."

Timberland Resource Consultants (TRC) inspected and evaluated the cultivation sites and associated areas November 21, 2018. The RPF (Chris Carroll) exercised due diligence in reviewing all sites and available resources to fully assess potential timberland conversion and consequential impacts. This report evaluates the cultivation sites and associated areas for timber operations only. The scope of this report does not include: all other land alteration (such as grading, construction, and other permit-regulated activities), all property features and sites unrelated to cultivation activities, or any proposed, planned, or absent cultivation-related project sites. All findings are summarized in the report below.

Project Location

APN: 107-136-005

Acreage: 186 acres

Legal Description: SW 1/4 of Section 28

Township 3 South, Range 1 East,

Humboldt Base & Meridian, Humboldt County

Located on USGS 7.5' Quadrangle: Honeydew

Humboldt County Zoning: TPZ

Site Address: 3400 Fox Springs Road, Honeydew

Landowner/Timber Owner: Rusinov Rosen Milchov

Project Location (Cont.)

The project is located in Humboldt County, on the east side of Wilder Ridge Road between Ettersburg and Honeydew, on the property known as 3400 Fox Springs Road.

Parcel Description & Timber Harvest History

Note: The property background has been summarized using personal accounts of the current landowner, digital orthographic quadrangle (DOQ) imagery, Humboldt County Web GIS, CAL FIRE Watershed Mapper v2, and Historic Aerials. To avoid speculation and maintain relevancy, the property background focuses mainly on the past 10-15 years.

The property consists of second growth tanoak, madrone, and Douglas-fir. Review of 1968 aerial imagery showed clear signs of recent harvesting (within approximately 10 +/- years ago) as evidenced by truck roads, skid roads, landings, and distinct timber/vegetation type changes. Field review revealed old growth Douglas-fir stumps which confirms that the stand was regenerated approximately 50-60 years ago. There have been no subsequent commercial harvests per Cal Fire's Watershed Mapper (http://egis.fire.ca.gov/watershed_mapper/). The current landowner purchased the property from Roxanne M. Beljan on 1-27-2014

Project Description

A house and four existing cultivation sites were inspected during the field assessment within APN 107-136-005. The following table lists the inspected sites and their respective acreage; see detailed site descriptions below.

Cultivation Site/Associated Area	Total Acreage	Converted?	Converted Acreage
Cultivation Site 1	0.30	Yes	0.30
Cultivation Site 2	0.40	Yes	0.40
Cultivation Site 3	0.47	Yes	0.47
Cultivation Site 4	0.19	Yes	0.19
House	0.16	Yes	0.16
Access Road	0.28	Yes	0.28
TOTAL	1.80		1.80

Cultivation Site 1

The site formally contained two greenhouses of unknown dimensions, which have been removed. Review of historic aerial imagery reveals that this site was developed between 2012 and 2014 and included timber harvesting and extensive cut and fill excavation and grading. Proposed cultivation activities at this site will impede the use of this space for timber growth and harvesting thus resulting in timberland conversion.

Cultivation Site 2

The site formally contained one greenhouse of unknown dimension, which has been removed. Per Terra Server, the site was developed between 9-18-2015 and 6-27-2016 and included timber harvesting and extensive cut and fill excavation and grading. Proposed cultivation activities at this site will impede the use of this space for timber growth and harvesting thus resulting in timberland conversion.

Cultivation Site 3

The site formally contained one greenhouse of unknown dimension, which has been removed. Per Terra Server, the site was developed between 9-18-2015 and 6-27-2016 and included timber harvesting and extensive cut and fill excavation and grading. Proposed cultivation activities at this site will impede the use of this space for timber growth and harvesting thus resulting in timberland conversion.

Project Description (Cont.)

Cultivation Site 4

The site formally contained two greenhouses of unknown dimensions, which have been removed. Per Terra Server, the site was developed between 9-18-2015 and 6-27-2016 and included timber harvesting and extensive cut and fill excavation and grading. Proposed cultivation activities at this site will impede the use of this space for timber growth and harvesting thus resulting in timberland conversion.

House Site

Review of historic aerial imagery reveals that this site was developed between 2012 and 2014 and included timber harvesting and extensive cut and fill excavation and grading. The home site impedes the use of this space for timber growth and harvesting thus resulting in timberland conversion.

Access Road

Review of historic aerial imagery reveals that this road was likely developed between 2012 and 2014 concurrent with the development of the home site and Cultivation Site 1. The road is approximately 850 feet in length and 14 feet wide. This road accesses three proposed cultivation sites and the residence and thus likewise constitutes timberland conversion.

Timberland Conversion Summary

TRC observed approximately 1.80 acres of unauthorized timberland conversion. This total does not exceed the three-acre conversion exemption maximum.

Limitations and Considerations for Timberland Conversion Activities

Watercourses and Water Resources

14CCR 1104.1(a)(2)(F): "No timber operations are allowed within a watercourse and lake protection zone unless specifically approved by local permit (e.g., county, city)."

No conversion areas exist within a Watercourse and Lake Protection Zones (WLPZ) or Equipment Exclusion Zone (EEZ) on the property.

Biological Resources and Forest Stand Health

14 CCR 1104.1 (2)(H): "No sites of rare, threatened or endangered plants or animals shall be disturbed, threatened or damaged and no timber operations shall occur within the buffer zone of a sensitive species as defined in 14 CCR 895.1"

A query of the California Natural Diversity Database (CNDDB) on September 29, 2018 revealed no observations of sensitive, rare, threatened, or endangered species or species of special concern within a 0.7-mile radius biological assessment area (BAA) surrounding the property. No sensitive, rare, threatened, or endangered species or species of special concern were observed during the TRC field assessment of the project area, though potential habitat may exist on the property.

The query of the CNDDB revealed no known Northern Spotted Owl (NSO) Activity Centers within 0.7 miles of the project area.

No major forest health issues were observed during the field assessment. Though the property is located within Humboldt County, a Zone of Infestation (ZOI) for Sudden Oak Death (SOD), no symptoms, signs, or evidence of oak mortality were observed. No risk assessment was made at the property. The conversion activities do not appear to have impacted forest health.

The conversion areas did not include late successional stands, late seral stage forests, or old growth trees. The conversion area did not include any trees that existed before 1800 A.D. and are greater than sixty (60) inches in diameter at stump height for Sierra or Coastal Redwoods, and forty-eight (48) inches in diameter at stump height for all other tree species.

Limitations and Considerations for Timberland Conversion Activities (Cont.)

Slash, Woody Debris, and Refuse Treatment

14 CCR 914.5(b): "Non-biodegradable refuse, litter, trash, and debris resulting from timber operations, and other activity in connection with the operations shall be disposed of concurrently with the conduct of timber operations."

14CCR 1104.1(a)(2)(D) – Treatment of Slash and Woody Debris

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

Untreated slash, woody debris, and logs were observed at or near all of the conversion sites. The larger concentrations of untreated woody debris are shown on the attached map; however, untreated slash, woody debris, and logs occur in smaller concentrations in other areas not shown on the map.

923.4. Construction and Reconstruction of Logging Roads and Landings.

While its recognized that the cultivation sites are not log landings; construction and maintenance of the graded flats should (at a minimum) meet or exceed similar requirements stated in the Forest Practice Rules for log landings. Compliance with Humboldt County's grading ordinance, Regional Water Board Order No. 2015-0023, and other regulations will require even higher standards. Therefore, this report shall assess the Cultivation Site's graded flats to the standards of a log landing. Cultivation Site 1 has two segments of fill-slope constructed using log and lumber cribbing braced with steel fence posts. The function of such a retaining wall is to form a nearly vertical face for the purpose of maximum use of limited space. This practice is not allowed unless the structure is removed following use or is properly engineered. The cultivation site was not constructed per 14CCR 923.4(j), which states:

Where constructed fills will exceed three feet in vertical thickness, fill slopes shall be inclined no greater than 65 percent.

The sections of log cribbing shall be removed and the fill slope shall be pulled back to a maximum slope steepness of 65% unless properly engineered. Alternative methods for buttressing the fill-slope such as rock armoring with large rip-rap may be employed if properly engineered.

Limitations and Considerations for Timberland Conversion Activities (Cont.)

923.5. Erosion Control for Logging Roads and Landings

The seasonal road from Map Point A to Map Point B appears to have been constructed concurrent with the development of the home site and Cultivation Site 1. The construction and maintenance of the road should (at a minimum) meet or exceed requirements stated in the Forest Practice Rules despite its non-timber use. Compliance with Humboldt County's grading ordinance, Regional Water Board Order No. 2015-0023, and other regulations may require even higher standards. The road is steep with an estimated average grade greater than 15% for 850 feet. The road presently has no permanent drainage facilities or waterbreaks and therefore is not in compliance with:

14CCR 923.5(b) Drainage facilities and structures shall be installed along all logging roads and all landings that are used for timber operations in sufficient number to minimize soil erosion and sediment transport and to prevent significant sediment discharge.

14CCR 923.5(q)(2): In addition to the provisions listed under 14 CCR § 923.2(d)(2), all permanent and seasonal logging roads with a grade of 15 percent or greater that extend 500 continuous feet or more shall have specific erosion control measures stated in the plan.

An approved conversion exemption would have required the construction of permanent drainage facilities concurrent with new road construction. The steep segment of road from Map Point A to Map Point B needs permanent drainage facilities installed, including rock surfacing, in order to minimize soil erosion and slope instability. Please note that the RPF did not identify any *Significant Existing or Potential Erosion Sites* per 14CCR 895.1. There are no locations along the steep section of road where soil erosion is currently, or there are visible physical conditions to indicate soil erosion may be in the future, discharged to watercourses or lakes in quantities that violate Water Quality Requirements or result in significant individual or cumulative adverse impacts to the beneficial uses of water. The steep road is not hydrologically connected to a watercourse.

Cultural Resources

14 CCR 1104.1 (2)(l): "No timber operations are allowed on significant historical or archeological sites."

No archeological sites were observed during the TRC field assessment. The RPF conducted pre-field research for the project's geographic location and closely surveyed the converted sites and surrounding undisturbed areas for presence or evidence of prehistoric or historic sites. The archaeological survey was conducted by Chris Carroll, a certified archaeological surveyor with current CALFIRE Archeological Training (Archeological Training Course #575). The survey consisted of examining boot scrapes, rodent disturbances, natural and manmade areas of exposed soils, and road and cultivation site surfaces.

Per 14 CCR 1104.2(2)(l), all required Native American tribes and organizations have been notified of the project location and are encouraged to respond with any information regarding archaeological sites, cultural sites, and/or tribal cultural resources within or adjacent to the project area.

Conclusion

In summary, a total of 1.80 acres of unauthorized timberland conversion has occurred within APN 107-136-005. This total does not exceed the three-acre conversion exemption maximum. The conversion activities conducted on the property do not comply with the California Forest Practice Act and the California Forest Practice Rules.

RPF Recommendations

1. Treat all slash, woody debris, and logs per requirements of 14 CCR 914.5(b) as listed on page 3.
2. Remove fill-slope cribbing at northwest and northeast corners of the graded flat at Cultivation Site 1, and pull back the fill-slope to a maximum slope steepness of 65% unless properly engineered.
3. This steep segment of road from Map Point A to Map Point B needs permanent drainage facilities installed, including rock surfacing, in order to minimize soil erosion and slope instability.

Sincerely,



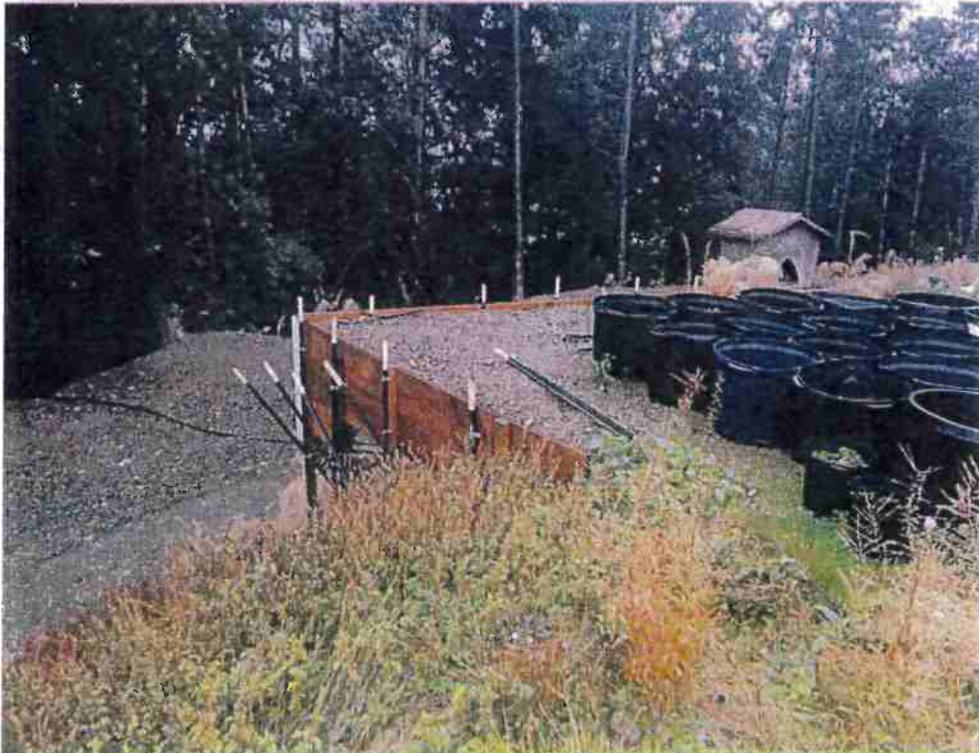
Chris Carroll, RPF #2628
Timberland Resource Consultants

Pictures



Picture 1: Cultivation Site 1. Photo date 11-21-2018

Pictures



Picture 2: Cribbed fill at northeast corner of Cultivation Site 1. Photo date 11-21-2018

Pictures



Picture 3: Cribbed fill at northwest corner of Cultivation Site 1, Photo date 11-21-2018

Pictures



Picture 4: Untreated slash located east of Cultivation Site 1. Photo date 11-21-2018

Pictures



Picture 5: Cultivation Site 2. Photo date 11-21-2018

Pictures



Picture 6: Untreated log deck located northwest of Cultivation Site 2. Photo date 11-21-2018

Pictures



Picture 6: Cultivation Site 3. Photo date 11-21-2018

Pictures



Picture 7: Untreated logs and slash located south of Cultivation Site 3. Photo date 11-21-2018

Pictures



Picture 8: Cultivation Site 4. Photo date 11-21-2018

Pictures



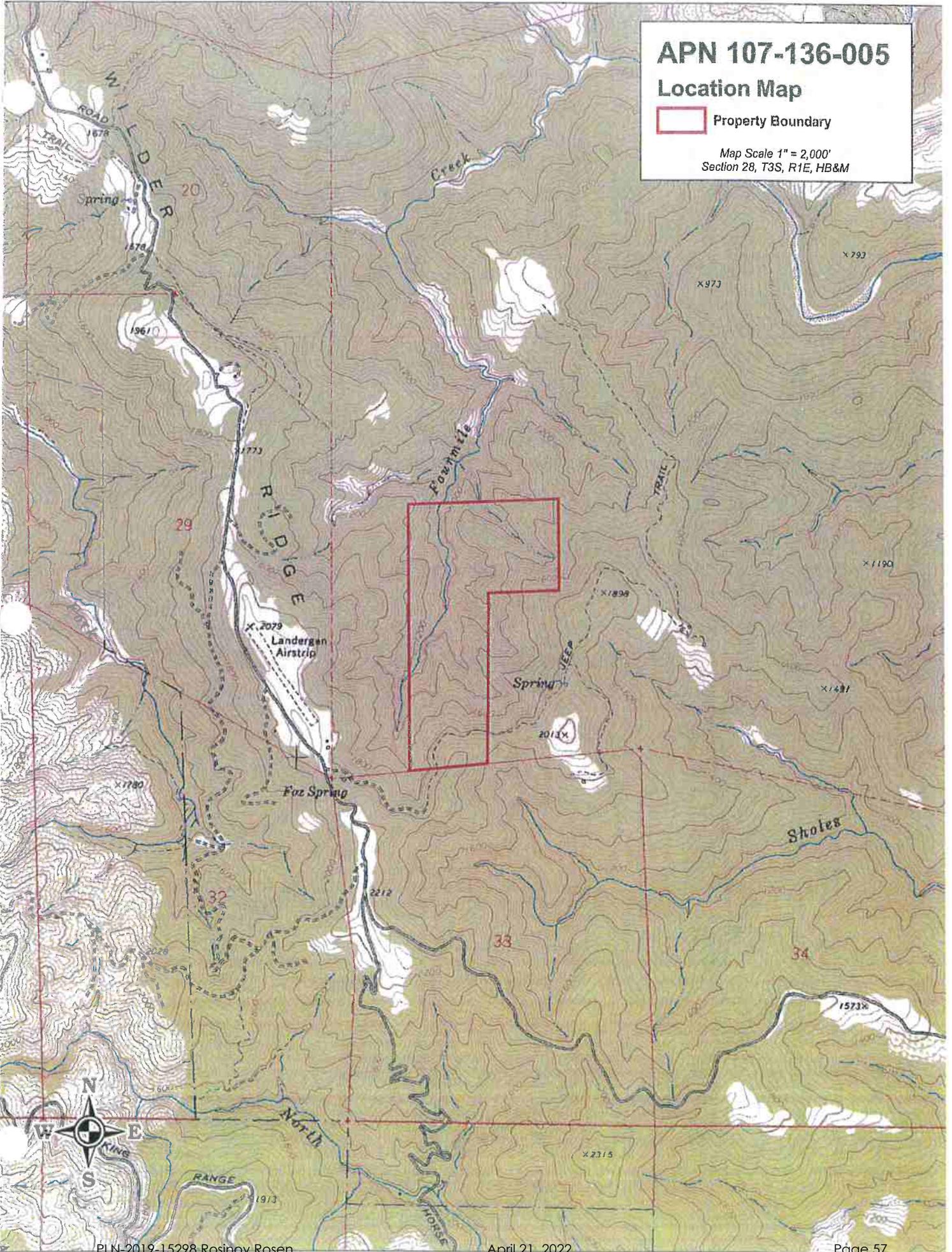
Picture 9: Logging slash located south of Cultivation Site 4, Photo date 11-21-2018

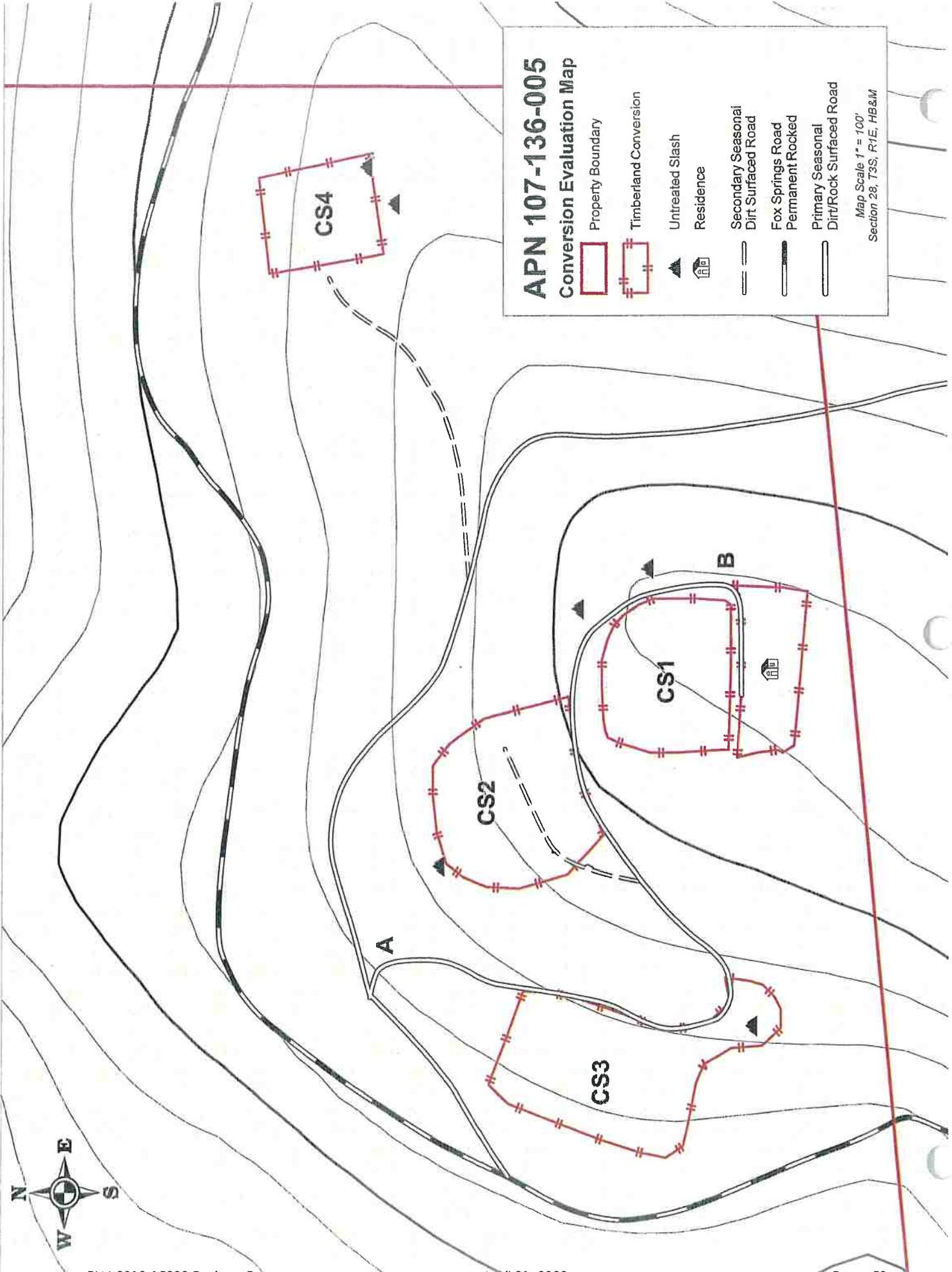
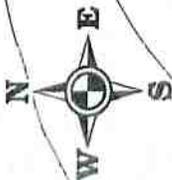
APN 107-136-005

Location Map

 Property Boundary

Map Scale 1" = 2,000'
Section 28, T3S, R1E, HB&M





APN 107-136-005 Conversion Evaluation Map

- Property Boundary
- Timberland Conversion
- Untreated Slash
- Residence
- Secondary Seasonal Dirt Surfaced Road
- Fox Springs Road Permanent Rocked
- Primary Seasonal Dirt/Rock Surfaced Road

Map Scale 1" = 100'
Section 28, T3S, R1E, HB&M

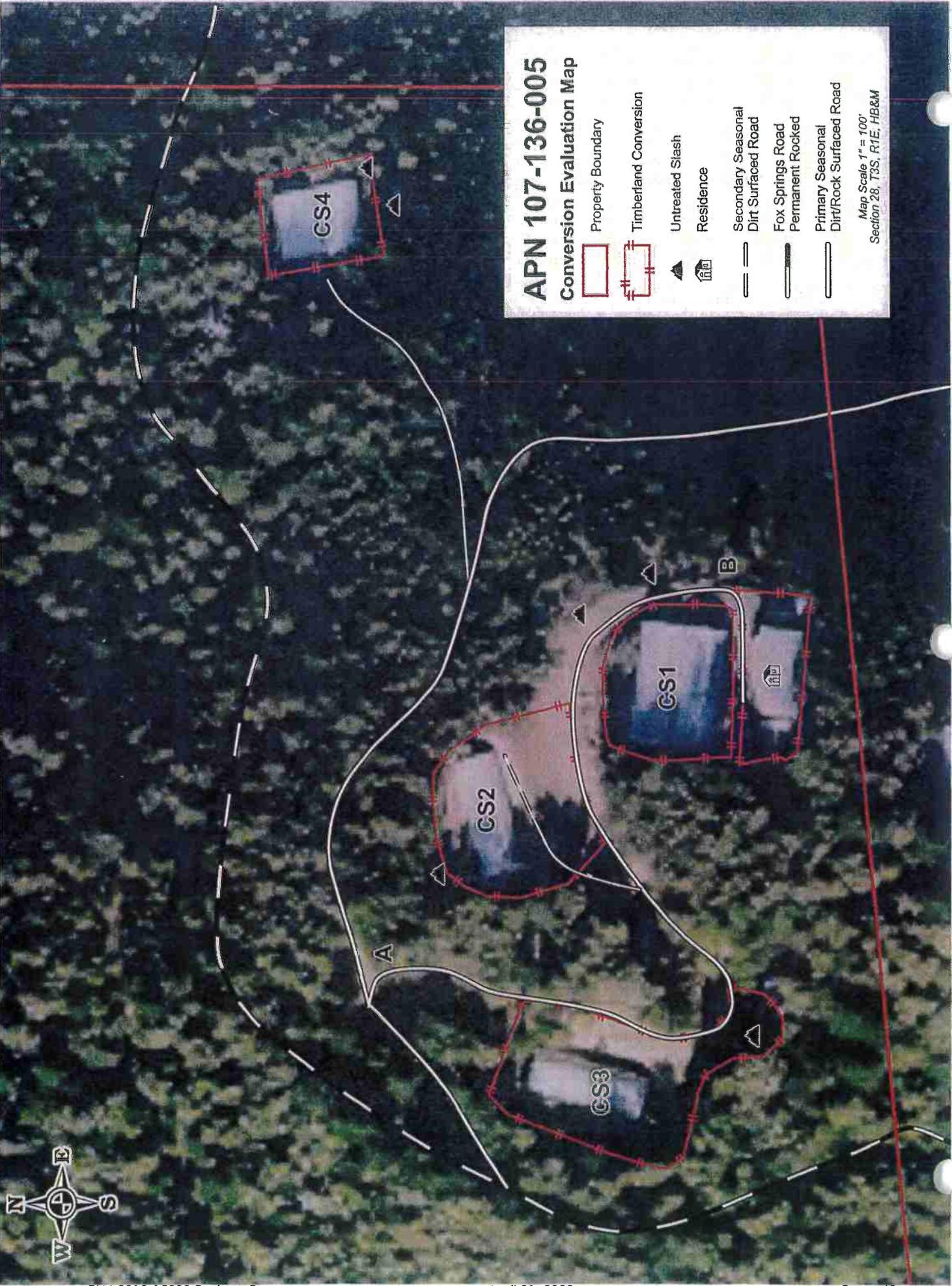


APN 107-136-005

Conversion Evaluation Map

	Property Boundary
	Timberland Conversion
	Untreated Slash
	Residence
	Secondary Seasonal Dirt Surfaced Road
	Fox Springs Road Permanent Rocked
	Primary Seasonal Dirt/Rock Surfaced Road

Map Scale 1" = 100'
Section 28, T3S, R1E, HB&M



APN 107-136-005 Conversion Evaluation Map

- Property Boundary
- Timberland Conversion
- Untreated Slash
- Residence
- Secondary Seasonal Dirt Surfaced Road
- Fox Springs Road
- Permanent Rocked
- Primary Seasonal Dirt/Rock Surfaced Road

Map Scale 1" = 100'
Section 28, T3S, R1E, HB&M

Road System Assessment & Improvement Plan

3400 Fox Springs Road
Honeydew, CA 95545
APNs 107-136-005
Rosen Rusinov
4.16.2019



Prepared By:

**Rinehart Engineering
Bret Rinehart, PE
559 Howard Heights Rd
Eureka, CA 95503
707-498-3414
rinehartengineering@gmail.com**

Overview

The purpose of this road assessment report is to summarize current road conditions leading to the Rosen Rusinov cultivation site (Project), and identify corrective measures needed for compliance with the Humboldt County road systems performance standards as well as the General Order requirements of the State Water Resources Control Board Division of Water Quality (Water Board). All road segments were evaluated for their drainage features as well as their capacity to support expected volumes of 3-6 additional vehicles per day related to cultivation activities. The following assessment will be presented in two road segments: Fox Springs Road, and the Project driveway (driveway).

The Project is accessed via Fox Springs Road, a 0.6 mile road segment that connects to the County-owned Wilder Ridge Road. Fox Springs Road is a 18 ft wide, gravel road that meets Cal Fire standards and Category 4 standards as outlined in the Appendix to Title III, Division II of the Humboldt County Code (Title III). Fox Springs Road travels through two parcels prior to subject parcel and serves two additional parcels beyond the subject parcel where it terminates. The driveway to the Project site does not meet all performance standards required by Humboldt County Code 314-55.4.12.1.8 including Dead End Road Length and Functional Capacity, and is expected to accommodate cultivated related traffic following corrective action.

During construction of the road improvements prescribed herein, best management practices and standard designs presented in Appendix B of the Five Counties 'Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds' (Five Counties Road Manual) will be employed to appropriately handle runoff and increase longevity of service.

Road Maintenance Association (RMA) Information

The Applicant will be the only permit holder on Fox Springs Road, and therefore the formation of a Road Maintenance Association is not required (per section 314-55.4.12.1.8). The Applicant will be solely responsible for coordinating maintenance of the road leading to the project site as well as the driveway. The applicant will make arrangements with the neighboring easement holders, if applicable, to ensure regular maintenance of Fox Springs Road up to their respective termini.

Fox Springs Road Segment

Wilder Ridge Road to Site Driveway – 0.6 miles

Summary

The Project property is accessed from Wilder Ridge Road via Fox Springs Road, a private Category 4 roadway per Title III. Fox Springs Road passes through two parcels before the junction with the site driveway.

This segment begins with a 15 ft wide gate with a large turnout at the entrance. The road is approximately 18 ft wide with slopes no greater than 15%. The road surface has been armored and graded with numerous drainage features. One 24" CMP culvert exists along this segment, which conveys a Class III drainage. This crossing is near the top of a ridge and is a tributary to Fourmile Creek. No inboard ditch relief culverts exist along the road segment.

Several rolling dips are in place and spaced appropriately along the road. There was evidence of overtopping or erosion at the time of inspection. This road segment is a safe and mostly stable road with drainage features that require attention for proper function.

Recommendations

Upon inspection, the stream crossing culvert appears to be sized appropriately, but may require further investigation. Energy dissipation, and a down spout (if appropriate), should be placed according to design standards shown in Appendix B-3.6 and 3.7 in the Five Counties Road Manual on the four stream crossings. Rock used at the outlets will be sized for each culvert using the design standards in Appendix B-7.9 of the Five Counties Road Manual. These steep drainages are also prone to passing debris and routine maintenance at the culvert inlets will be required to maintain proper function. At the end of the design life, or at the time of failure, new appropriately sized culverts should be placed on grade with the channel to prevent major grade breaks in the flow path. This will reduce the risk of incision and reduction of capacity caused by plugging. To further decrease the risk of a plugged culvert, the head water to diameter ratio should be verified to be ± 0.6 at the time of installation.

As of the date of inspection, all rolling dips are smooth and stable, but require maintenance and repair to prevent overtopping, and to allow for discharge where material has accumulated and impeded runoff. Routine maintenance should be continued. In some areas, spoils from the last road grading line the edge of the road preventing runoff from leaving the road. These spoils should be spread out and stabilized. Spoils also exist at the outlet of some of the rolling dips. These outlets should be stabilized with energy dissipation mechanisms as applicable per the design standards in Appendix B-8.6 of the Five Counties Road Manual.

Driveway Segment

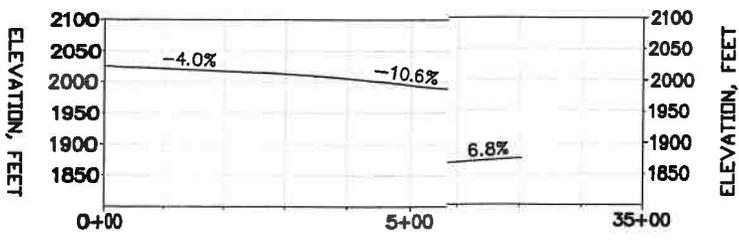
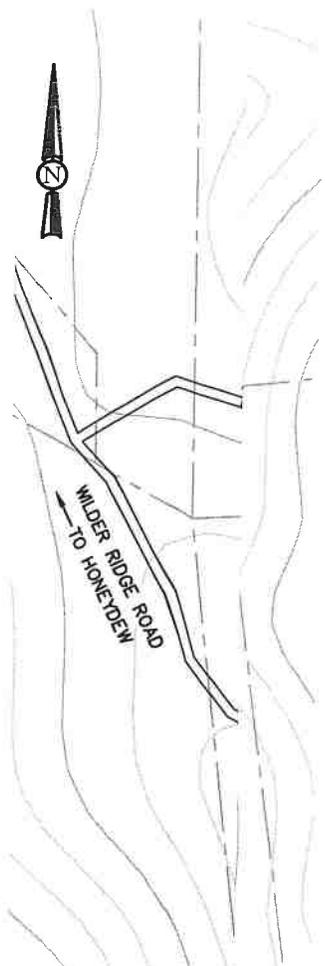
Junction with Fox Springs Road to Project Site – 900 ft

Summary

The driveway segment serves only the project site and appears to be less stable than Fox Springs Road. The driveway, approximately 14 ft wide, abruptly climbs up to landings, with some short pitches exceeding 15%. The road is entirely native material with minimal surface drainage features and no inboard ditches. The surface drainage features have been overwhelmed which has allowed for extensive erosion of the road surface. The remaining material is unconsolidated gravelly loam that is subject to further erosion. Once the grade becomes less steep, the surface drainage functions better from the out-sloped nature of the road. The width and use of the road will meet Category 1 road standards per Title III with the following recommendations.

Recommendations

The driveway requires the addition of imported aggregate rock to be used to armor the road surface. The native soils are erosive and are not suitable for the existing road grades. At road sections along a cut bank, the road should be out-sloped to distribute surface runoff as sheet flow to avoid concentrating runoff along the road. In addition, rolling dips should be installed per the standard designs in Appendix B-8.6 of the Five Counties Road Manual. Rolling dips should be spaced in a way to effectively discharge sheet flow at 30 ft intervals along the road to reduce the volume of runoff to be discharged. When appropriate, a grade reversal may occur at a rolling dip to alternate the road drainage from inboard/crowned to an out sloped road at curves that changes which side of the road cut it is on. Should the slopes be unsatisfactory, an alternative road alignment shall be explored for feasibility.

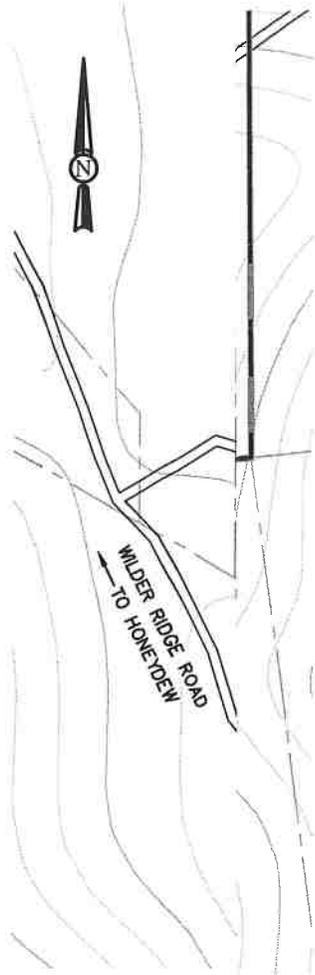


RINEHART ENGINEERING
 (707) 498-3414
 RINEHARTENGINEERING@GMAIL.COM

ROAD ASSESSMENT
 PLAN & PROFILES
 APN: 107-136-005
 ROSEN RUSINOV
 3400 FOX SPRINGS ROAD
 HONEYDEW, CA 95545

REVISIONS		
REV	DESCRIPTION	DATE

JOB NUMBER
 FIGURE
 1



REVISIONS			
REV	DESCRIPTION	BY	DATE



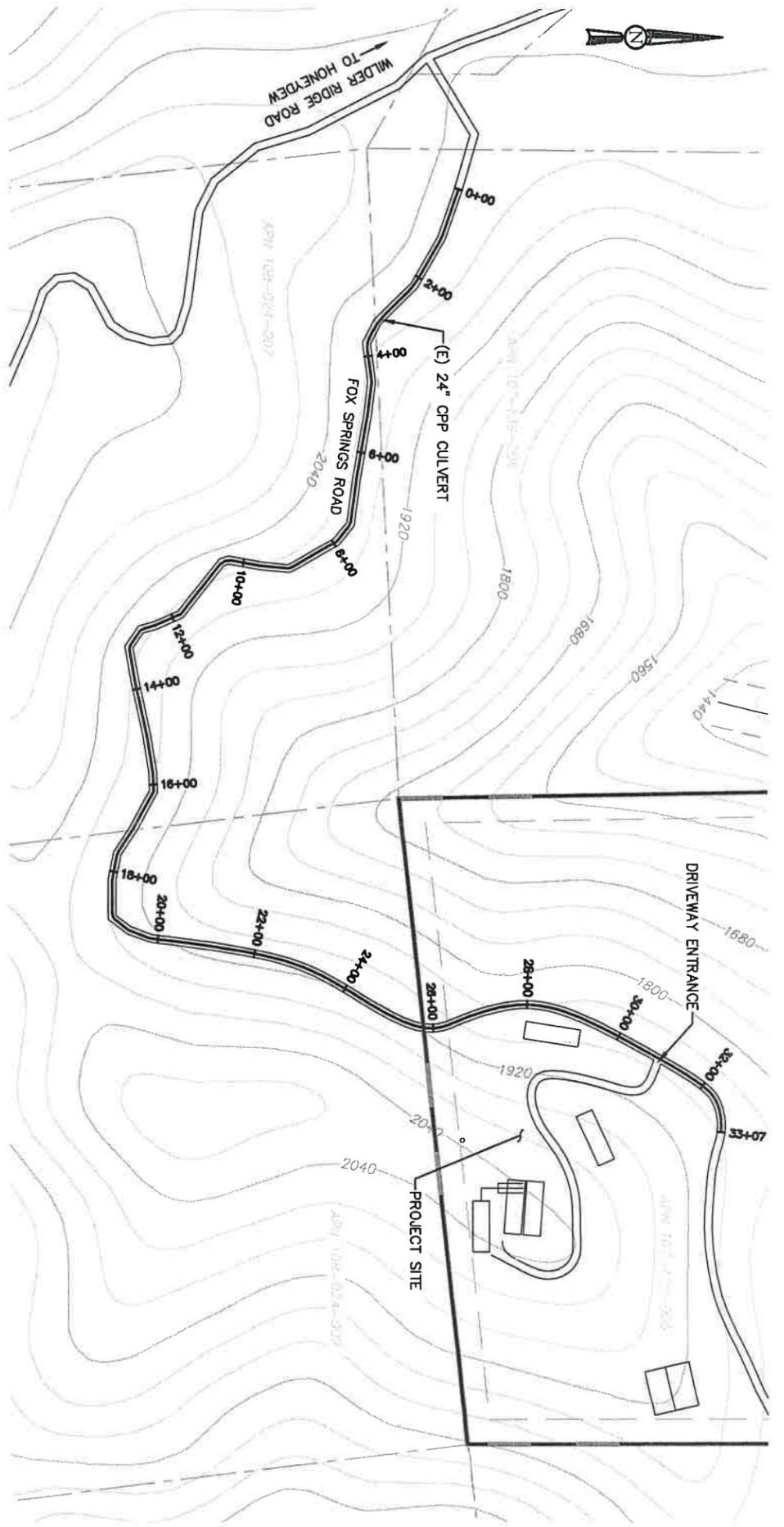
**RINEHART
ENGINEERING**
 (707) 498-3414
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ROAD ASSESSMENT
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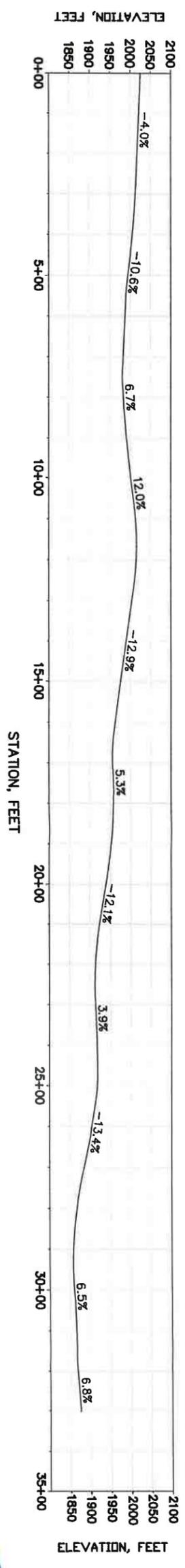
ROSEN RUSINOV
 3400 FOX SPRINGS ROAD
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JOB NUMBER

FIGURE
 2



FOX SPRINGS ROAD - EXISTING ALIGNMENT
 0 150' 300'
 GRAPHIC SCALE



ROAD PROFILE
 0 150' 300'
 GRAPHIC SCALE



REVISIONS			
REV	DESCRIPTION	BY	DATE

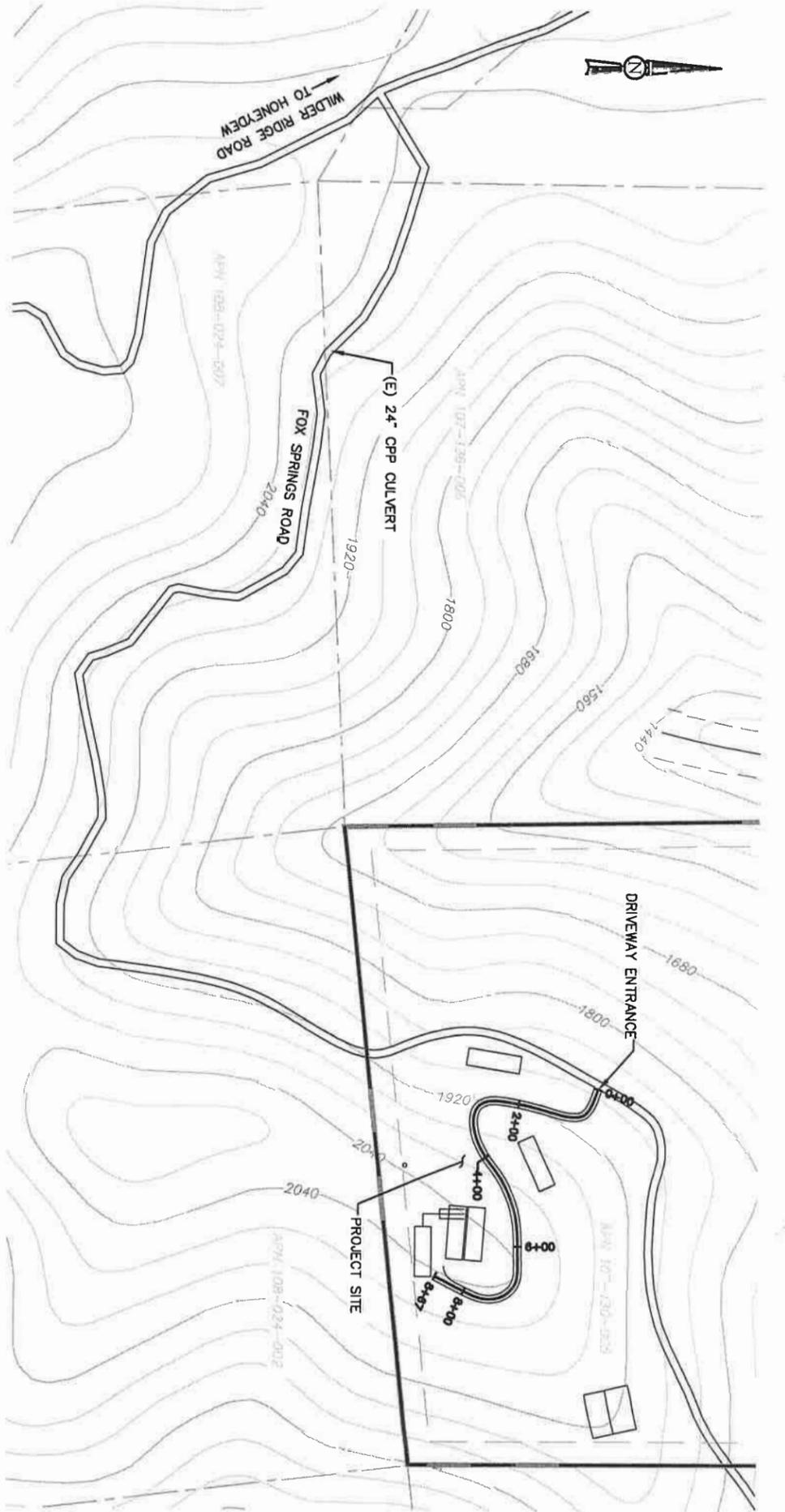


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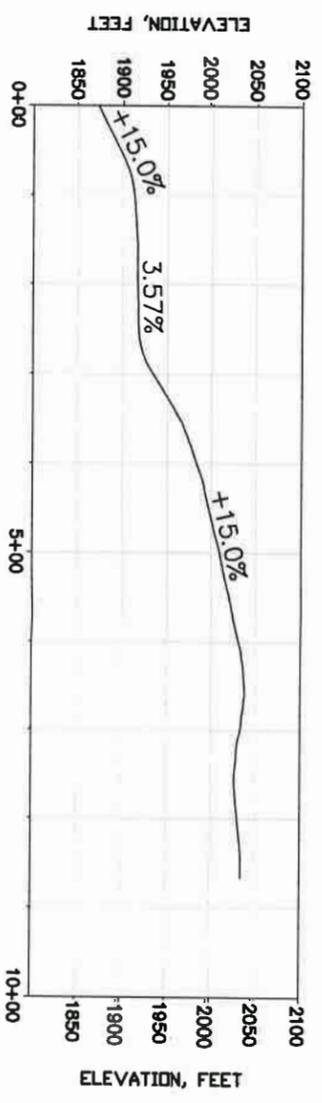
ROAD ASSESSMENT
 PLAN & PROFILES
 APN: 107-136-005
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JOB NUMBER

FIGURE 1



0 150' 300'
GRAPHIC SCALE



0 150' 300'
GRAPHIC SCALE



REVISIONS			
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 PLAN & PROFILES
 APN: 107-136-005
 ROSEN RUSINOV
 3400 FOX SPRINGS ROAD
 HONEYDEW, CA 95545

JOB NUMBER

FIGURE 2



Sound Evaluation Report

Prepared For:

Rosen Rusinov

APN: 107-136-005

Signature of Civil Engineer

7/23/20

Date



Seal

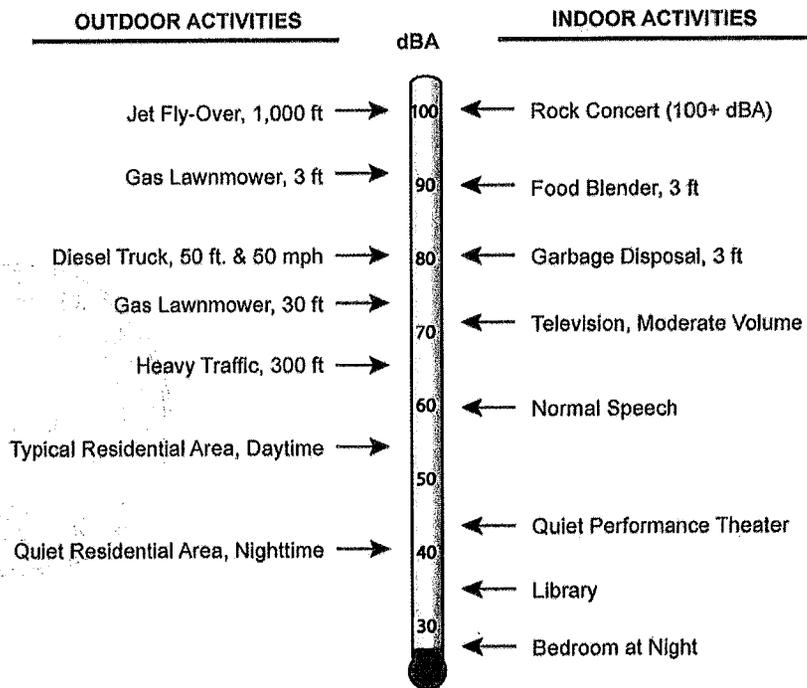
Introduction:

Green Road Consulting (GRC) performed a sound evaluation study to determine changes in ambient noise levels related to cannabis cultivation activities. Cannabis cultivation activities have the potential to significantly alter natural sound levels and disturb native wildlife. However, parcels with zoning TPZ or U (with a General Plan Land Use Designation of "Timberland" or "Unclassified") are prohibited from using generators. This parcel is zoned TPZ and will not be allowed to use generators for cannabis production.

Background:

On May 6, 2018, the Humboldt County Board of Supervisors passed Ordinance No. 2599 defining the rules and regulations of commercial cultivation, processing, manufacturing, distribution, testing and sale of cannabis for medicinal or adult use outside the coastal zone. Section 55.4.12 of the ordinance describes the performance standards related to all commercial cannabis activities at cultivation sites that must be met for the applicant to be eligible for a commercial cannabis cultivation permit issued by Humboldt County. As defined in Section 55.4.12.6 regarding noise, "Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site."

Oxford Dictionary defines noise as "a sound, especially one that is loud or unpleasant or that causes disturbance" (Oxford Dictionary 2018). In terms of physics, sound is a mechanical disturbance from a state of equilibrium that propagates through an elastic material medium, such as water or air (Britannica 2018). Humans have evolved to be more receptive to sound frequencies between 500 Hz and 6 kHz (measured in decibels, dB), however, sounds can occur below or above the range of human hearing. To account for the full range of human hearing, the "A-weighted" scale was created to include a full range of frequencies, from 20 Hz up to 20 kHz and is measured in dBA (Britannica 2018). Several activities and their associated noise level for indoor and outdoor settings have been measured and are shown in Figure 1 for reference (West Los Angeles College ND).



Sources: FTA, 1995; ATS Consulting, 2005

Figure 1: Examples of noise levels for indoor and outdoor settings.

Site Summary:

APN: 107-136-005

Coordinates: <40.1667, -124.0744>

Acreage: 190-Acres

Zoning: TPZ

Methods:

Two, 24-hour studies will be conducted by GRC on APN 107-136-005 using four CEM DT-8852 Industrial High Accuracy Digital Sound Noise Level Meter Data Loggers. These sound level data loggers feature a measurement range of 30-130 dB with an accuracy of ± 1.4 dB, and internal memory for standalone data recording. The first study was conducted before cannabis cultivation activities began on the parcel to establish a baseline ambient sound level to compare to future measurements. After cannabis cultivation activities begin, a second 24-hour study will be conducted to capture the increase, if any, of sound levels related to cannabis cultivation.

Since the parcel is located within one mile of mapped critical habitat for Marbled Murrelet and Northern Spotted Owls, the maximum noise expose from background cultivation related noise cannot exceed 50 decibels at a distance of 100-feet from the noise source or edge of habitat, whichever is closer. If pre-existing cultivations sites submitted for permitting prior to December 31, 2019 are located within 0.7 miles of a known Northern Spotted Owl activity center a qualified biologist shall conduct a disturbance and habitat modification assessment to determine the presence of the species and whether the cultivation site can operate or have its operation modified to avoid take of the species.

Two sound monitoring studies are required to determine how cannabis cultivation activities effect the ambient noise levels on the property. For the duration of each study, one (1) noise level data logger was placed as close to each property boundary line as possible (minimum of 3) to capture the noise level being emitted from within the parcel (Figure 2). Data was collected every 6 seconds for at least 24-hours. The first 24-hour study was conducted from 07/16/2020 through 07/17/2020, before seasonal cannabis cultivation activities occurred on the property. The data was uploaded to Microsoft Excel, where a moving average was performed on 500, 1,000, and 2,000 data points to reduce any extreme short-term fluctuations in the time-series data. The second 24-hour study will be conducted when commercial cannabis activities begin, and all the proposed equipment is being used on site.

Critical habitats for Marbled Murrelet and Spotted Owls have been mapped by California Department of Fish and Wildlife (CDFW) and were viewed using a commercial license to the California Natural Diversity Database (CNDDDB). The CNDDDB uses the Biogeographic Information and Observation System (BIOS) to project observed critical habitat for Marbled Murrelet and Spotted Owls in an online mapping tool. This online mapping program has a distance measuring tool that was used to find the distance from this parcel to the nearest marked critical habitat.

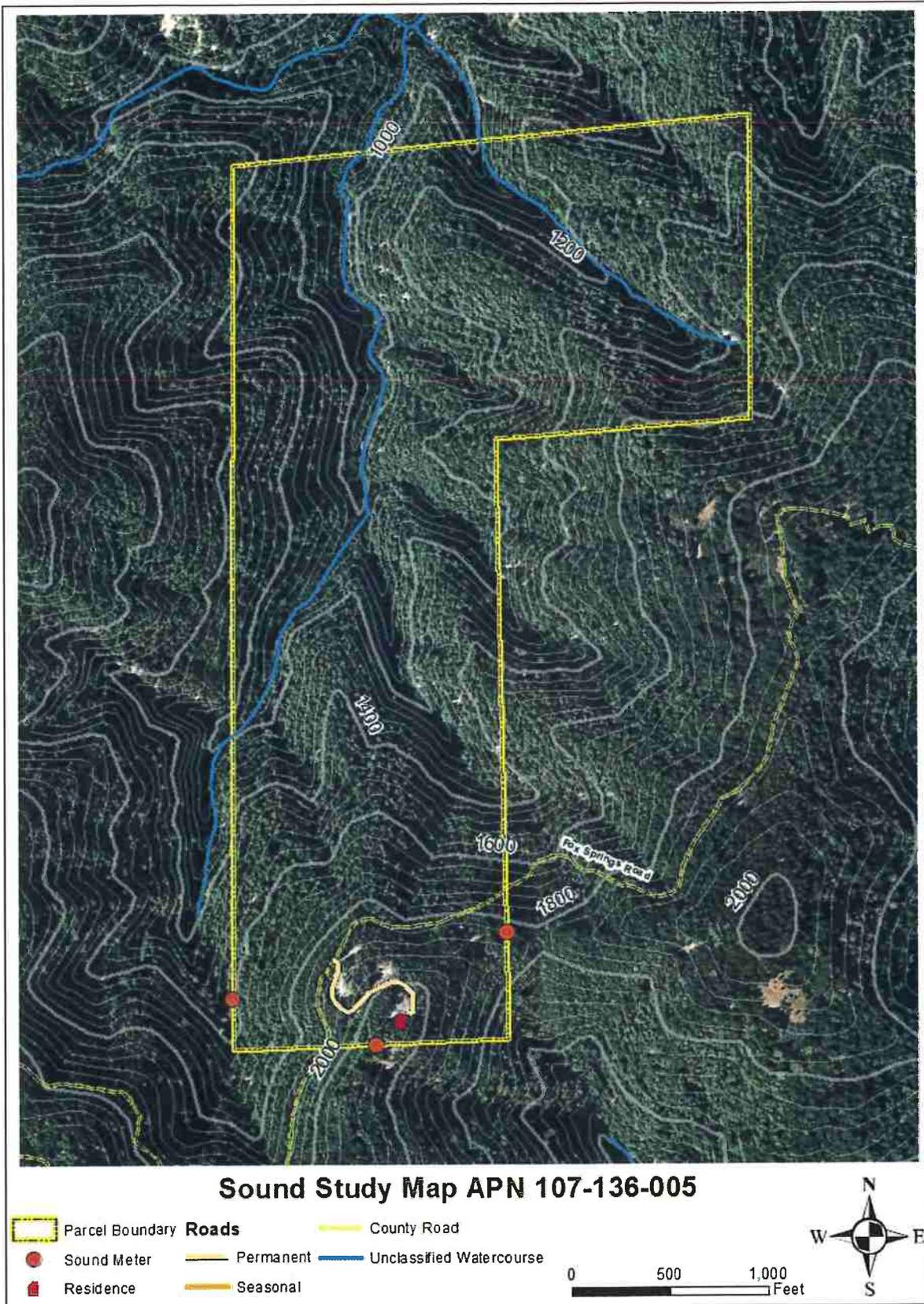


Figure 2: Map of sound meter locations on APN 107-136-005

Results:

Data from the sound study conducted on the three parcel boundaries during the non-cultivation period was imported into excel and plotted on a line chart to visualize the measurements over time. Rolling averages were applied to groups of 500, 1,000, and 2,000 data points, which were compared to the original data (Figures 3-5).

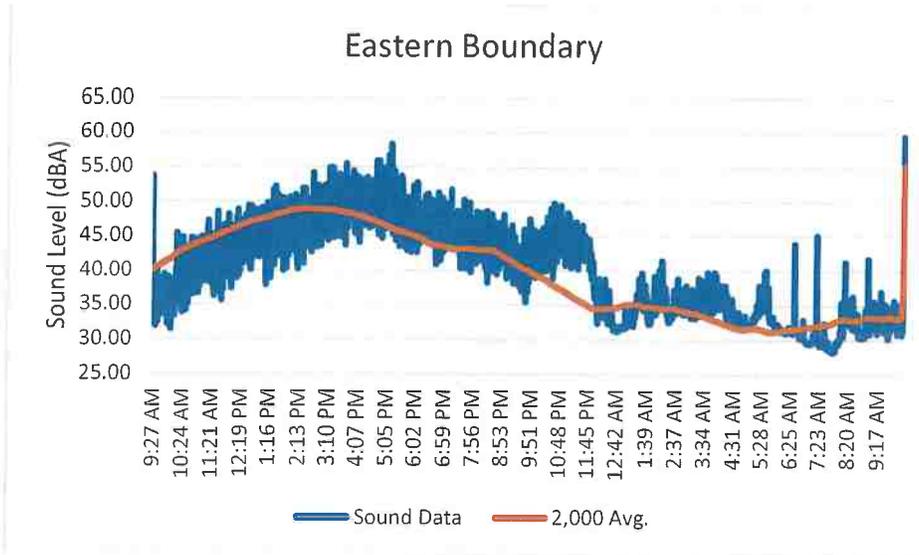


Figure 3: Results from 24-hours of sound data collected on 07/16/2020-07/17/2020 near the eastern parcel boundary. The 2,000 data point rolling average are overlaid on the original data. **Average dBA: 39.54**

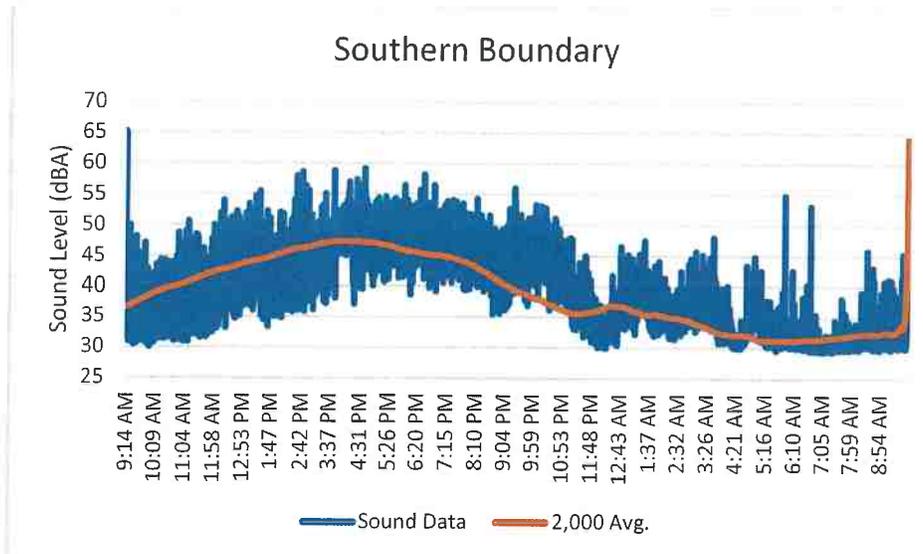


Figure 4: Results from 24-hours of sound data collected on 07/16/2020-07/17/2020 near the southern parcel boundary. The 2,000 data point rolling averages are overlaid on the original data. **Average dBA 38.81**

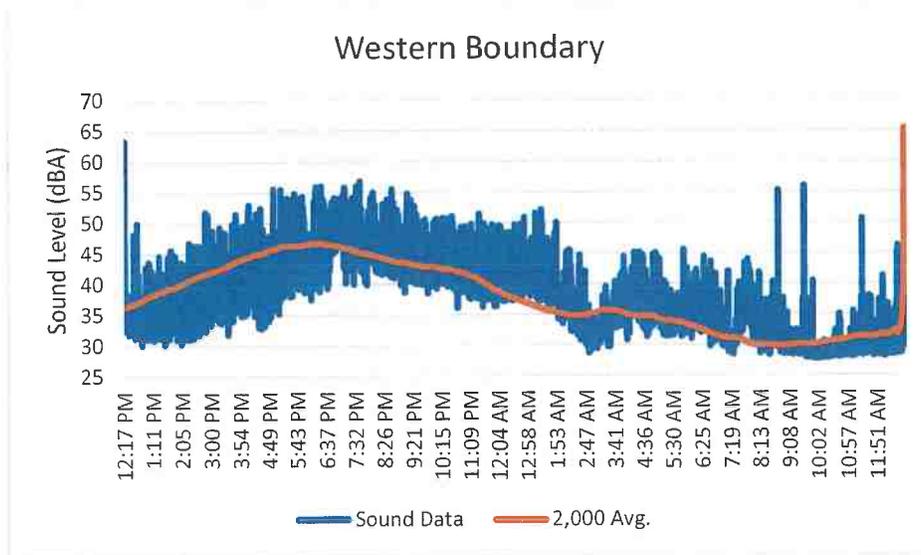


Figure 5: Results from 24-hours of sound data collected on 07/16/2020-07/17/2020 near the western parcel boundary. The 2,000 data point rolling average are overlaid on the original data. **Average dBA: 37.80**

The second sound study will be performed after Cannabis cultivation commences. That study will be used to identify if there is an increase of 3 decibels or more. If an increase of over 3 decibels is observed, changes will be made to reduce the sound levels.

Critical Habitat:

Considerations of noise levels affecting the Marbled Murrelet and Northern Spotted Owl was determined using the California Department of Fish and Wildlife’s Biogeographic Information and Observation System (BIOS). This system utilizes the California Natural Diversity Database (CNDDDB) to visualize positive observations and critical habitat for rare and sensitive species.

Critical habitat areas for the Marbled Murrelet and Spotted Owl were viewed using California’s Natural Diversity Database Viewer. The property is located within 0.854-miles from mapped Marbled Murrelet critical habitat area (Figure 6).



Figure 6: Snip of the CNDDDB occurrence used to determine the extent of critical habitat of Marbled Murrelet (red polygon) relative to the proposed cultivation area (Pink Circle). The distance between the center of the parcel and the edge of the nearest critical habitat was measured at **0.854 miles**.



Figure 7: Snip of the CNDDDB BIOS Viewer used to determine the extent of critical habitat of Spotted Owls (pink square) relative to the proposed cultivation area (Pink circle). The distance between the center of the parcel and the edge of the nearest critical habitat was measured at **0.879 miles**.

The proximity of this parcel to mapped critical habitat for Northern Spotted Owls is 0.879 miles which is smaller than the 1-mile requirement (Figure 7). This requirement ensures cultivation related activities do not disturb or endanger protected wildlife. Figure 8 shows the nearest occurrence to the parcel boundaries, the nearest occurrence recorded is 1.0 mile southeast of the eastern parcel boundary.

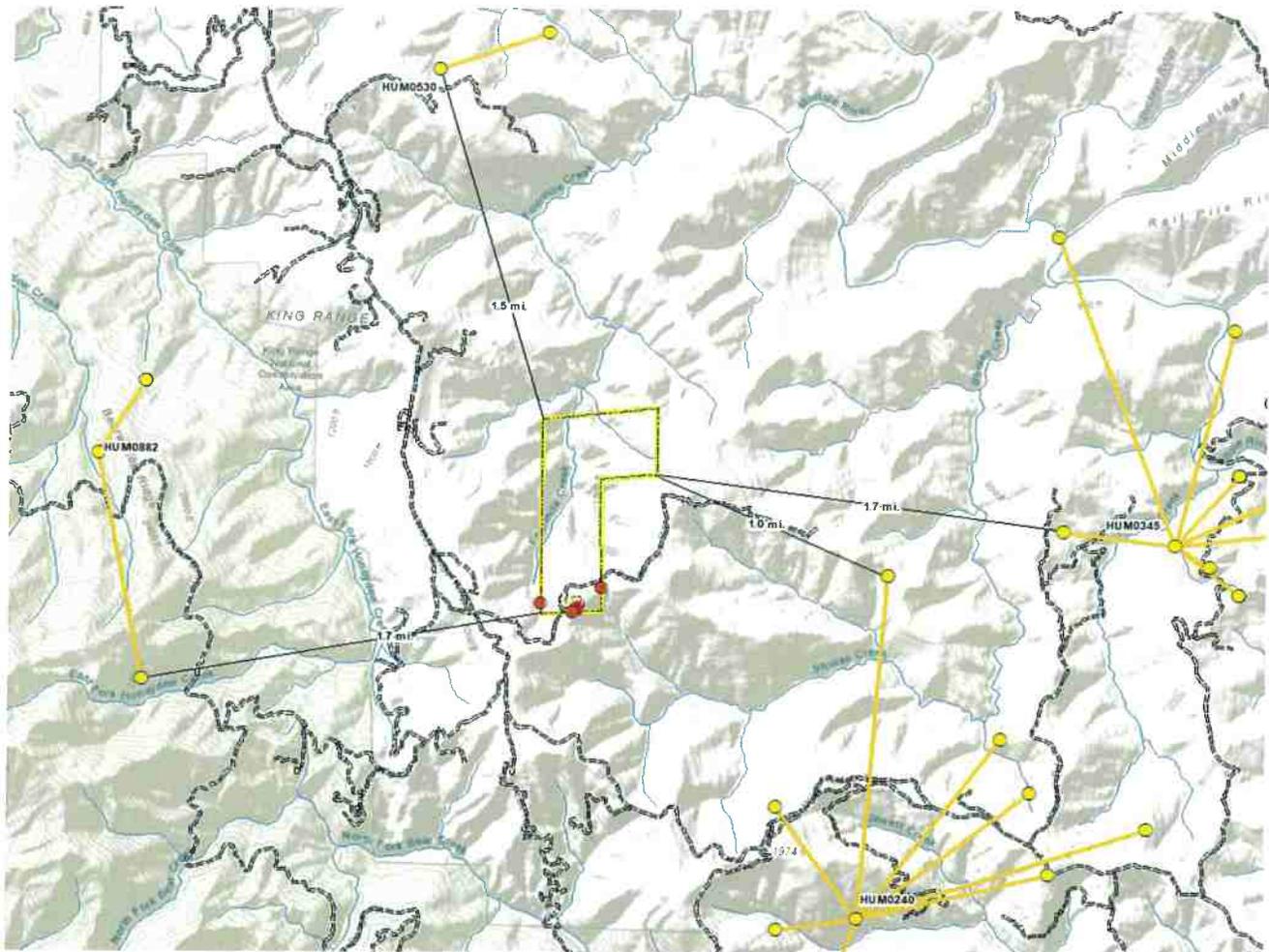


Figure 8: Map showing the latest Spotted Owl observance APN 107-136-005.

Activity centers are historic nesting sites that have been observed by qualified professional and entered in the CNDDDB database. The nearest master owl, HUM0240 was observed in 1995. There are no known occurrences within the 0.7-miles of the proposed cultivation area.

Conclusion:

An initial sound study was conducted during a no-cultivation period on APN 107-136-005. During this study, the site was free of cultivation related activities, free of noise pollution, and produced no noise from any generators or fans. Only ambient noise from county roads and wildlife could be heard during this initial study. Data from this first study will be compared to a second sound study. The second study will take place once a cultivation permit has been issued by Humboldt County and cultivation begins to determine changes in ambient noise levels caused by cannabis cultivation activities. The pre-cultivation and active cultivation studies will be compared for each Data Logger point (East, South & West) to assess if there is an average increase of 3-decibels or more from any pre-cultivation data logger average. If an increase of 3-decibels or more is observed after the second study, changes will be made to attenuate sound production at the site. See Appendix A for mitigation methods.

The South, East and North data logger point measured average levels of 39.54 dBA, 38.81 dBA, and 37.80 dBA, respectively. These measurements will serve as a baseline for ambient noise levels at the site. We would hope to find sound levels not exceed the 3-decibel increase cap set forth by Humboldt County Ordinance 2.0 Performance Standards for Noise at Cultivation Sites.

References:

Humboldt County Ordinance No. 2599.

“Noise.” Def.1. OxfordDictionaries.com. Oxford Dictionaries, 2018. Web. 5/31/18.

Berg, R. 2018. “Sound”, Encyclopaedia Britannica, Inc., Encyclopaedia Britannica. 6/1/2018

“Noise Basics”. West Los Angeles College Noise Monitoring Program. ND. 6/26/2018



GREEN ROAD CONSULTING

Appendix A

Methods for Reducing Cannabis Cultivation Related Noise

- Ensure ventilation fans do not contact greenhouse framework. This can reduce rattle and vibrations. Fans can be suspended from above to ensure limited structural vibrations.
- Air and water pumps and generators may be placed on one-inch rubber mats to reduce vibration.
- Use insulated ducting instead of bare metal.
- Outdoor generators may be placed in insulated sheds to reduce noise output.
- Place a muffler over greenhouse exhaust vents.
- Locate generators away from property lines, and place as centrally as possible.
- Use natural landscape features to block noise (Plant tall bushes or trees, locate generators behind natural soil berms, etc.)
- Consider the use of low noise fans and generators.



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

January 12, 2022

Attention: Cannabis Services Division
Humboldt County Planning and Building Department
3015 H Street
Eureka, CA 95501

Re: APN 107-136-005
PLN-2018-15298

The attached Restocking Plan is being submitted to address post 2016 timberland conversion as addressed in TRC's Timberland Conversion Evaluation Report dated November 26, 2018.

The Restocking Plan proposes to artificially regenerate two cultivation sites with the balance occurring on cut-banks and fill-slopes as shown on the attached Restocking Plan Map. The restocking of the cuts and fills will increase timberland productivity, while also providing slope stability via root support and will minimize future erosion via increased ground cover.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants



**RESTOCKING PLAN
FOR
APN 107-136-005**

January 12, 2022

165 South Fortuna Blvd
Fortuna, CA 95540
707-725-1897
707-725-0972 Fax
trc@timberlandresource.com

Restocking Plan

Restocking Areas: See attached Restocking Plan Map.

Site	Total Acreage	# Trees at 15'x15' Spacing
Area 2	0.21	40
Area 3	0.47	91
Area 4	0.19	37
Total:	0.87	168

Site Preparation: Site preparation is commonly utilized to facilitate timber stand establishment. The primary objective of this practice is to create an area suitable for planting seedlings and establishing a new stand of trees. Site preparation activities remove or reduce competing vegetation, reduce or remove unwanted trees and logging debris, and prepare the soil to ultimately promote the growth and survival of desired tree species. There are many methods of site preparation that fall under either chemical or mechanical site preparation. Subsoiling/ripping is a mechanical site prep method for heavy soils on cutover timberlands or agricultural lands that have a compacted layer at or below the soil surface that limits root growth and development. Subsoiling/ripping increases aeration and water-holding capacity of compacted soils and breaks up root restricting hardpans and/or traffic pans.

Recommendation: Use of heavy equipment or a gas-powered hand auger is required at Area 3 and Area 4. These two restocking areas have been graded and/or are compacted.

Types of Seedlings: Harvested and/or understocked timberlands should be artificially regenerated with naturally-occurring conifer species and cultivars well-adapted to the timber stand's specific climate, elevation, and other environmental conditions. Planting seedlings from appropriate seed zones and elevation ranges ensures better seedling success and, eventually, a more resilient timber stand. Specifically, timberland within the property is characterized by Douglas-fir and tanoak. The area to be planted occurs within California Seed Zone 390 at approximately 2,000 feet in elevation.

Recommendation: The landowner shall plant Douglas-fir (best suited for Seed Zone 390 at 2,000-foot elevation) at a uniform spacing no less than 15-feet by 15-feet, or 194 trees per acre.

Most conifer seedlings that come from nurseries are available in two forms: bareroot seedlings and containerized seedlings. Bareroot seedlings are essentially stock whose roots are exposed at the time of planting. Bareroot seedlings are grown in nursery seedbeds and lifted from the soil in which they are grown to be planted in the field. Containerized seedlings are grown individually in a variety of hard-walled vessels or in peat pots from seed. They're typically more expensive than bareroots but usually have a higher survival rate after planting due to their well-formed root system.

Recommendation: Given the conditions of the site and the higher survival rate associated with containerized stock, use containerized seedlings if available.

Seedling Care: Seedling care and handling is extremely important to ensure post planting survival.

Recommendation: For long-term storage (more than 3 days), store seedlings at 33 to 36 degrees Fahrenheit. For short-term storage (several hours to less than 3 days), store below 42 degrees Fahrenheit. At the planting site, take care not to let the roots dry out and avoid exposure to the sun or warmer temperatures.

Restocking Plan

Planting Instructions: When planting seedlings, the landowner or tree planter should abide by the following:

1. Tree planting shall only occur in winter or early spring. Tree planting should not occur if the ground is frozen or during unusually warm periods.
2. Dig a hole at least one inch deeper and wider than the seedling roots. If planting from a container, dig the hole an inch deeper and wider than the container.
3. Place the seedling into the hole taking care not to bend the taproot, or main vertical root, and cover with soil.
4. Pack the soil down firmly around the seeding to remove any air pockets.
5. See Appendices A-D for illustrations for correct planting techniques.

Stock Purchase: Ideally, landowners should procure seedlings from sources growing local, site-specific stock. Appropriate stock is determined by stand type, seed zone, elevation, as well as other factors like soil type, site quality, and weather.

Recommendation: The RPF recommends acquiring conifer seedlings from one of the following sources: <https://www.samararestoration.com/>, <http://www.calforest.com/>, <https://sequoiatrees.com/>, <https://rngr.net/>, or contact Timberland Resource Consultants for assistance.

Monitoring Seedling Survival: Although a newly planted stand immediately fulfills stocking standards, the timber stand must continually contain an average density of at least 125 trees per acre (or 18-foot by 18-foot spacing) in order to meet the intent of the California Forest Practice Rules (CFPRs). A **Countable Tree** per 14CCR 895.1 must be in place at least two growing seasons among other requirements.

Recommendation: Monitor growth and success of planted trees one year after planting. Conduct a point count stocking sampling survey (protocol described in CFPRs 14CCR 1072). If less than 55% of the planted area meets the 125-point count minimum stocking level, repeat the planting process.

Certification: Within five years of planting, a report of stocking shall be submitted to the county by an RPF, which certifies that the area meets the minimum stocking standards of 14 CCR 912.7.

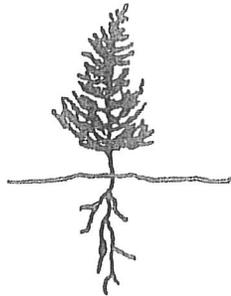
Sincerely,



Chris Carroll, RPF# 2628
Timberland Resource Consultants

APPENDIX A

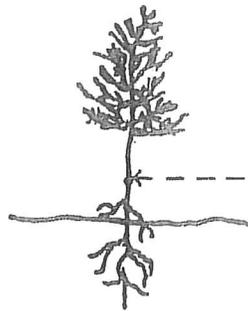
CORRECT METHOD OF SEEDLING PLANTING



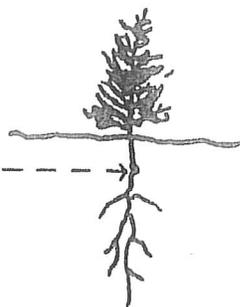
- Soil firmly packed around roots.
- No air pockets.
- Roots straight with no J or L bends.
- Root collar at or slightly below ground level.
- Root not pruned.

ERROR IN PLANTING

Too shallow



Too Deep



Root Collar

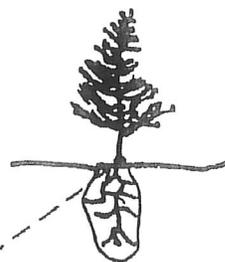
- Hole not deep enough.
- Root collar and upper roots exposed.
- Roots dry out.

- Hole is too deep.
- Root collar buried.

J or L Roots



Air Pockets



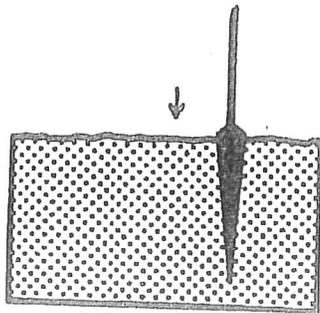
Root Collar

- Hole is not deep enough — planting in rocky soil.
- Roots cannot effectively take up water.
- Tree not wind-firm.

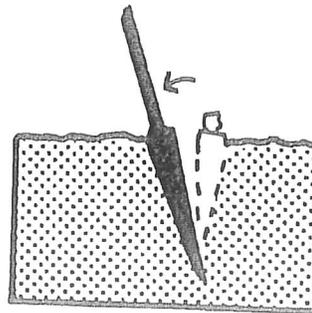
- Soil not firmly packed around roots.
- Air pocket forms.
- Roots dry out.

APPENDIX B
PLANTING WITH A FLAT BAR

1. Insert flat bar straight down.

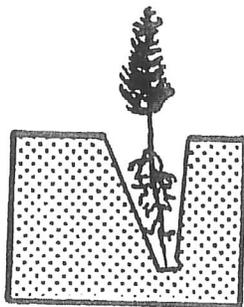


2. Pull flat bar backward to open hole.

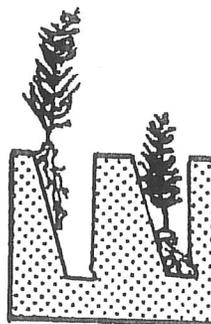


3. Remove flat bar and place seedling at correct depth with root collar at or slightly below ground level.

Correct

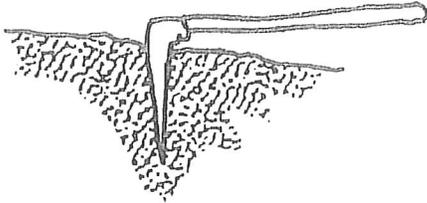


Incorrect

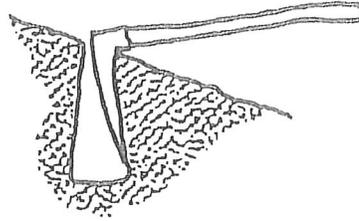


APPENDIX C
PLANTING WITH A HOE

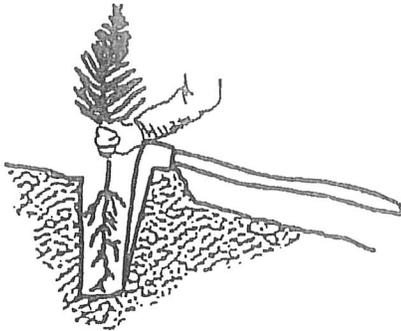
1. Swing hoe to get full penetration.



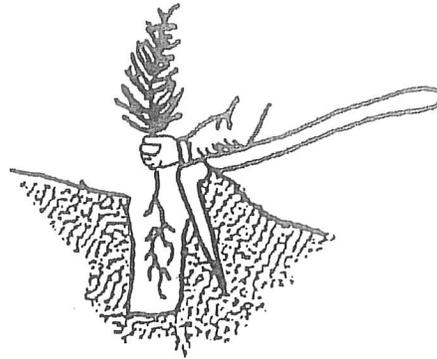
2. Lift handle and pull up to widen hole.



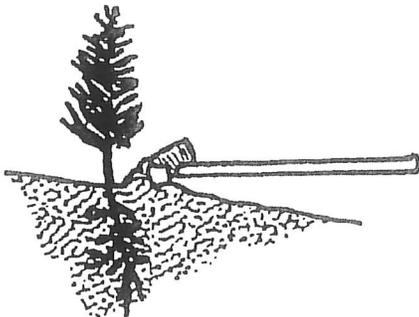
3. Place seedling while using hoe to hold back soil.



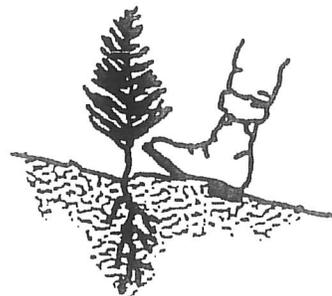
4. Use hoe to pack soil at bottom of hole.



5. Use hoe to pack soil at top hole.



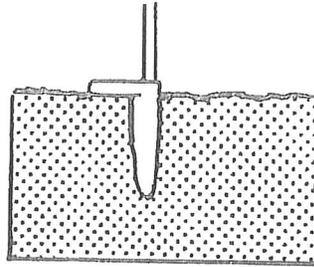
6. Firm soil around seedling with feet.



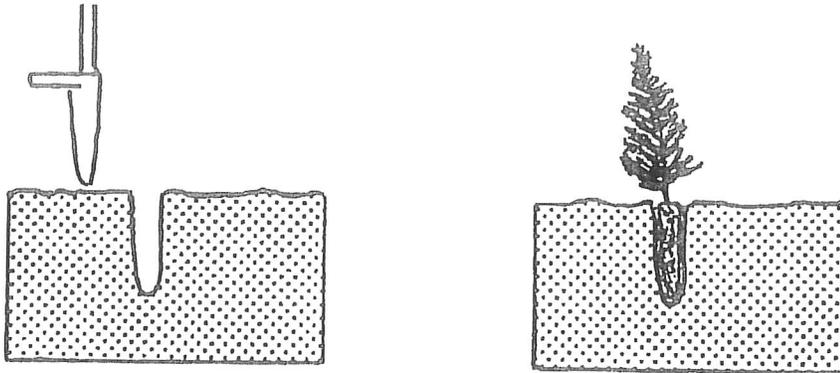
APPENDIX D

PUNTING WITH A PLUG BAR

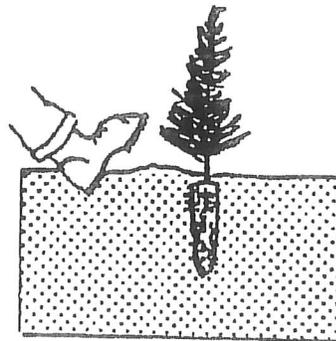
1. Insert plug bar straight down until plug bar footrest is level with ground.

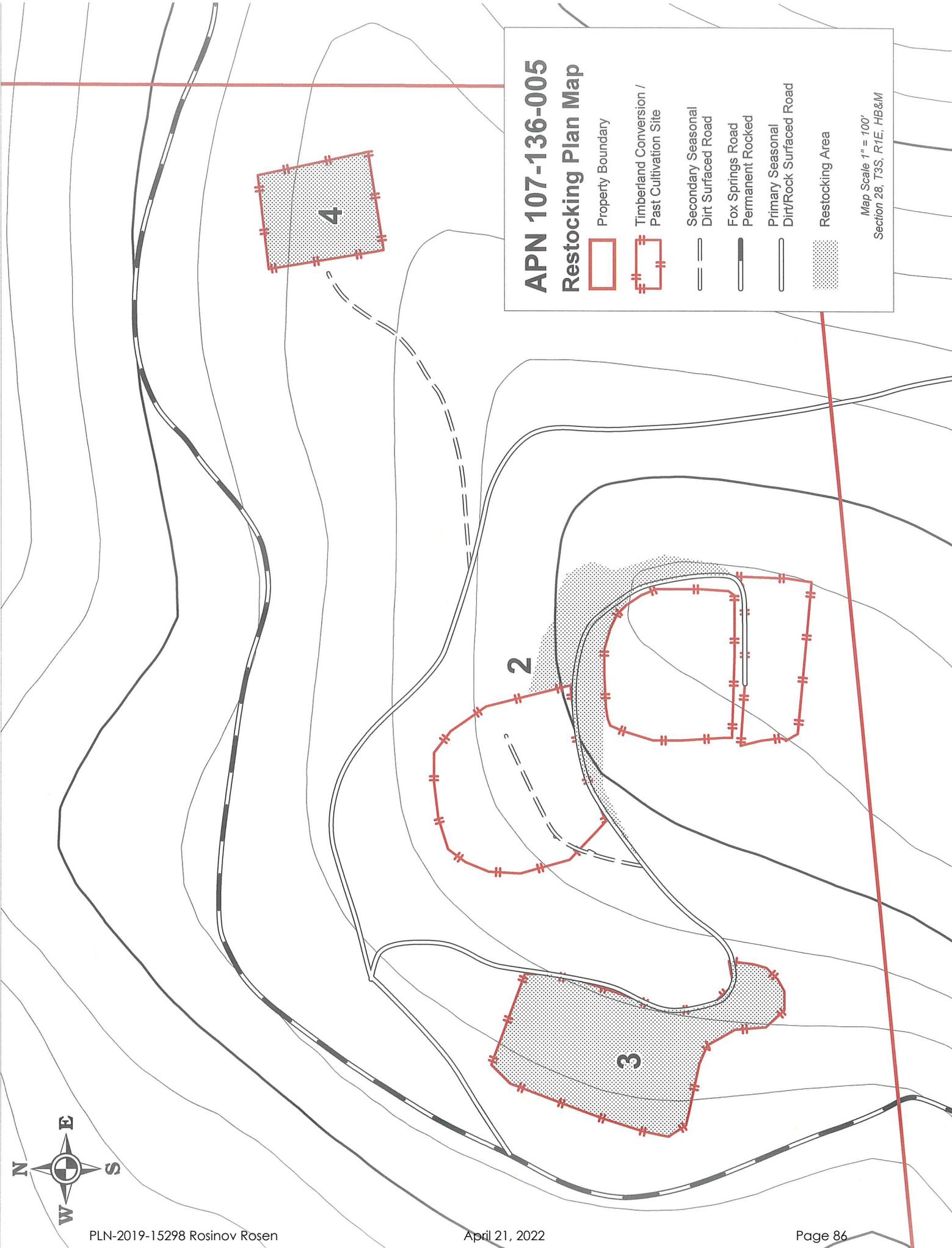
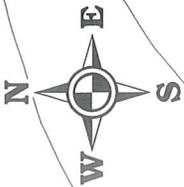


2. Remove plug bar and place seedling in hole.



3. Firm soil around seeding with heel of boot.





APN 107-136-005 Restocking Plan Map

- Property Boundary
- Timberland Conversion / Past Cultivation Site
- Secondary Seasonal Dirt Surfaced Road
- Fox Springs Road Permanent Rocked
- Primary Seasonal Dirt/Rock Surfaced Road
- Restocking Area

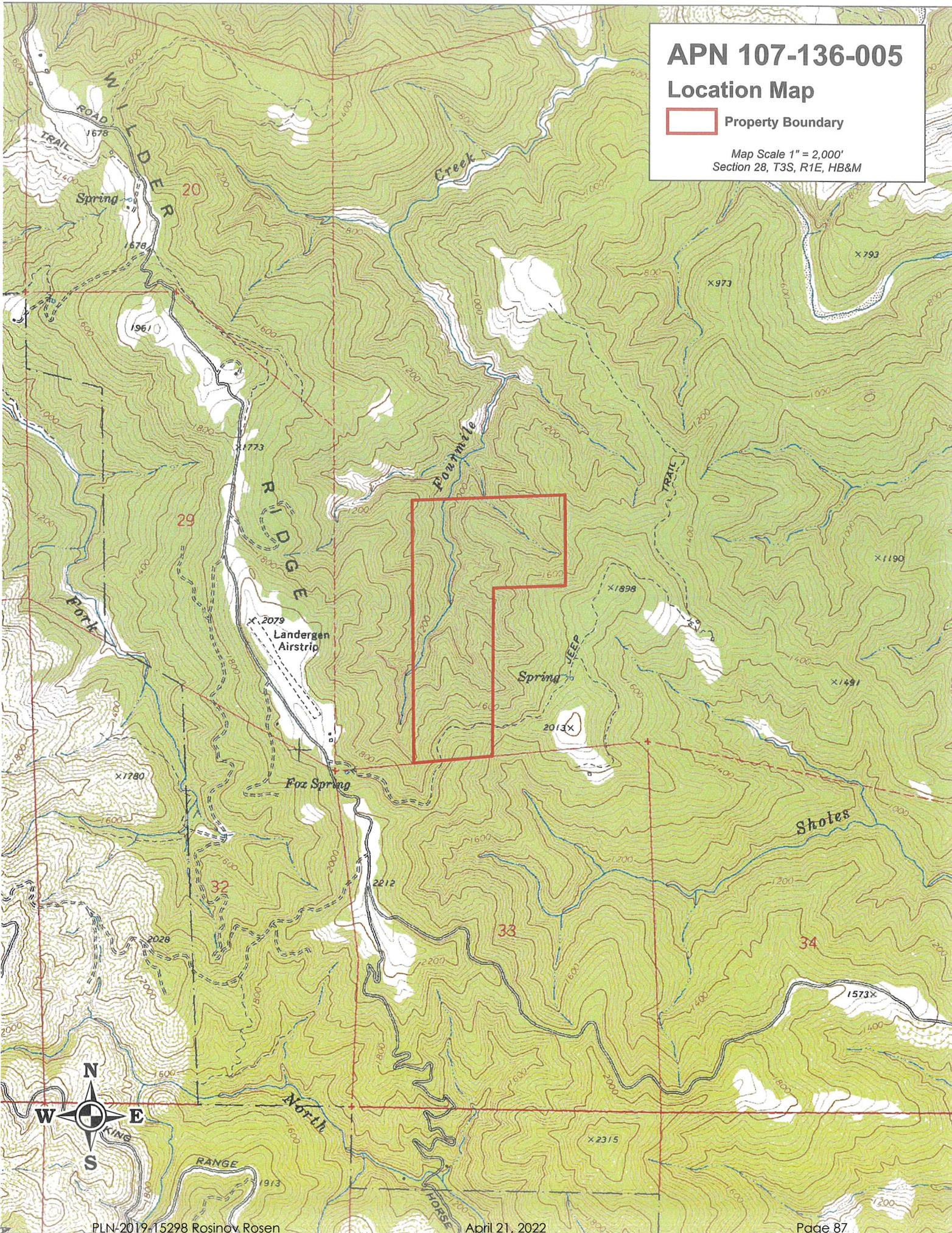
Map Scale 1" = 100'
Section 28, T3S, R1E, HB&M

APN 107-136-005

Location Map

 Property Boundary

Map Scale 1" = 2,000'
Section 28, T3S, R1E, HB&M



ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Public Works, Land Use Division	✓	Conditional approval	On file
Building Inspections	✓	Rejected	Attached
Bear River Band of The Rohnerville Rancheria	✓	Conditional Approval	On file and confidential
Sheriff	✓	Approval	On file
CALFIRE	✓	Comment	Attached
County Council		No Response	
Intertribal Sinkyone Wilderness Council		No response	
CA State Water Resources Control Board – Division of Water Rights		No response	
Mattole Unified School District		No response	
District Attorney		No response	
Ag Commissioner		No response	
RWCQB		No Response	
Department of Environmental Health	✓	No Response	Attached
Telegraph Ridge Fire Protection District		No Response	
CDFW		No Response	

Status:

[History](#)

PRE-SITE

Project Started

Yes No

AOB Inspection

Yes No

Soil Required Due to

Project is in flood zone A

Yes No

2nd Flood Certificate Required

Yes No

SRA requirements apply

Yes No

SRA water storage requirements apply

Yes No

Grading permit required

Yes No

Erosion and sediment control measures required

Lot created prior to 1992

Yes No

Incomplete Submittal Construction Plan

Yes No

 Standard Comment

Plans Stamped by Licensed Prof Required

Yes No

Soil Report Required

Yes No

FIRM panel number

(Text)

Flood elevation certificate required

Yes No

Project appears to be within wet area

Appr.SRA req. need to be shown on plot plan

Yes No

Driveway slope appears to be

Submit engineered foundation for

Applicant must locate property lines

Yes No

Plot plan incomplete, must be revised

Yes No

Other concerns exist

Yes No

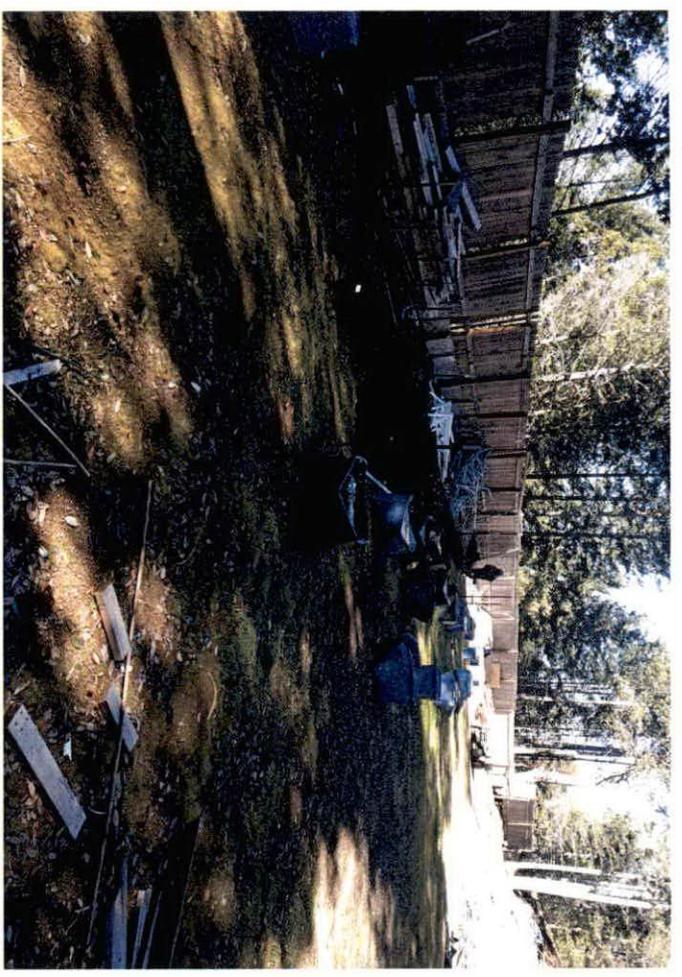
Plan Refer 3/21/19 MD

- proposed green house site near existing residence is graded near level, this area was used (2) 34'x100' greenhouse structures for a total of 6800 sq ft, they have been taken down at this time
- a lower site graded near level was used for a single greenhouse 34'x100' 3400 sq ft
- below the two upper sites an additional site was graded near level for a 34'x100' green hous
- at all site all greenhouse structures were taken down
- submit a revised plot plan showing all structures on site with intended uses
- show intended use for area below residence, and cargo container
- show on plot plan slope of grade to residence
- show on plot plan water tanks
- revise plot plan to show 1000 gallon diesel tank
- building staff recommends a denial
- for the project until all revisions are made to plot plan

check spelling

Attachment(s) : 

SITE #3 - 3400 SQ FT GREENHOUSE 34'X100' GH



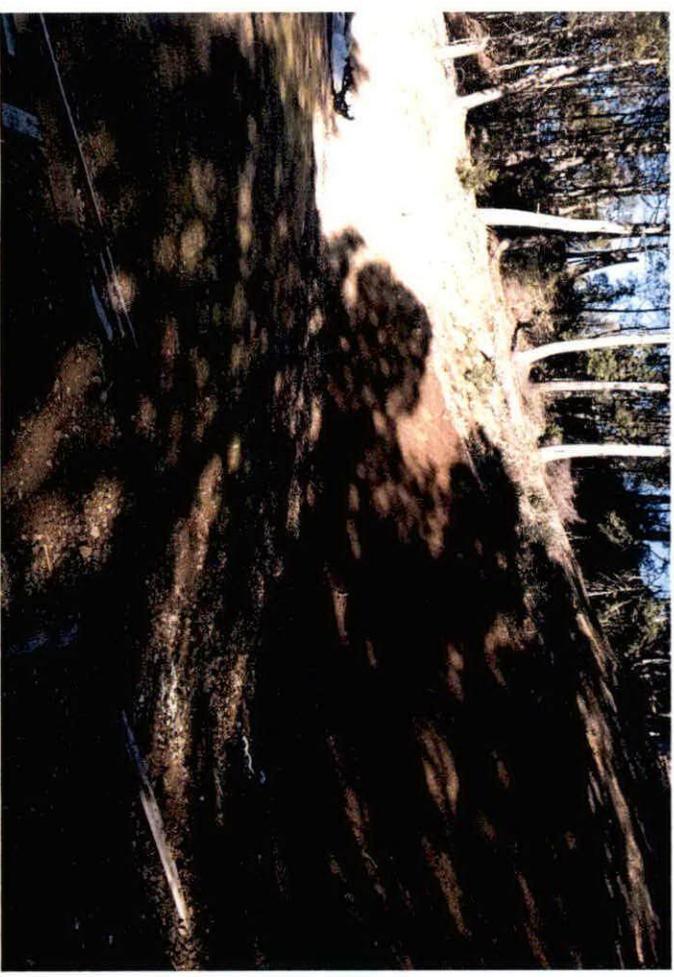
SITE #3

tube FRAME FOR GREENHOUSE

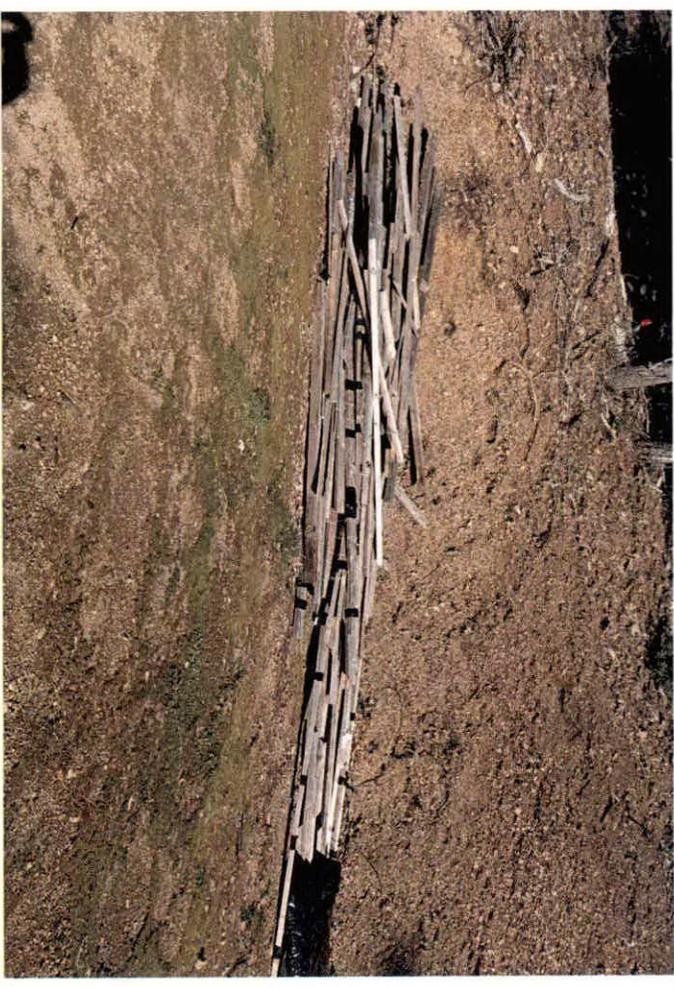


SITE #3 3400 SQ FT. 34'X100' GROW SITE

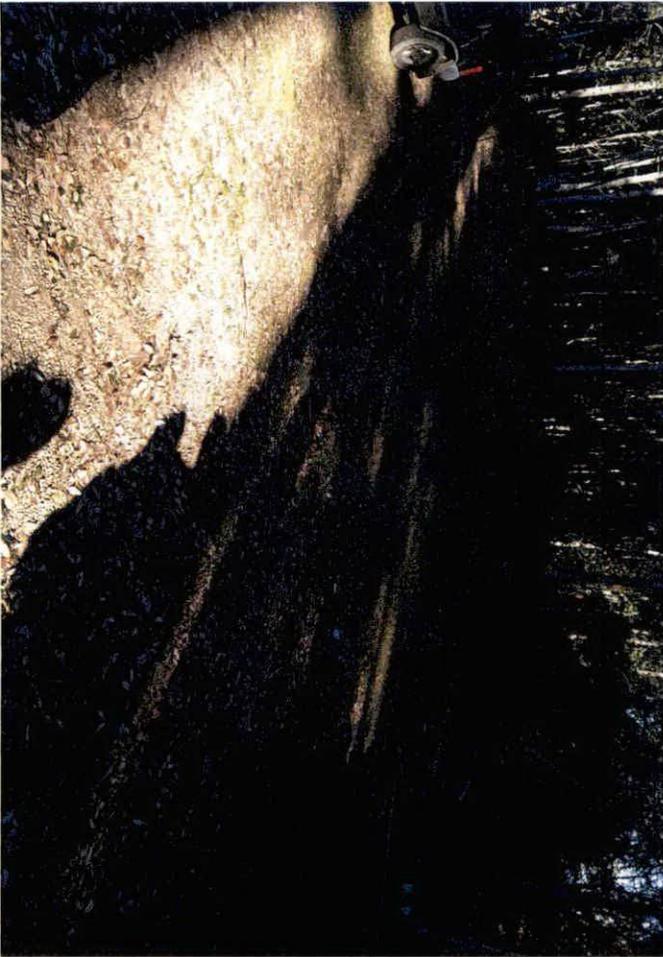
NO. 14 107-126 - NMS-MON \# 15798



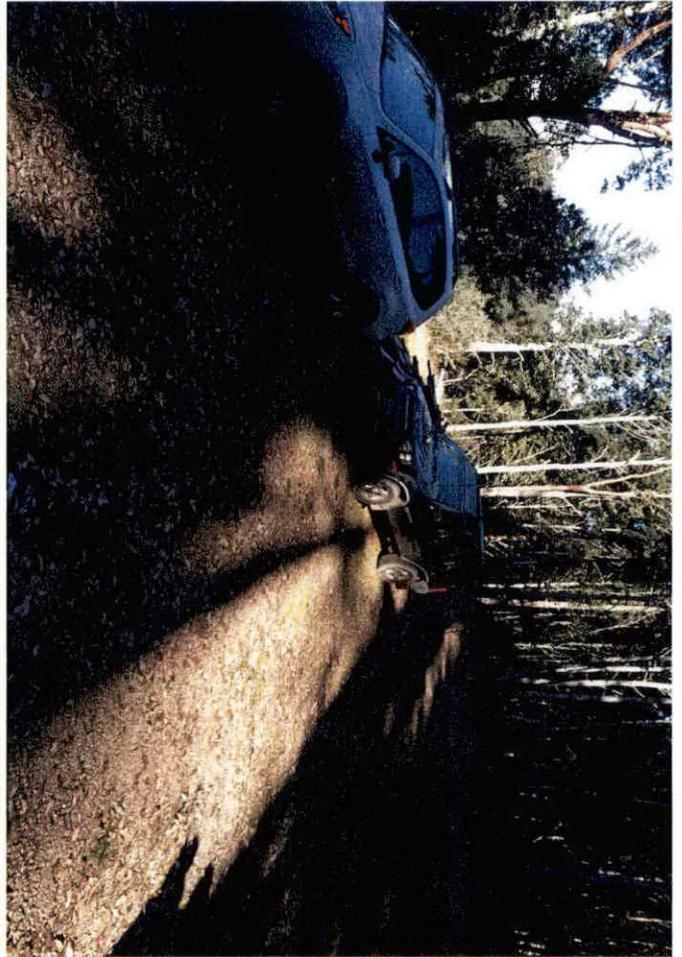
WOODEN FRAME SITE #3 3400 SQ FT. 34'X100'



Site #3



Site #3



Site #3 3400 SQ. FT. 100' X 34'



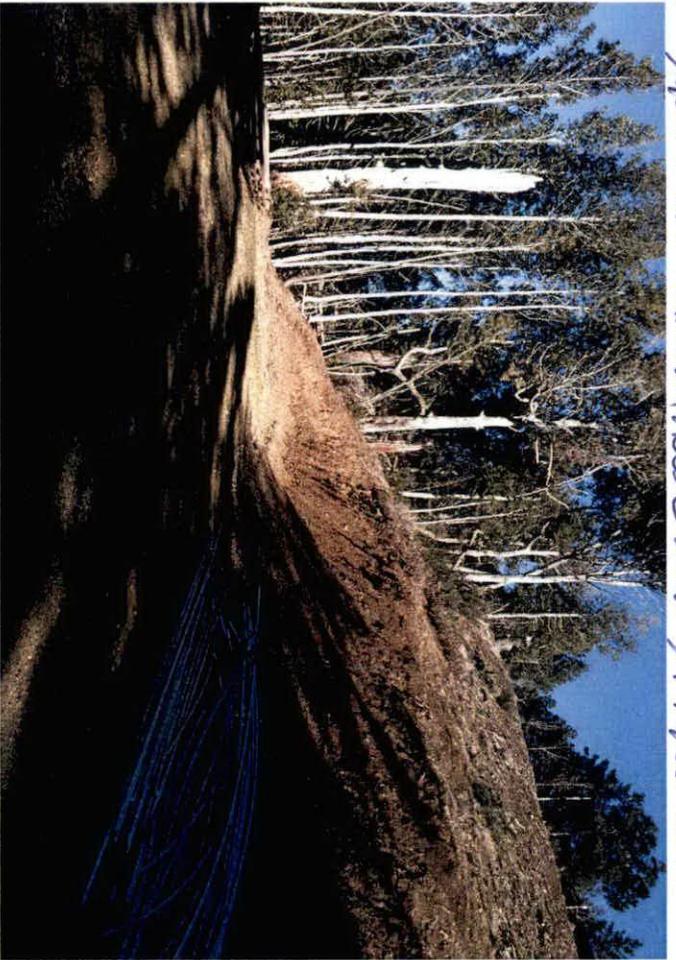
COUNTY OF HUMBOLDT
 Planning and Building Department - Current Planning
 3015 H Street, Eureka, CA 95501 - PHONE (707) 448-7841
PROJECT TRANSMITTAL

APPLICANT: KEY PARCEL 707-136-005-000 Honeydale DATE: 3/13/2018 CONTACT: Stephen Lusher APP#M/PLN/2018-10058

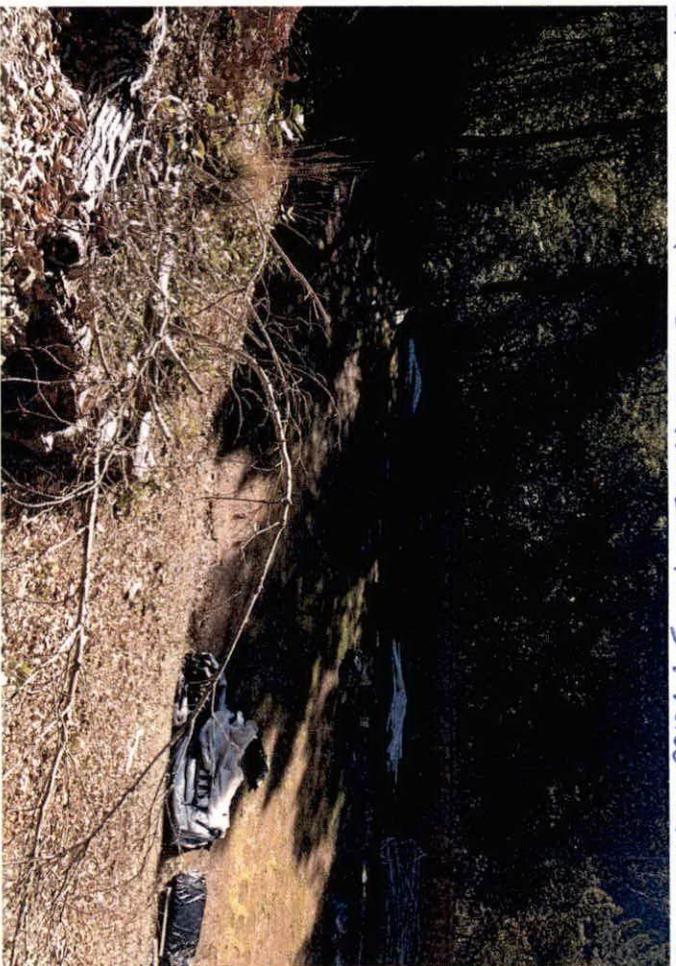
PROJECT INFORMATION		
SUBJECT: Routine - SF	PROJECT TYPE: Special Permit (CCLL102)	
PROJECT DESCRIPTION: Special Permit for 10,828 square feet of proposed building full sun / outdoor light reproduction hardware outdoor		
PROJECT LOCATION: The project is located in Humboldt County, in the Honeydale area, on the south side of Fox Springs Road, approximately 3.8 miles east from the intersection of Wisher Ridge Road and Fox Springs Road, on the property shown as 3400 Fox Springs Road.		
PRESENT PLAN DESIGNATIONS: Unimproved (U), 2017 General Plan Density: Density range is 40 to 140 acres per unit, Slope: Toxicity Moderate to Moderate (2)	PRESENT ZONING: Timberland Production (TPZ)	
KEY PARCEL NUMBER: 107-136-001-001	ADDITIONAL PARCEL #:	
APPLICANT INFORMATION	OWNER INFORMATION	AGENT INFORMATION
Name: Robin Robinson Address: 1, 9181 Shreveport Ct. Apt/Unit: 2 City: Los Vegas State: NV Zip: 89128 Phone: (702)282-7112 E-Mail: robin@robincub.com	Name: Steven Michael Robinson Address: 4, 4101 Shreveport Ct. Address 2: City: Las Vegas State: NV Zip: 89128 Phone: (702) 282-7112 E-Mail: steven@robincub.com	Name: Pacific Woodcraft Associates, Inc. Address: 1, 1477 Locust Address 2: PO Box 4023 City: Arnold State: CA Zip: 95018 Phone: (707) 258-5190 E-Mail: info@pacificwoodcraft.com
ADDITIONAL PROJECT INFORMATION		
ADDITIONAL OWNERS:		
DECISION MAKER: ENVIRONMENTAL REVIEW REQUIRED? MAJOR ISSUES: STATE APPEAL STATUS: PRELIMINARY CEQA FINDINGS: CEQA EXEMPTION SECTION: EXEMPTION DESCRIPTION:		

Kathy 498-0801

#2 3400 SQ.FT. GREENHOUSE SITE 34'X100' GH



#3 3400 SQ.FT. GREENHOUSE SITE 34'X100' GH
GRADING PERMIT REQUIRED



#2 3400 SQ.FT GREENHOUSE SITE 100'X34' GRADED
APN#107-136-005-000 // #15298 PERMIT REQD



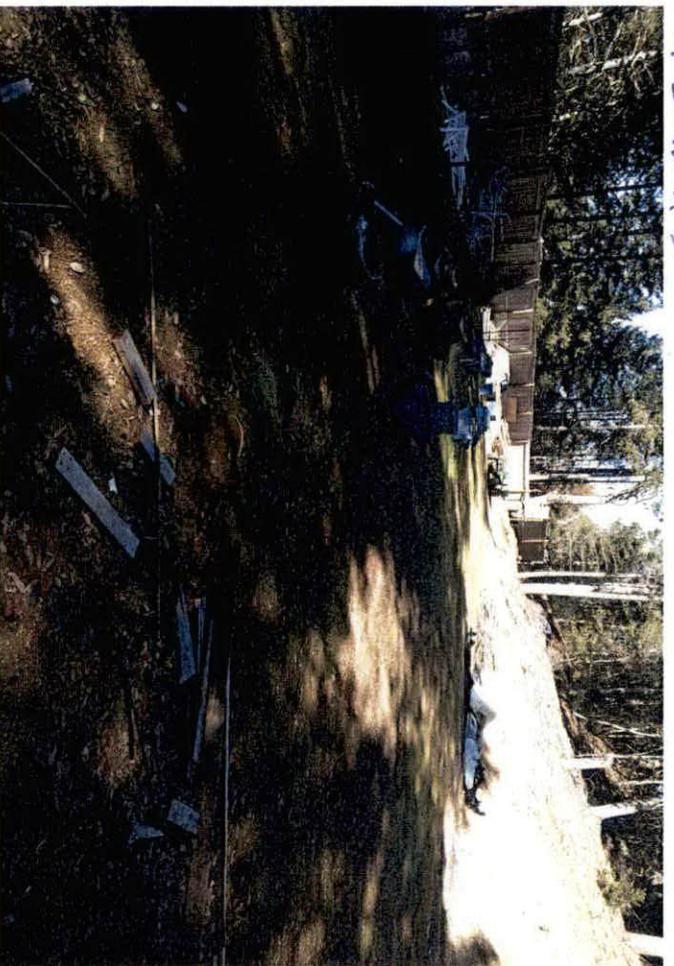
#3 3400 SQ.FT. GREENHOUSE SITE, 34'X100' GH
(REMOVED)



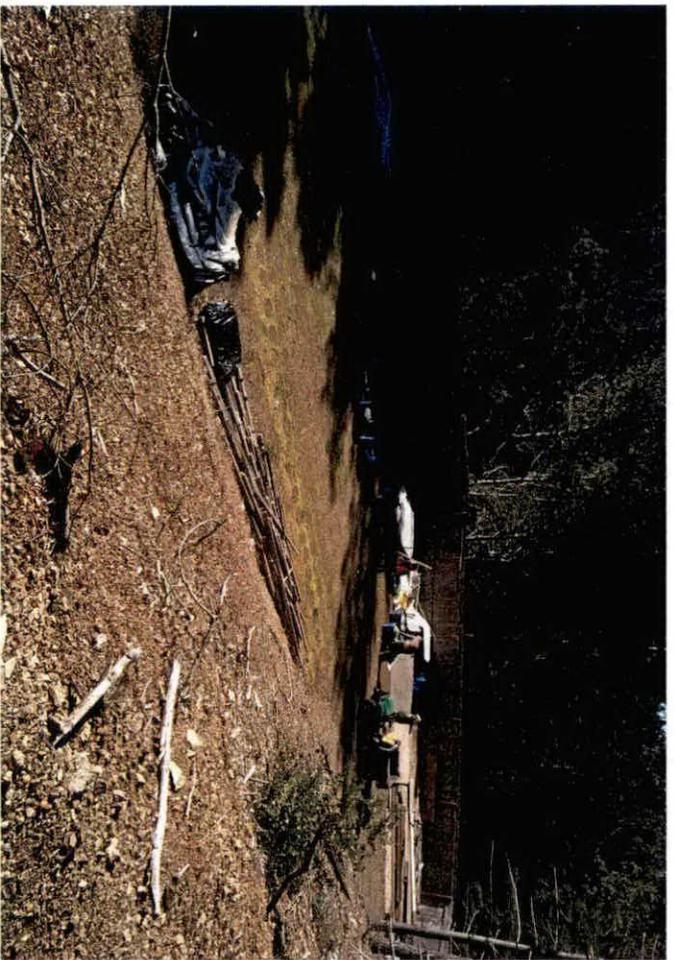
GRADING PERMIT AREA
SITE #3 3400 SQ FT GREENHOUSE SITE 34'X100' GH



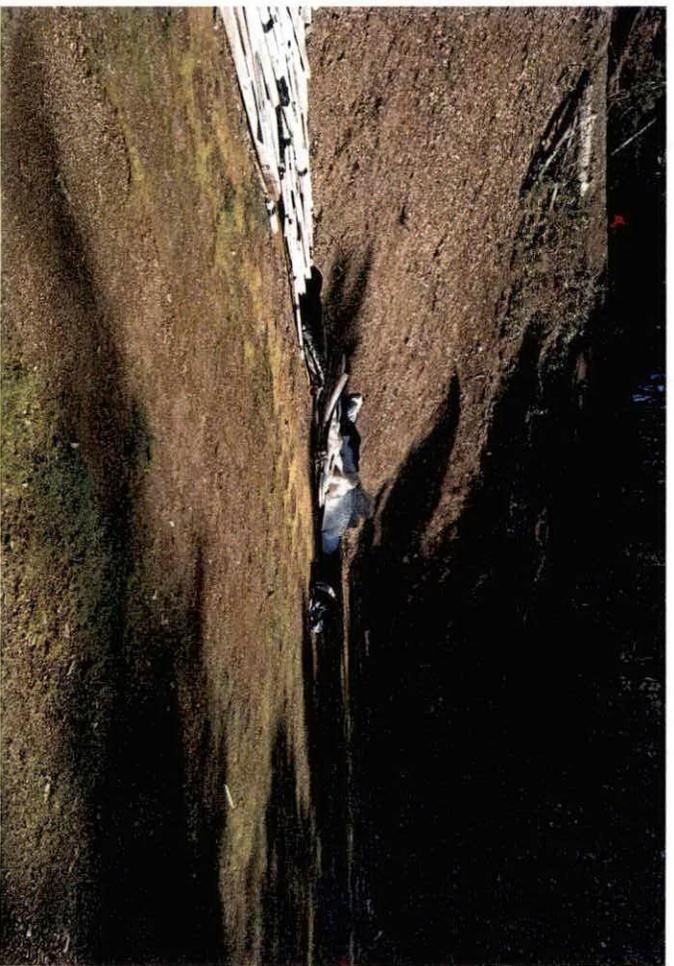
SITE #3



SITE #3 3400 SQ FT GREENHOUSE SITE 34'X100'
GH REMOVED



#3 3400 SQ FT GREENHOUSE SITE W/ 34'X100'
GREENHOUSE (GRADING PERMIT REQUIRED)



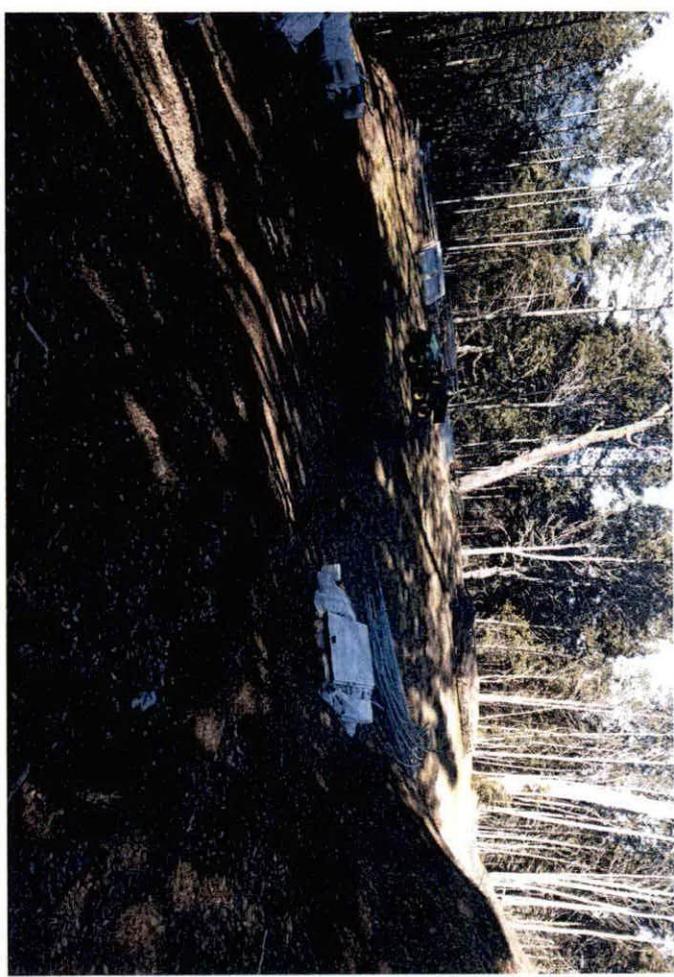
FEAR OF 2 STORY RESIDENCE CUT,
APN# 107-136-005-000-# 15298



BLUE TERMINATION OUT WALL.

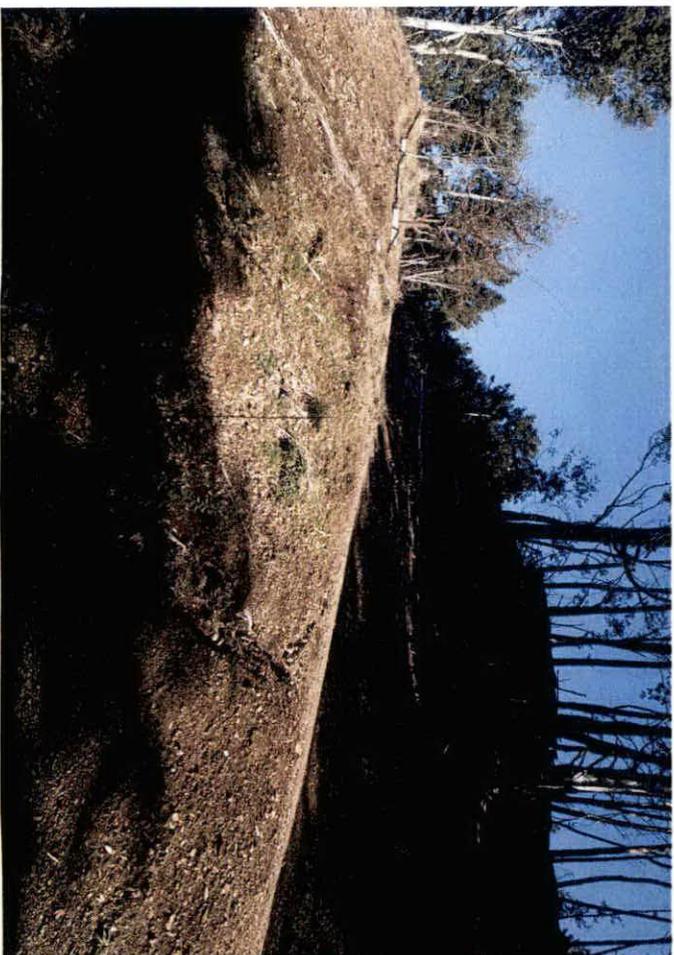
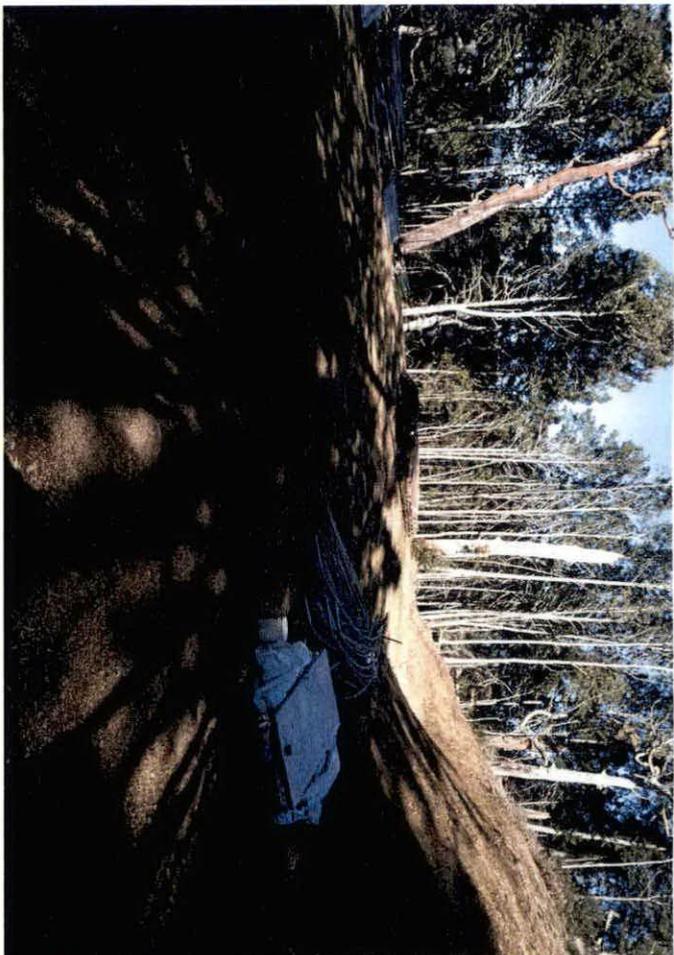


3400 SQ. FT. GREENHOUSE SITE GRADING PERMIT
34' X 100' (GREEN HOUSE (REMOVED)) FEED

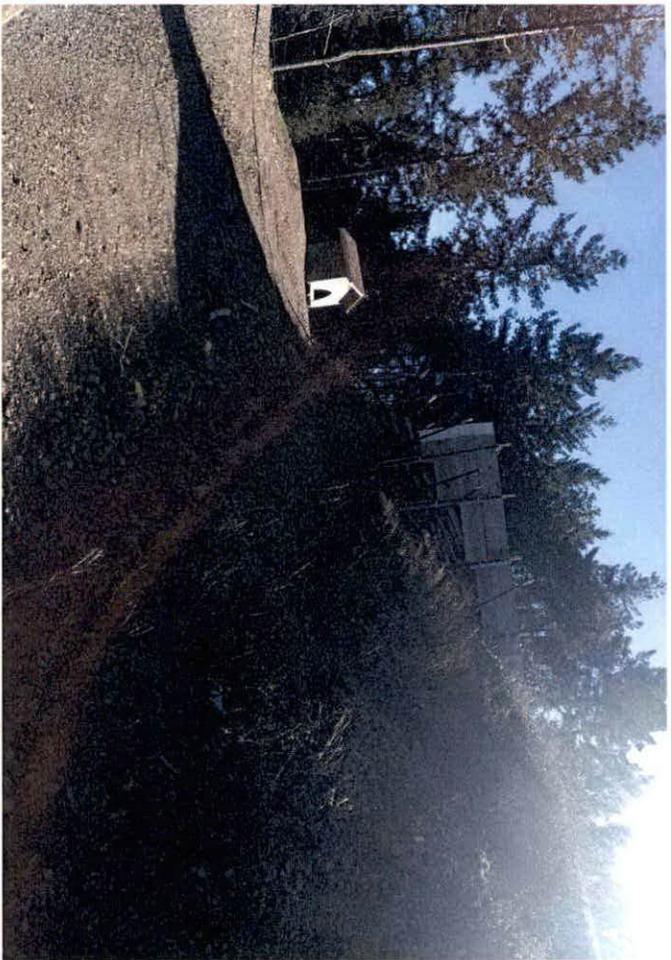


3400 SHT. GREENHOUSE SITE

34'X100' GREENHOUSE (REMOVED) GRADING PERMIT



ROAD GRADE OVER 16% ✓ W/1 GRADING PERMIT



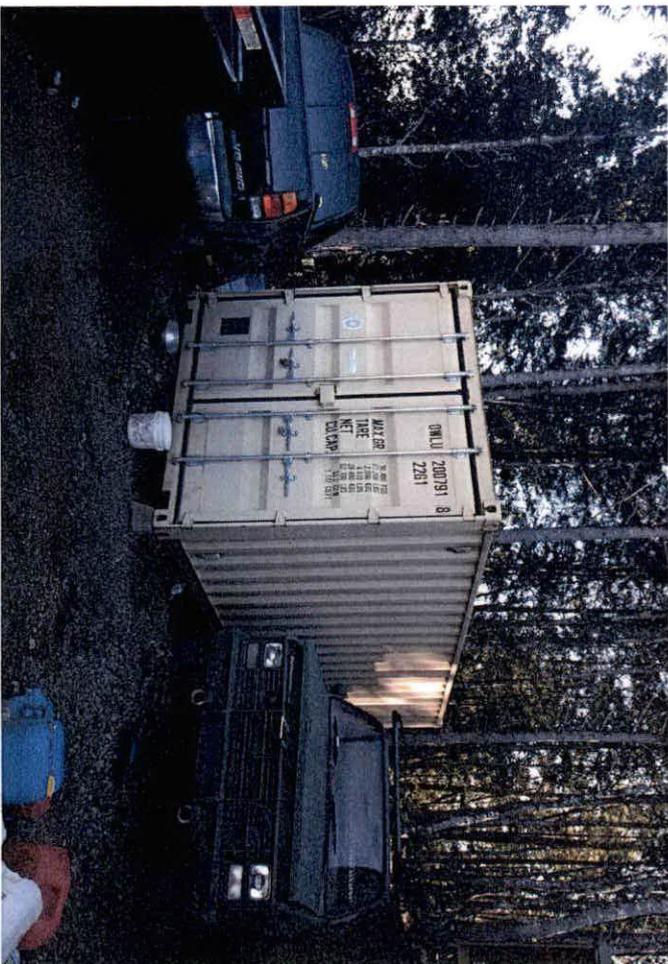
EDGE OF ROAD GRADED 3400SQ FT →



AKN# 107-136-005-000 # 15298



1000 GALLON PROPANE TANK →

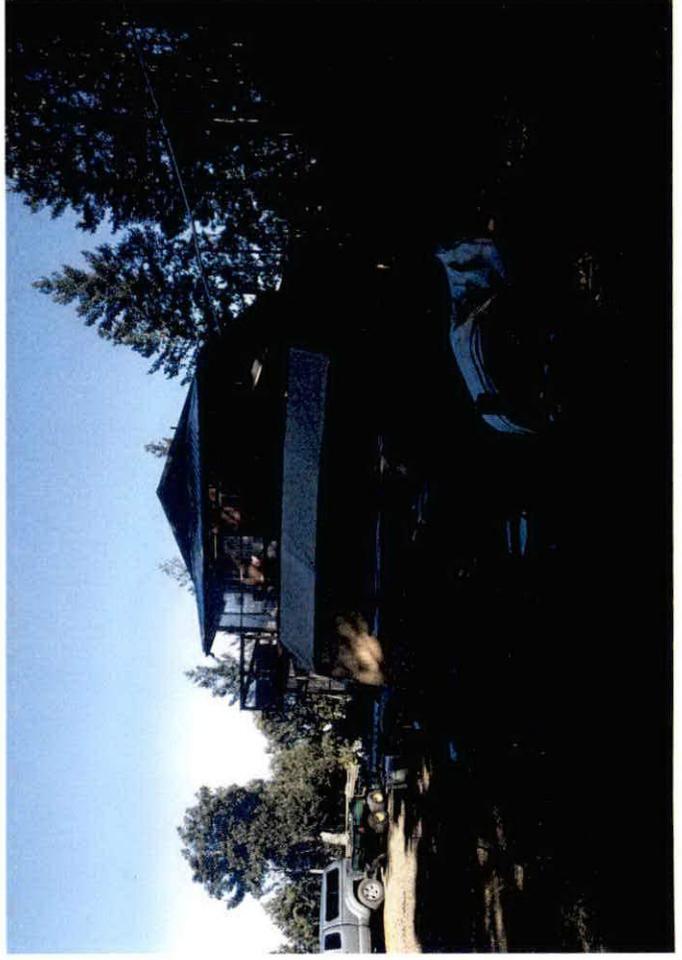
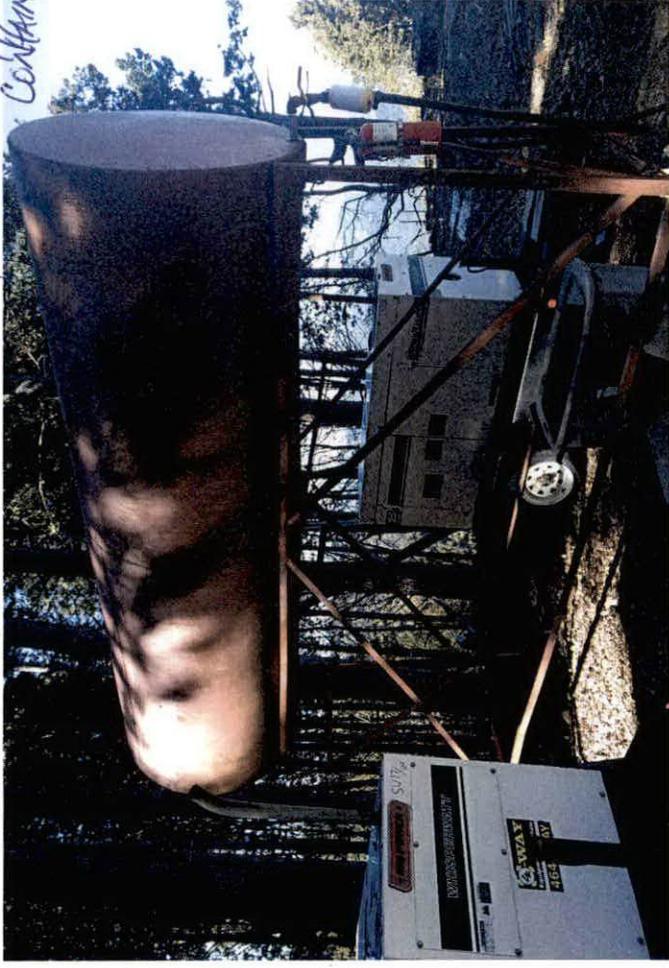


Shipping Container 10x20

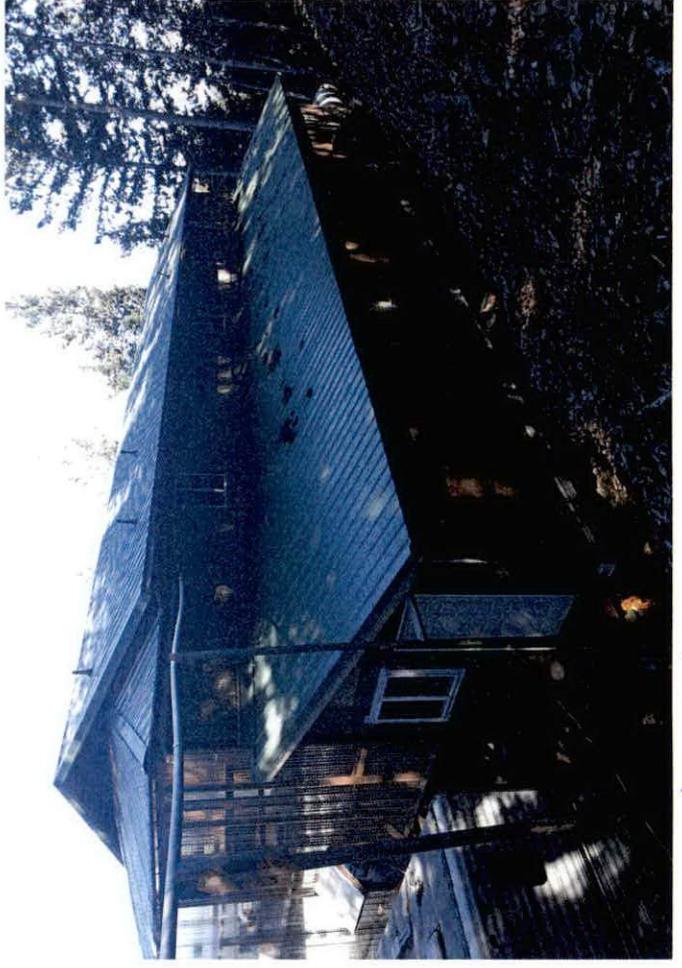
END OF 2 STORY RESIDENCE
RAIN WATER OFF ROOF TO WATER TANKS



1000 GALLON DIESEL TANK, NO SECONDARY
CONTAINMENT

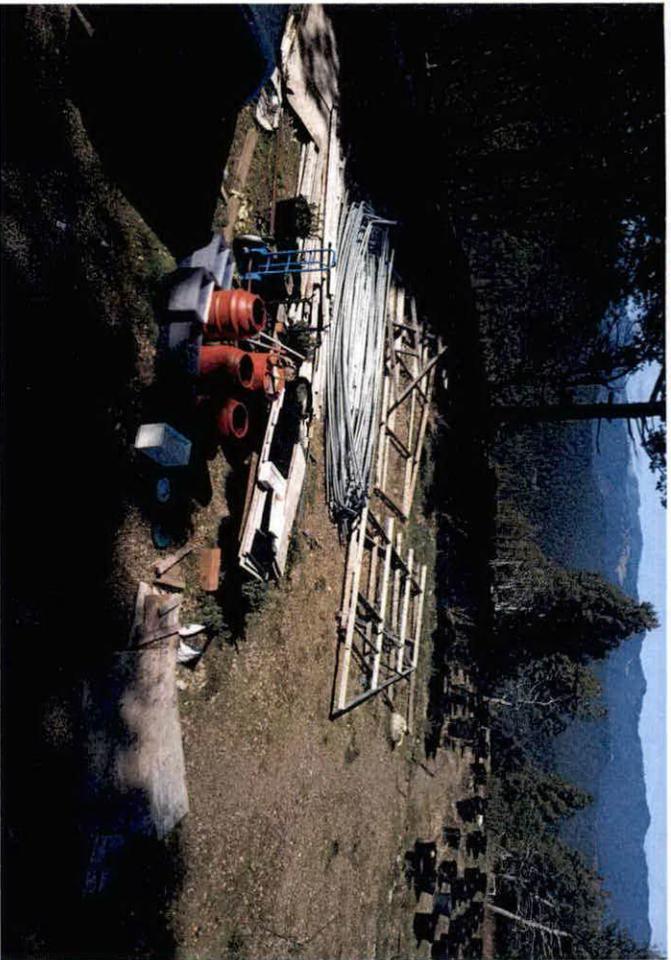


END WALL OF 2 STORY RESIDENCE



2 STORY WITH RESIDENCE ABOVE 3600 SQ FT
- STORAGE ON OTHER BELOW.

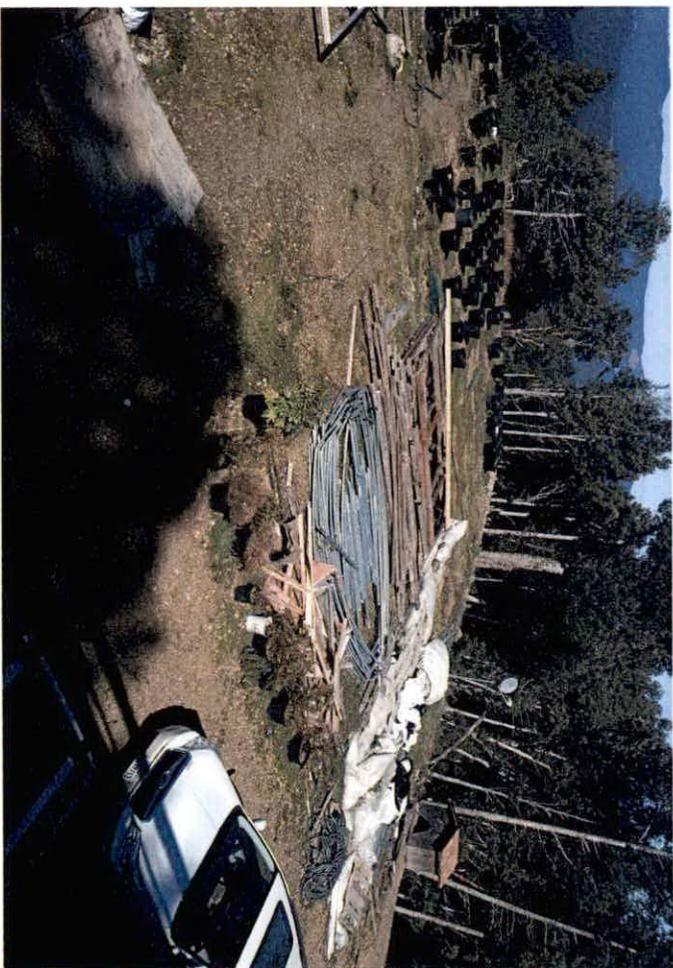
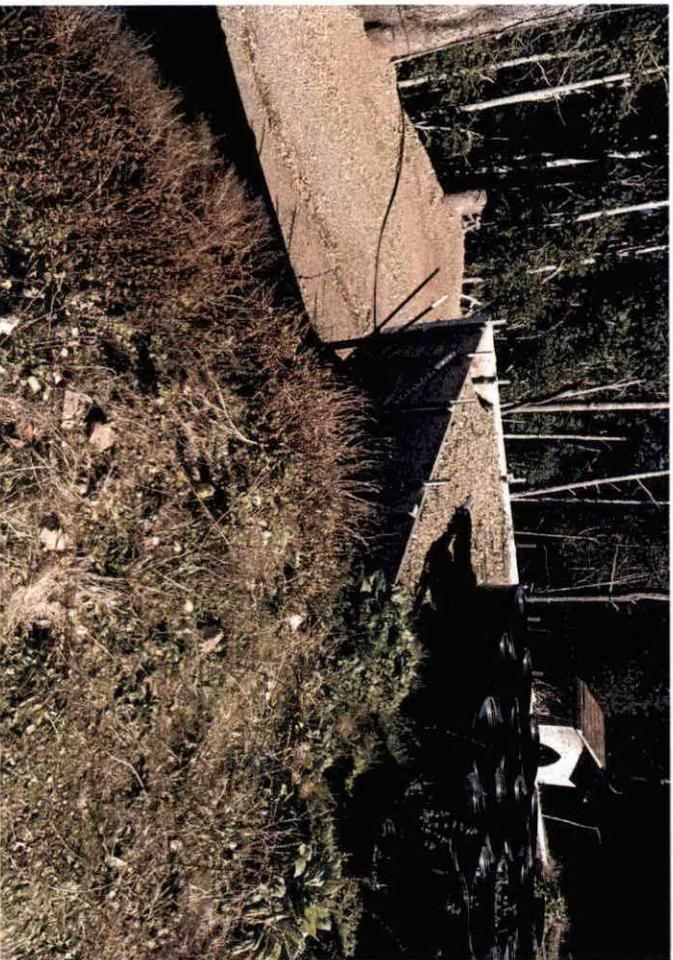
SITE # 1 3400 SQ FT 34'X100' GH

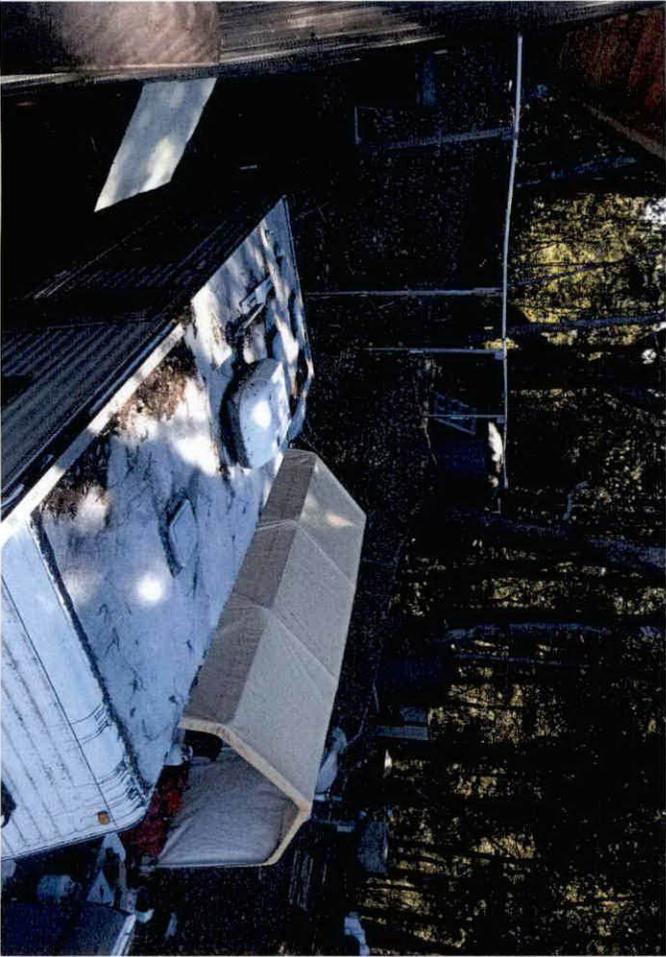


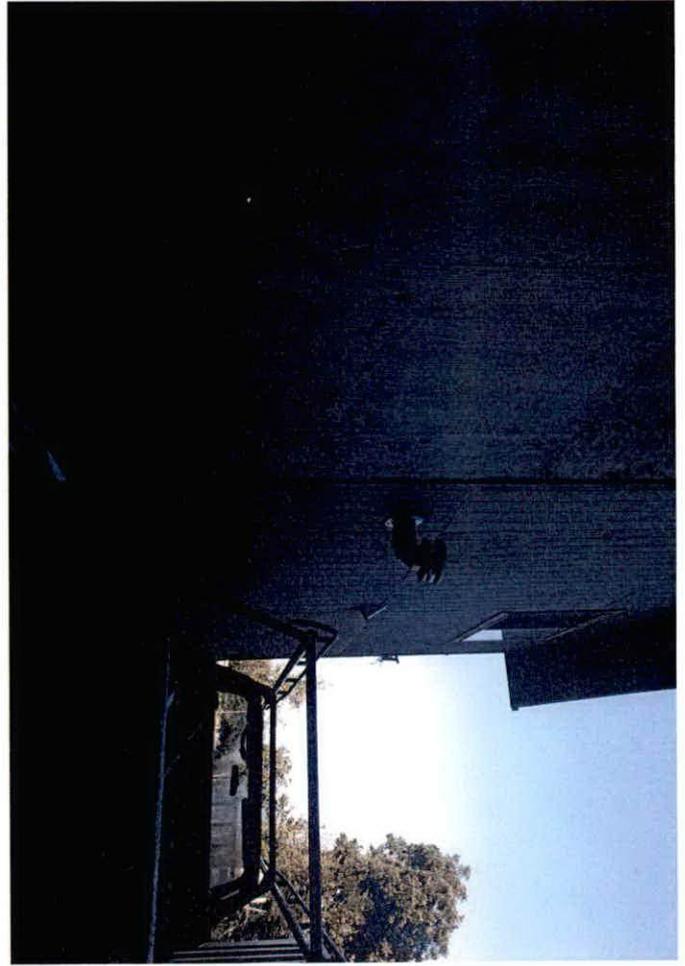
SITE # GENERATORS & DIESEL TANK 1000 GALLON

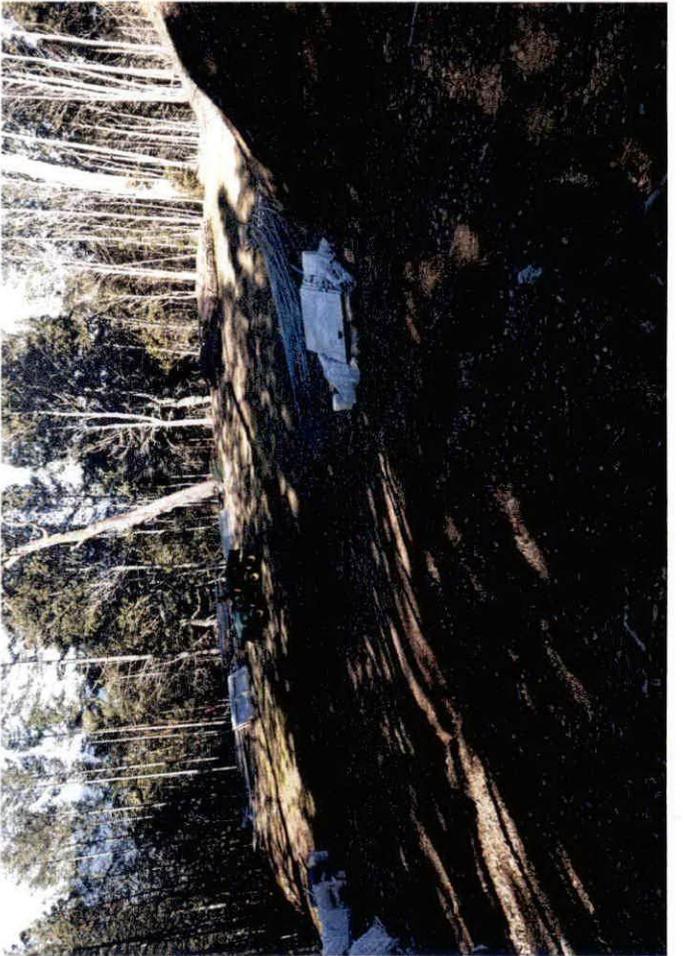
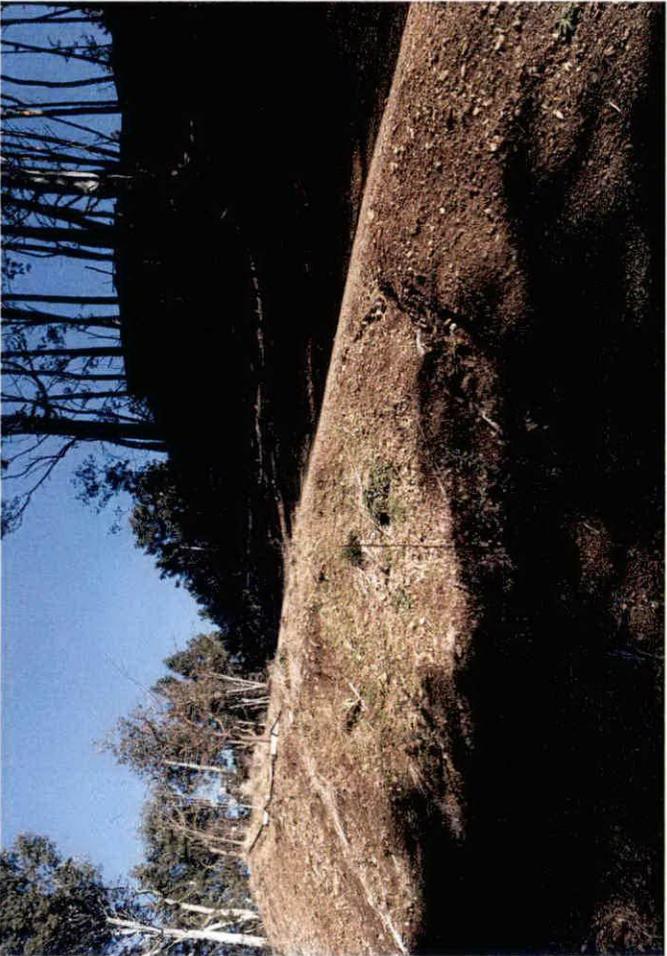
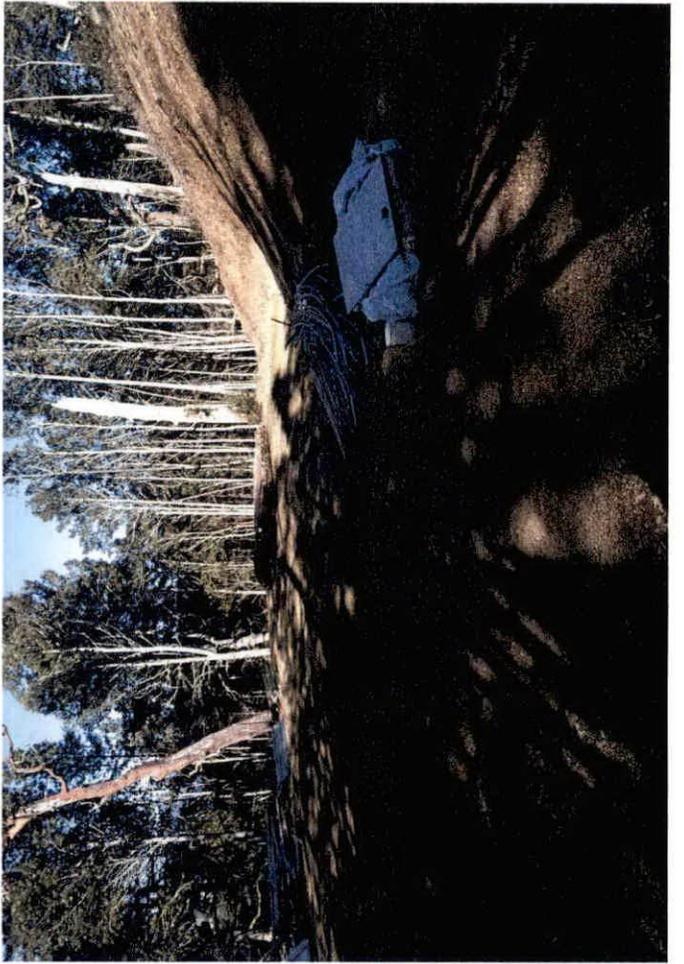
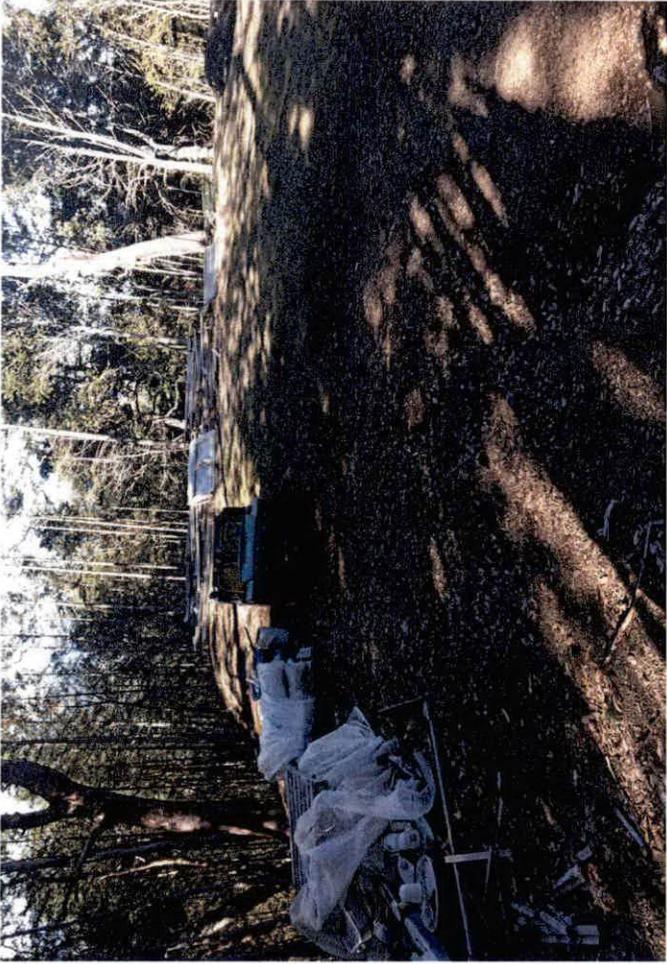


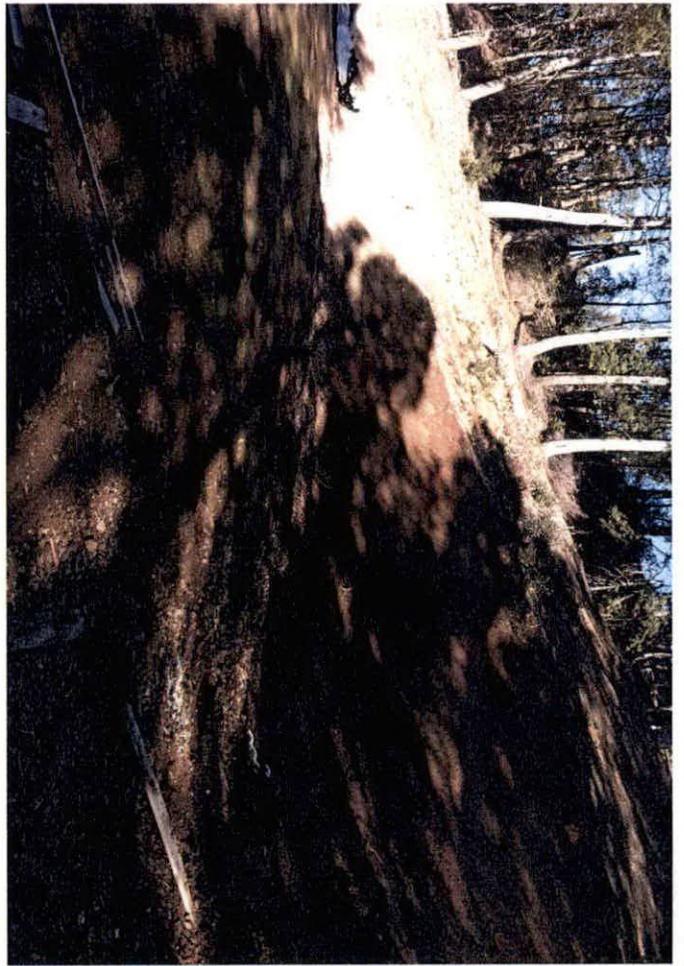
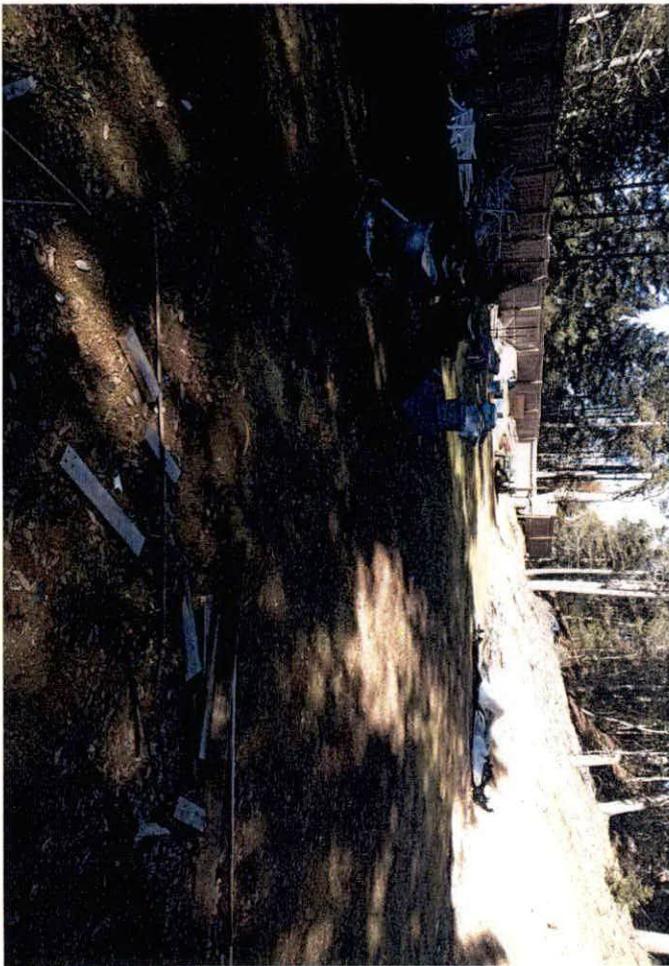
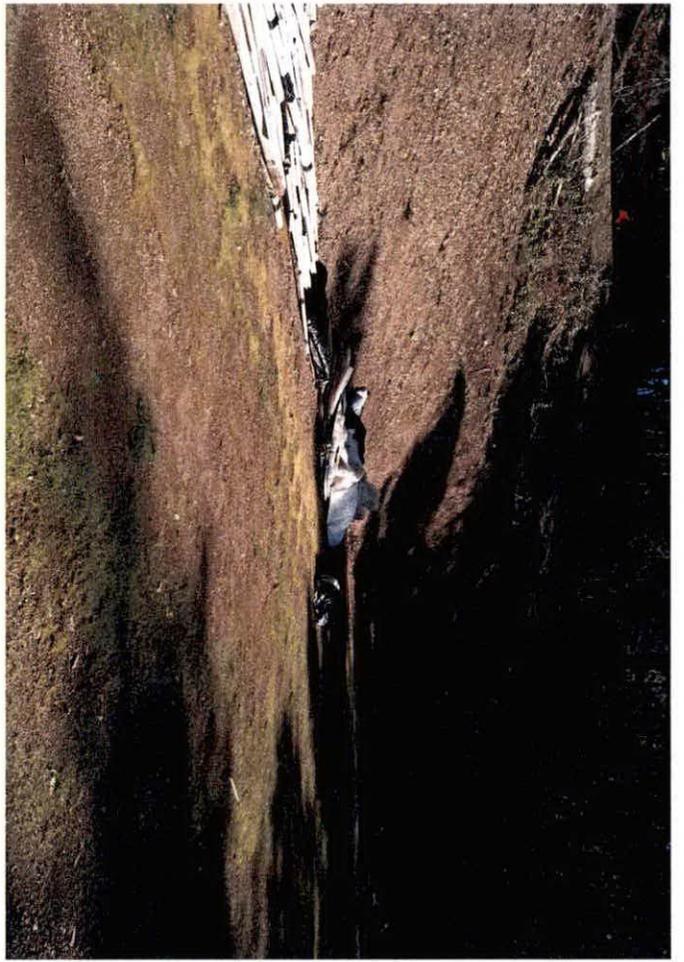
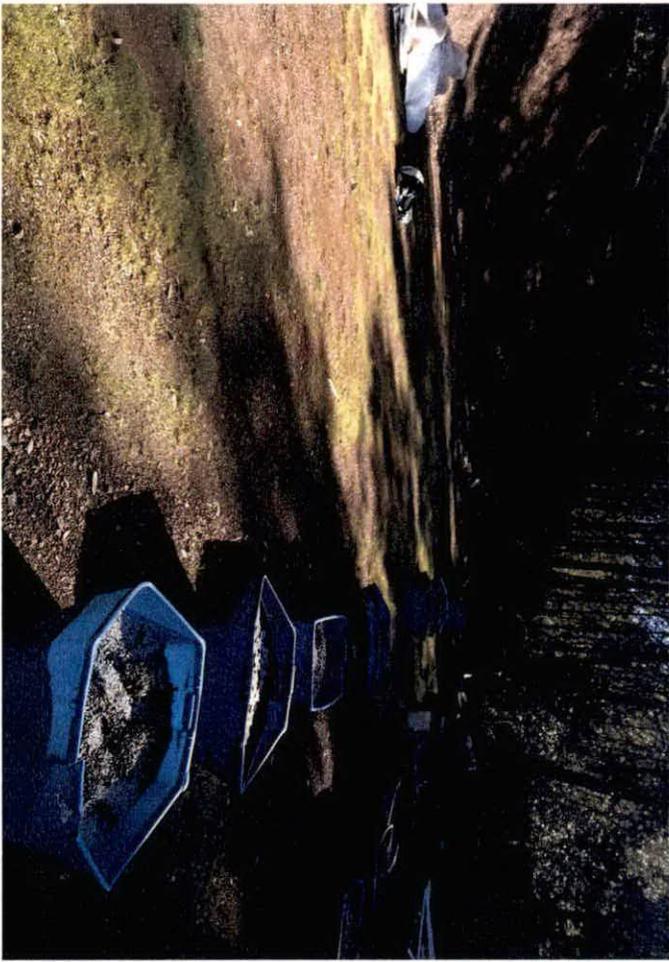
APRIL 11/7. 12L - 025-2222 \ #1579X

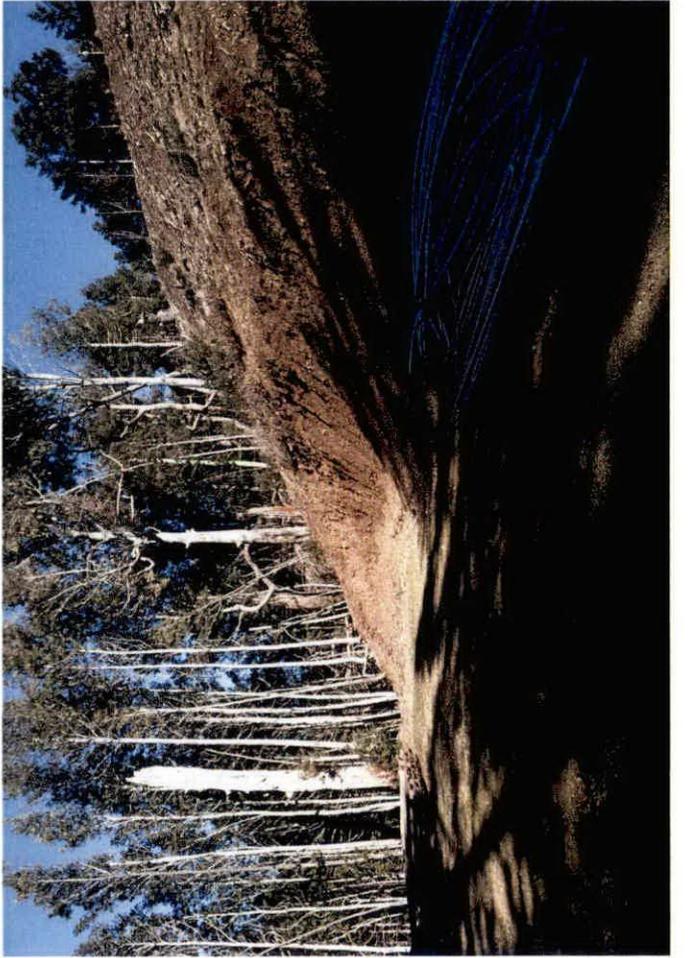
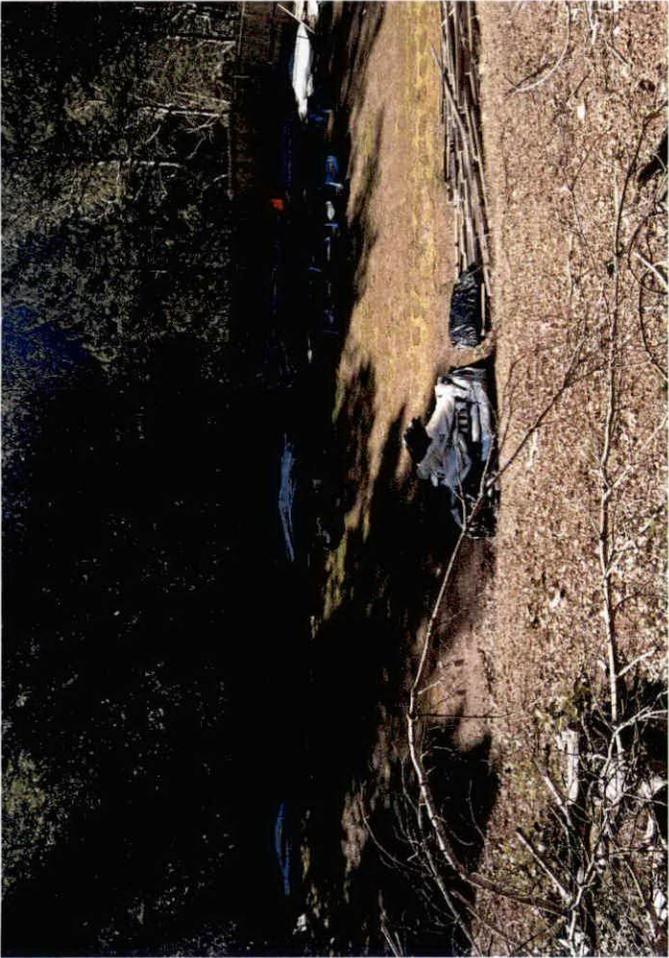
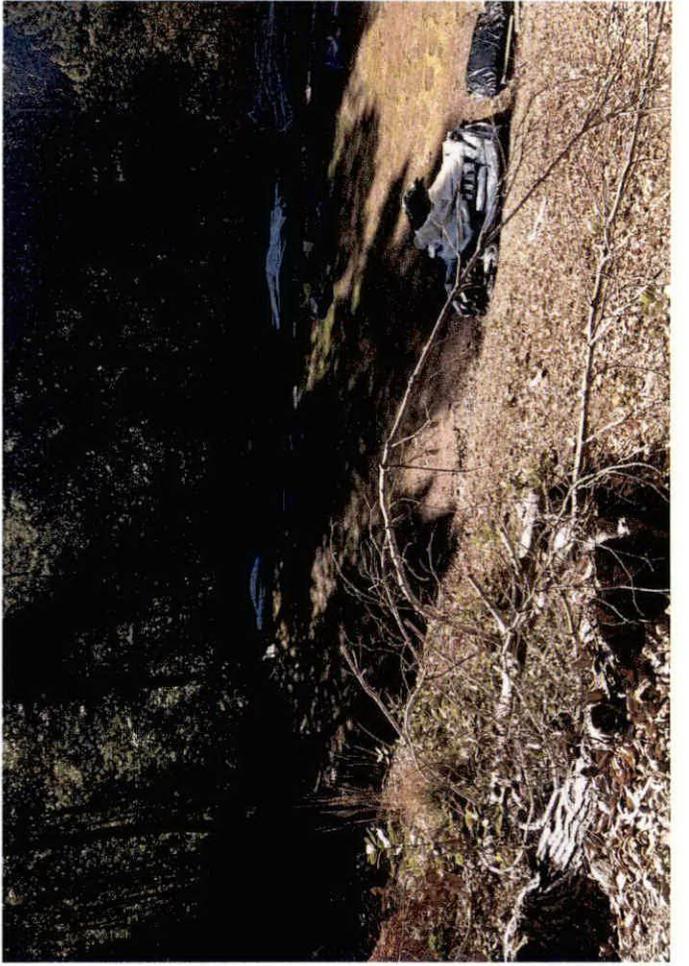
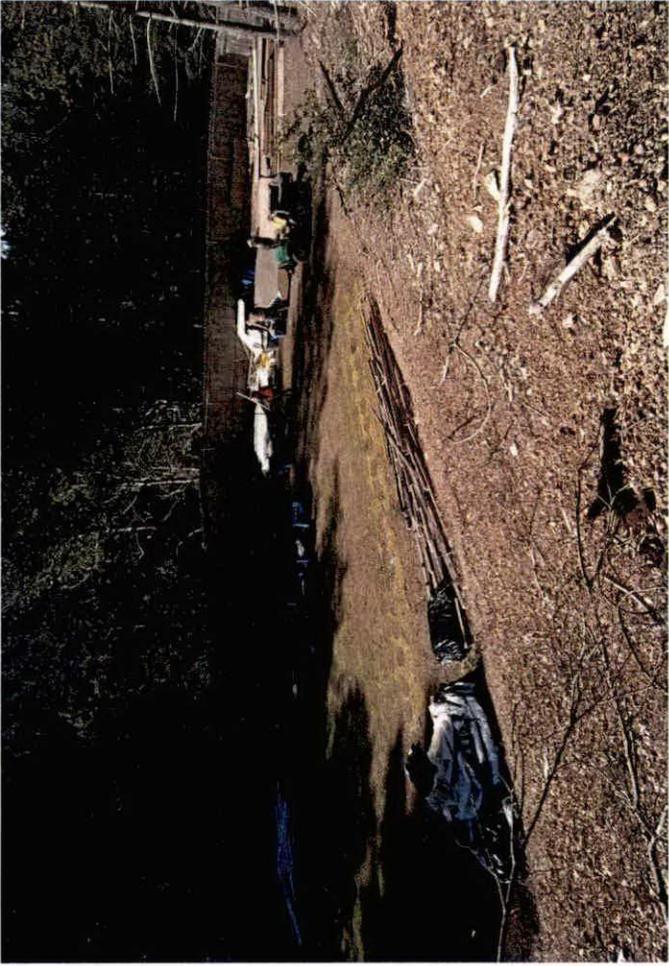


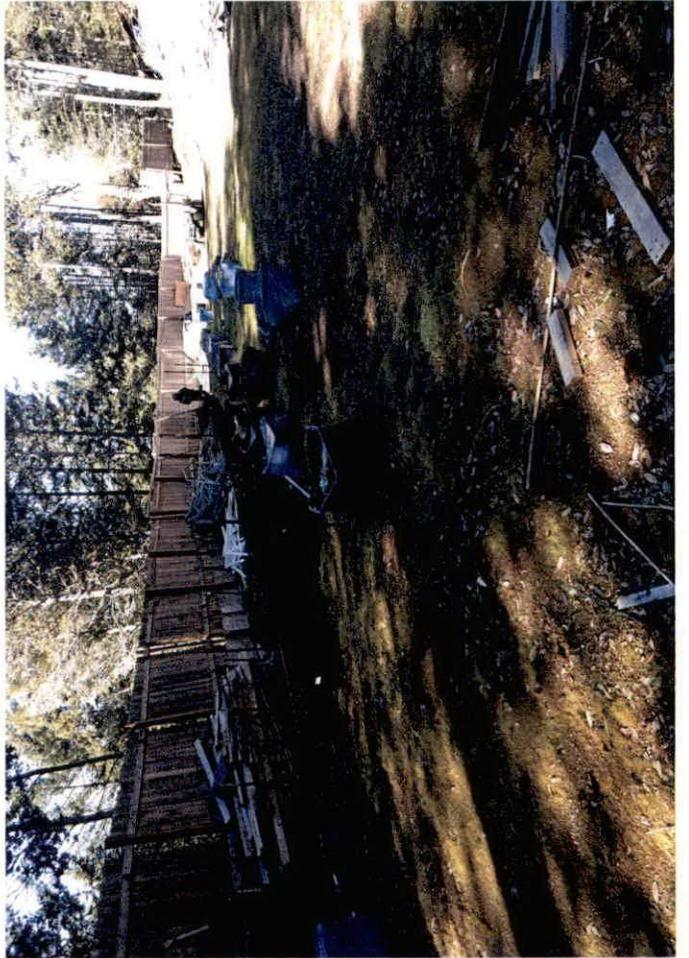
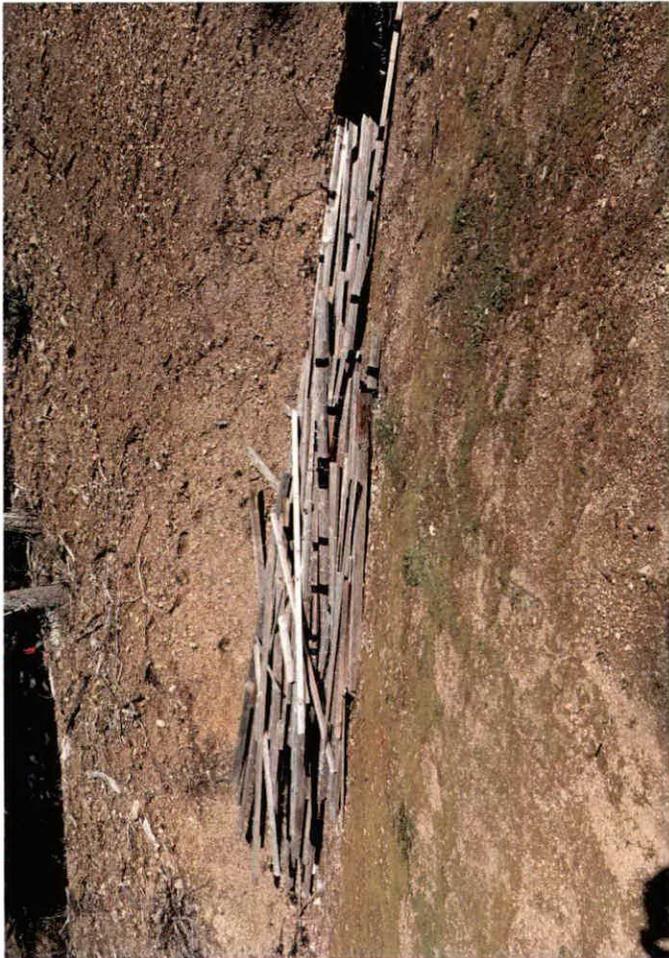
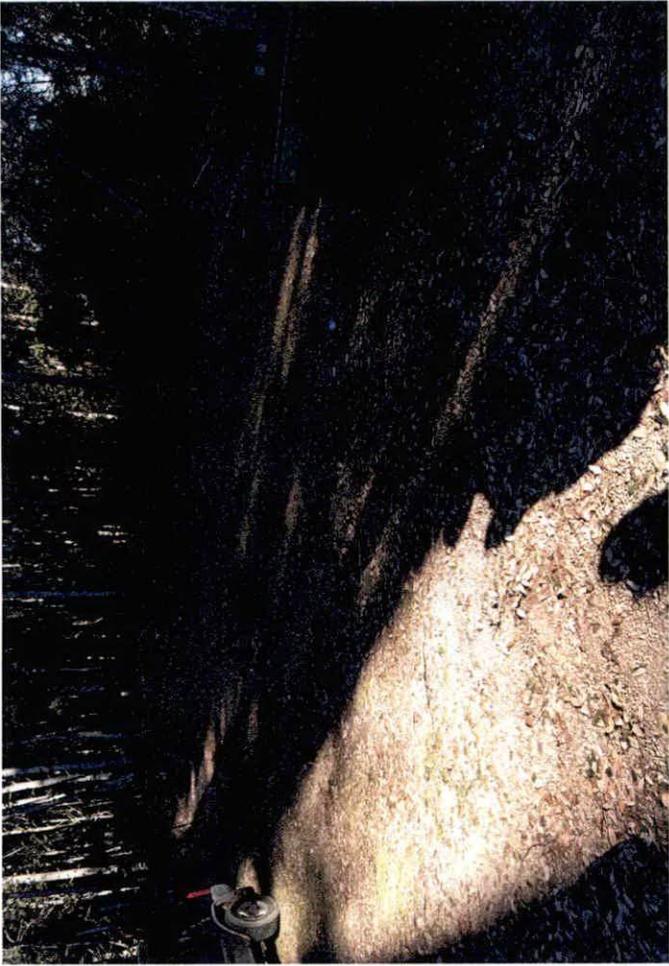


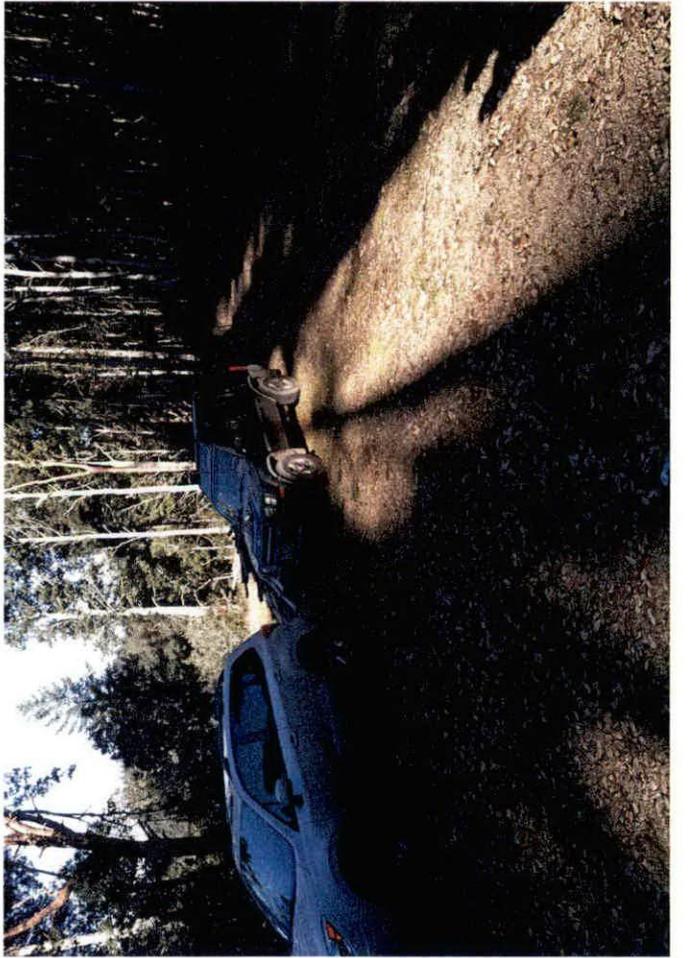












We have reviewed the above application and recommend the following (please check one):

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

Forester Comments:

Date:

Name:

Battalion Chief Comments:

Summary:

Paul, Gayle

From: Holtermann, Michael
Sent: Wednesday, September 15, 2021 10:26 AM
To: Planning Clerk
Subject: Fw: DEH Comments: APPS# 15298



Please post

From: Whittlesey, Joseph <jwhittlesey@co.humboldt.ca.us>
Sent: Wednesday, September 15, 2021 10:19 AM
To: Holtermann, Michael <mholtermann@co.humboldt.ca.us>
Subject: DEH Comments: APPS# 15298

Hi Michael,

Thanks again for the opportunity to comment. After reviewing the project, DEH recommends conditional approval pending the following comments (blue text only):

Processing activities must be supported by an approved onsite wastewater treatment system. Seasonal/outdoor cultivation sites may be supported by portable toilets. Applicant must obtain a permit for, and install, an approved onsite wastewater treatment system to support the processing location and either install approved septic systems or provide portable toilets to cultivation areas.

In general, leachfield placement under greenhouses should be avoided. The primary concern is soil compaction due to the weight of the garden over the field, which impairs treatment of the wastewater. Increased weight on top of and limited gas exchange available to the field remain concerns regardless of whether the greenhouses have foundations/impervious floors or plants are grown in raised beds or native soil. As such, it's best to avoid the situation all-together. Let me know if you have any questions.

Thank you,

Joey Whittlesey
Senior Environmental Health Specialist
[Land Use Program](#)
[Division of Environmental Health](#)
100 H Street, Suite 100, Eureka, CA 95501
Phone: (707) 268-2240 – Fax: (707) 441-5699