



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: September 16, 2021

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **North Fork Mattole Farms, LLC, Special Permit**

Record Number: PLN-2020-16766

Assessor's Parcel Number: 105-051-009

29330 Mattole Road, Petrolia area

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

AGENDA ITEM TRANSMITTAL

| | | |
|---|----------------------------------|--------------------------------------|
| Hearing Date September 16, 2021 | Subject Special Permit | Contact Michael Holtermann |
|---|----------------------------------|--------------------------------------|

Project Description: The applicant is seeking a Special Permit for 23,560 square feet of new dry-farmed full sun outdoor commercial cannabis cultivation, and 20,000 square feet of new light deprivation cultivation. 20,000 square feet of outdoor cultivation utilizing light deprivation will occur in ten (10) 20'x100' (2,000 square feet each) cold frame greenhouses. Full sun outdoor dry-farmed cultivation will occur in twenty-one (21) 4'x200' rows, sixteen (16) 4'x100' rows, and one (1) 4'x90' row, for a total cultivation space of 23,560 square feet. Ancillary propagation will occur in three greenhouses totaling 4,350 square feet. The applicant anticipates there will be two cultivation harvest cycles occurring annually for the outdoor cultivation utilizing light deprivation techniques, and one harvest cycle occurring annually for the full sun outdoor dry-farmed cultivation. Water for irrigation will be provided by a proposed rainwater catchment system to fill seventy-two (72) 5,000-gallon water tanks for a total water storage of 360,000 gallons. The applicant anticipates a total of 229,000 gallons of water will be required annually for irrigation (219,000 gallons for the light deprivation cultivation, and 10,000 gallons for the full sun outdoor dry-farmed cultivation). After harvesting, drying cannabis will occur onsite within a proposed 5,000-square-foot barn, after which cannabis will be bucked and stored in totes to be transported off site for further processing. The applicant anticipates three (3) operating partners and three (3) part time staff. Approximately twelve (12) seasonal employees will be required during peak operations for a total maximum of eighteen (18) employees on site. Power for the project will be provided by an onsite solar array system and a backup generator until PG&E service is available.

Project Location: This project is located in Humboldt County, in the Petrolia area, on the west side of Mattole Road, approximately 1,100 feet southwest from the intersection of Mattole Road and Chambers Road, on the property known as 29330 Mattole Road.

Present Plan Land Use Designation: Agricultural Grazing (AG), Density: Range is 20 to 160 acres per unit; Rural Community Center (RCC), Density: Maximum residential density is 1 dwelling unit per acre with community water, or 2 to 4 dwelling units per acre with a package treatment plant; 2017 General Plan, Slope Stability: Low Instability (1)

Present Zoning: Unclassified (U)

Record Number: PLN-2020-16766

Assessor Parcel Number: 105-051-009

Applicant

North Fork Mattole Farms, LLC
Benjamin Brown
656 Ferncrest Rd
Trinidad, CA 95570

Owner

North Fork Mattole Ranch, LLC
656 Ferncrest Rd
Trinidad, CA 95570

Agent

SL Consulting Services
Steven Luu
973 Dowler Dr
Eureka, CA 95501

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

Major Issue: None.

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

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 adopted Environmental Impact Report for 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 North Fork Mattole Farms, LLC. Special Permit as recommended by staff subject to the recommended conditions of approval.

Executive Summary: North Fork Mattole Farms, LLC, seeks a Special Permit for 23,560 square feet of new dry-farmed full sun outdoor commercial cannabis cultivation, and 20,000 square feet of new light deprivation cultivation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Cannabis Land Use Ordinance (CCLUO). The site is designated as Agricultural Grazing (AG) in the Humboldt County 2017 General Plan Update and zoned Unclassified (U). Cultivation takes place on the southeast portion of the parcel. 20,000 square feet of outdoor cultivation utilizing light deprivation will occur in ten (10) 20'x100' (2,000 square feet each) cold frame greenhouses. Full sun outdoor dry-farmed cultivation will occur in twenty-one (21) 4'x200' rows, sixteen (16) 4'x100' rows, and one (1) 4'x90' row, for a total cultivation space of 23,560 square feet. Ancillary propagation will occur in three (3) greenhouses, two (2) of which are 20'x100', and one (1) which is 20'x17.5', for a total propagation space of 4,350 square feet. The applicant anticipates there will be two cultivation and harvest cycles occurring annually for the outdoor cultivation utilizing light deprivation techniques, and one harvest cycle occurring annually for the full sun outdoor dry-farmed cultivation

After harvesting, drying cannabis will occur onsite within a proposed 5,000-square-foot barn, after which cannabis will be bucked and stored in totes to be transported off site for further processing. The applicant anticipates three (3) operating partners and three (3) part time staff. Approximately twelve (12) seasonal employees will be required during peak operations for a total maximum of eighteen (18) employees on site. All artificial lighting used with a nexus to cannabis cultivation, including but not limited to propagation and processing activities, will adhere to shielding and International Dark Sky Association standards as set forth in the CCLUO. Power for the project will be provided by an onsite solar system and a backup generator until PG&E service is available.

Water Resources

Water for the project will be sourced from a proposed rainwater catchment system on two existing agricultural barns currently used for hay storage. One barn is on site and the other is on a neighboring parcel under the same ownership (APN 105-193-001) The applicant proposes to record and obtain an easement for use of this barn. On site water storage is comprised of seventy-two (72) 5,000-gallon tanks for a total water storage of 360,000 gallons. The applicant expects 10,000 gallons of water will be required for the dry-farmed full sun outdoor cultivation, and 219,000 gallons of water for the light deprivation greenhouses. The total water use is estimated to be 229,000 gallons annually. The applicant expects an average annual precipitation of anywhere from 60 to 90 inches. The applicant expects 250,160 gallons of rainwater catchment in a low (60 inches) precipitation year, and up to 381,000 gallons of rainwater catchment in a high (90 inches) precipitation year. This is intended to ensure that the applicant has sufficient irrigation water during a low precipitation winter. Surplus water will be saved for the next cultivation season.

Biological Resources

According to the California Natural Diversity Database there are two mapped CDFW species of special concern, the foothill yellow legged frog, located on the southeast portion of the parcel, as well as summer run steelhead trout. A *Biological Reconnaissance Survey* was performed dated September 25th, 2020 that assessed the project location and identified potential direct and indirect impacts to sensitive species. The assessment found that the two species are associated with aquatic habitats, and therefore unlikely to be affected by any cultivation related activities given the distance from cannabis activities to any mapped wetlands or watercourses. During on site inspections another special-status species, the northern red-legged frog, was observed, however the occurrence was within an aquatic habitat outside of the required buffers of potential project sites.

A *Wetland Delineation Report* was also submitted. Wetland and riparian features were identified; however, all proposed project areas are outside wetland and riparian setbacks. All existing and proposed project sites are outside SMA setbacks and 100-year flood zones.

Recommendations from the *Biological Reconnaissance Survey* include preconstruction surveys for nesting birds, and a preconstruction seasonally appropriate protocol level *Botanical Survey*. The survey also recommended following best management practices and eradication of invasive species during project development and operation.

A seasonally appropriate protocol level *Botanical Survey* has been submitted, with the conclusion that the operations are unlikely to harm any special status plants or sensitive natural plant communities, and as a result no mitigation measures are recommended.

Access

The property is accessed via private driveway from Old Coast Wagon Road. The section of Old Coast Wagon Road that will be utilized (less than 100') has been verified to be a Category 4 Road.

The project is conditioned for the applicant to submit a Site Management Plan developed for the parcel prepared pursuant to enrollment under the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy, General Order. The applicant shall provide substantial evidence that all corrective actions detailed within the Site Management Plan have been completed.

Tribal Consultation

The applicant submitted a *Cultural Resources Investigation* in September of 2020. According to the report, two (2) isolated resources and one (1) historic cemetery were located during the survey. The report stated that no resources would be impacted by the project, provided recommendation measures were followed. Recommendations include the inadvertent discovery protocol, and that no project activities occur within 30 feet of the entire base of the discrete geological feature on which a historic cemetery is located. The project is located in the Bear River Band and Sinkyone Aboriginal Ancestral Territories. The project was referred to Northwest Information Center, Bear River Band, and Sinkyone tribe. The Bear River Band Rancheria recommended following the archaeologist mitigation measures, and that a cultural monitor be on site during ground disturbance activities. No response was received from Intertribal Sinkyone Wilderness Council.

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.

Environmental review

Based on the results of the 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).

RECOMMENDATION: 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.

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT
Resolution Number 21-
Record Number: PLN-2020-16766
Assessor's Parcel Number: 105-051-009**

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the North Fork Mattole Farms LLC, Special Permit request

WHEREAS, North Fork Mattole Farms, LLC, submitted an application and evidence in support of approving a Special Permit for the operation of a proposed 23,560 square foot full sun outdoor dry-farmed cannabis cultivation and 20,000 square foot light deprivation cannabis cultivation, with drying activities;

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project does not present substantial changes that would require major revisions to the previous Environmental Impact Report. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on September 16, 2021, and reviewed, considered, and discussed the application for a Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Zoning Administrator makes all the following findings:

- 1. FINDING:** **Project Description:** The application is a Special Permit to allow for 23,560 square foot full sun outdoor dry-farmed cannabis cultivation and 20,000 square foot light deprivation cannabis cultivation, with drying activities and appurtenant propagation. Power is provided by solar with a backup generator until PG&E power can be secured. Water for irrigation will be provided by a proposed rainwater catchment system.

EVIDENCE: a) Project File: PLN-2020-16766
- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Zoning Administrator has considered the Addendum to the Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018.

EVIDENCE: a) Addendum Prepared for the proposed project.

b) The proposed project does not present substantial changes that would require major revisions to the previous EIR. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.

d) A Biological Reconnaissance Assessment was prepared by Naiad Biological Consulting dated September 25th, 2020, which found that no adverse impacts are likely to occur if mitigation recommendations are

followed.

- e) A protocol level Floristic Survey was prepared by Naiad Biological Consulting dated August 2021, which found that the proposed project will likely have no adverse impact on sensitive plant communities, and as such no mitigation measures are recommended.
- f) The property is accessed via private driveway from Old Coast Wagon Road, which has been determined to be equivalent to Road Category 4 standards for cannabis projects
- g) A *Cultural Resource Investigation* prepared by Archaeological Research and Supply Company dated September 2020 which concludes the current and proposed cannabis operation will have no effect or changes to any cultural or historic resources from the project, provided mitigation measures are followed.

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

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

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

EVIDENCE

- a) The Unclassified Zone or U Zone is intended to be applied to areas of the County in which general agriculture is a principally permitted use.
- c) Humboldt County Code section 314-55.4.6.1 b allows up to 43,560 square feet of new cannabis on a parcel over 10 acres subject to approval of a Special Permit. The application for 43,560 square feet of commercial cannabis cultivation on an 82-acre parcel is consistent with this.

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

EVIDENCE

- a) The CCLUO allows new cannabis cultivation to be permitted in areas zoned U when accompanied by a Resource Production General Plan land use designation (HCC 314-55.4.6.1.1).
- b) APN 105-051-009 contains a number of legal parcels created by deed conveyances circa 1880s - 1900s. A map reflecting the true configuration of parcels is provided for this parcel. A Certificate Of Subdivision Compliance is being processed for all parcels; said parcels will be requested mapped individually by Assessor's Office Fall 2021. The location of the unmapped parcels does not affect the project as proposed.

- c) The project will obtain water from a non-diversionary water source.
- d) The property is accessed via private driveway from Old Coast Wagon Road, which has been determined to be equivalent to Road Category 4 standards for cannabis projects
- e) The slope of the land where cannabis will be cultivated is less than 15%.
- f) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 600 feet from any school, church, or Tribal Cultural Resource, and setback waivers have been obtained from neighboring parcels to reduce the 300-foot setbacks to residences on neighboring parcels.

6. FINDING

The cultivation of 43,560 square feet of commercial 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 property is accessed via private driveway from Old Coast Wagon Road, which has been determined to be equivalent to Road Category 4 standards for cannabis projects
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The parcel is adjacent to a school and residences, however due to the parcel size cultivation activities meet all required setbacks from sensitive receptors. The proposed cannabis cultivation will not be in a location that will impact sensitive receptors such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sizes in the area.
- c) Setback waivers have been obtained from neighboring parcels to reduce the 300-foot setbacks to residences on neighboring parcels.
- d) Irrigation water will come from a proposed rainwater catchment system.

7. FINDING

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

EVIDENCE

The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

DECISION

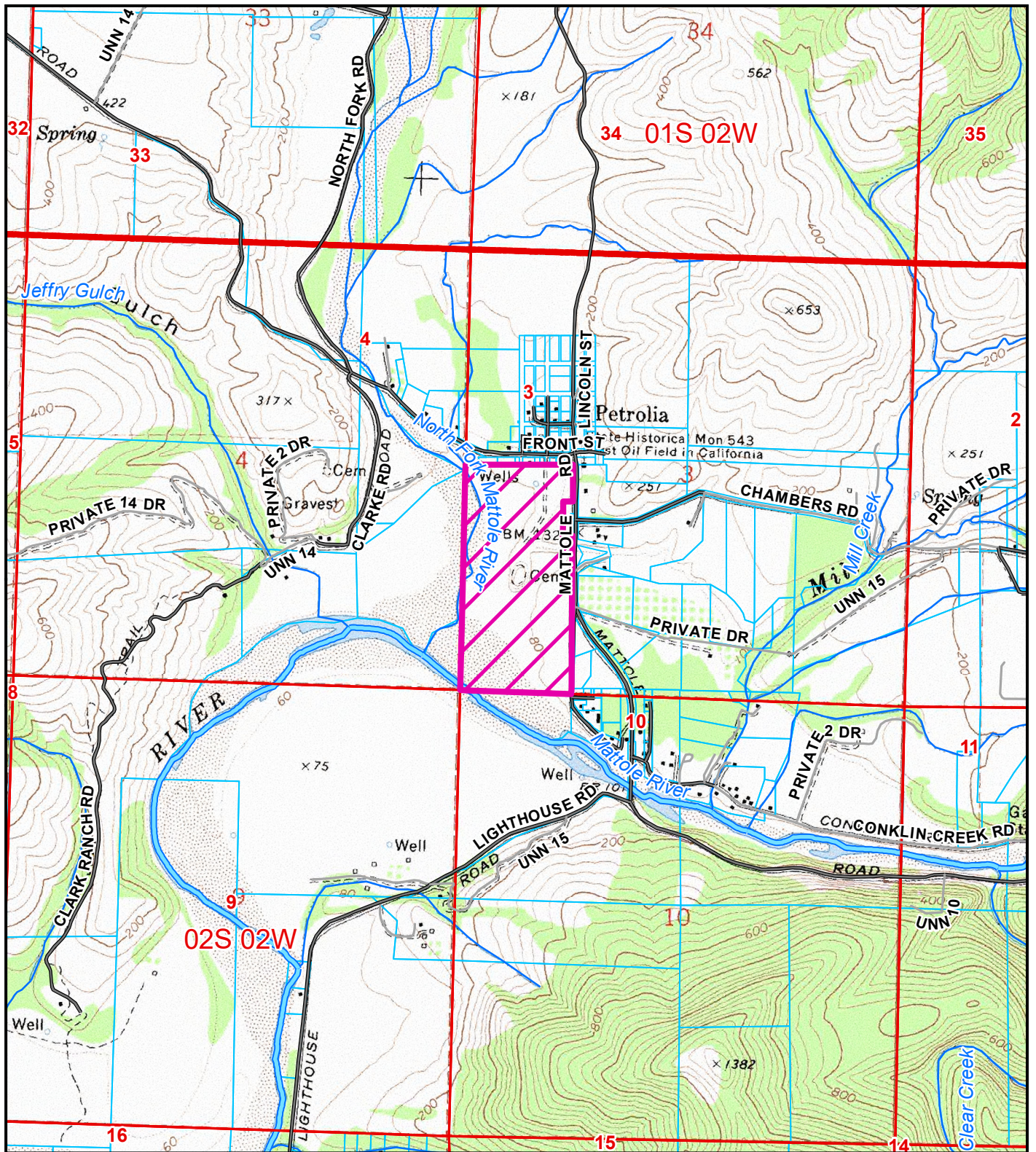
NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

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

Adopted after review and consideration of all the evidence on September 16, 2021

I, John H. 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



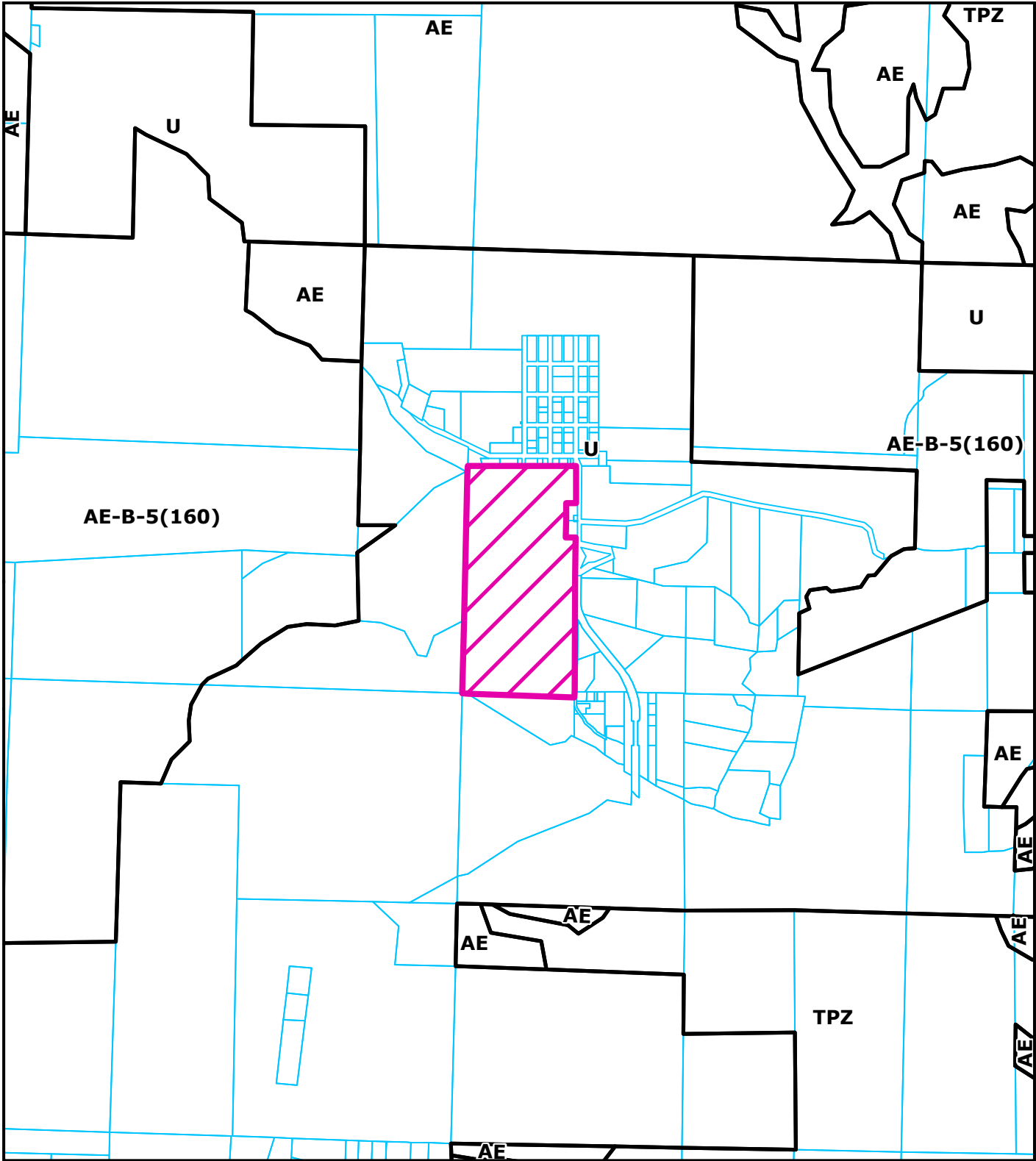
TOPO MAP
PROPOSED NORTH FORK MATTOLE FARMS LLC
PETROLIA AREA
PLN-2020-16766
APN: 105-051-009
T02S R02W S3 HB&M (PETROLIA)

Project Area = 



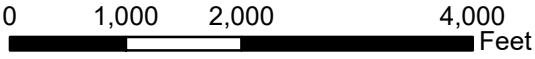
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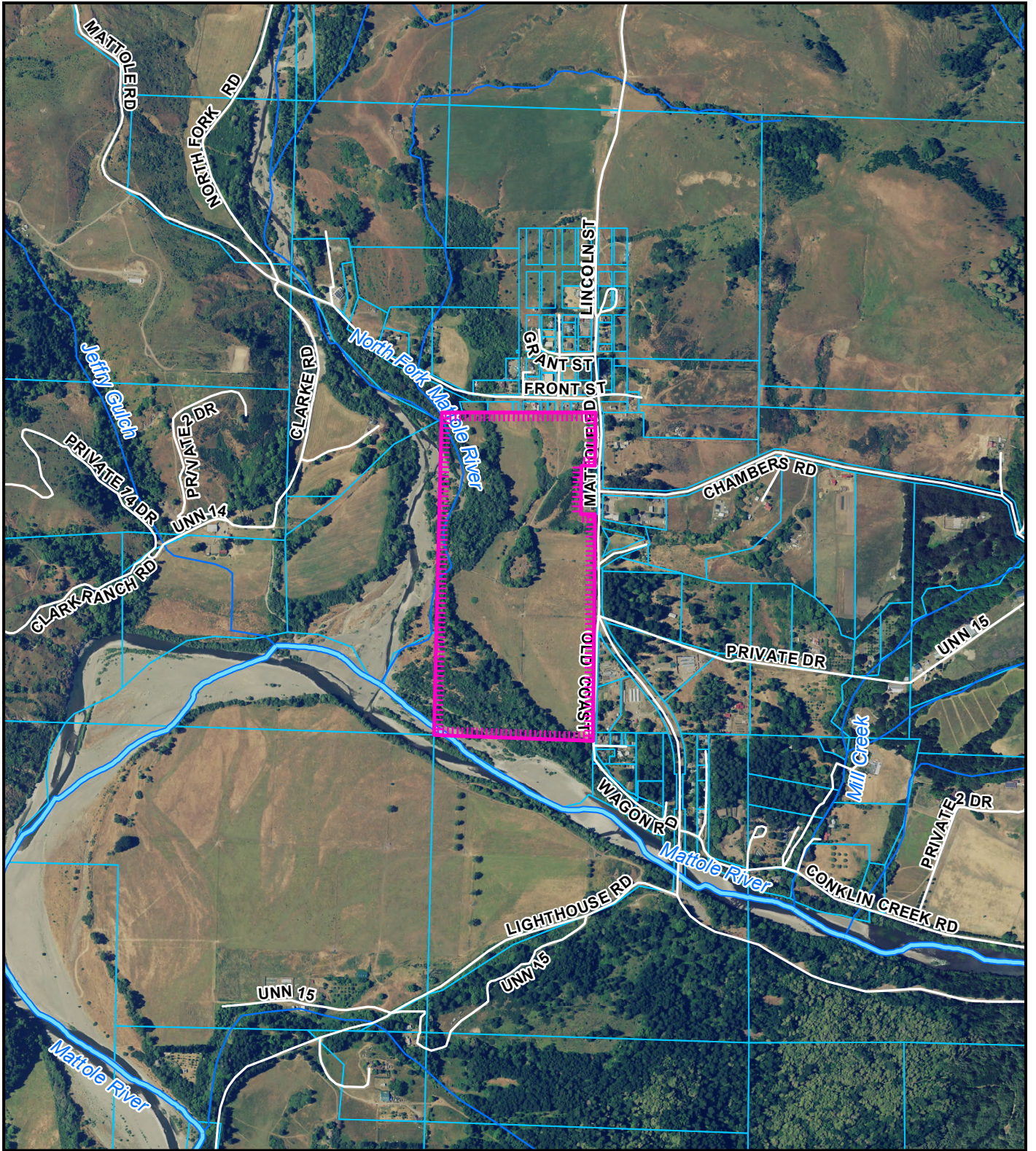


ZONING MAP
PROPOSED NORTH FORK MATTOLE FARMS LLC
PETROLIA AREA
PLN-2020-16766
APN: 105-051-009
T02S R02W S3 HB&M (PETROLIA)

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.

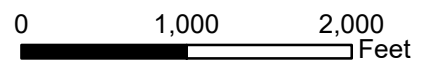


AERIAL MAP
PROPOSED NORTH FORK MATTOLE FARMS LLC
PETROLIA AREA
PLN-2020-16766
APN: 105-051-009
T02S R02W S3 HB&M (PETROLIA)

Project Area = 



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



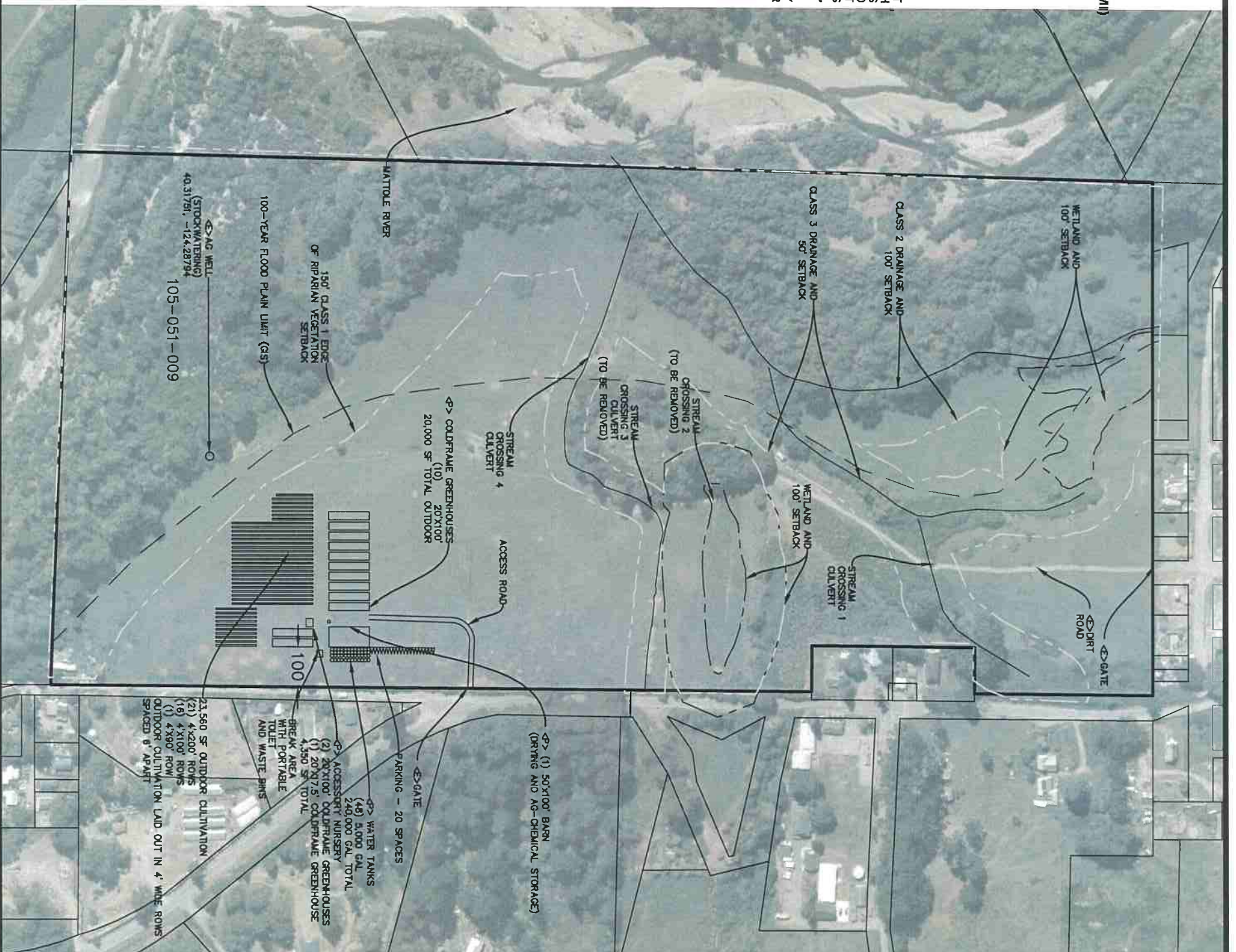
- DIRECTIONS TO SITE:**
FROM EUREKA, CA
 -SOUTHBOUND ON US-101
 -TAKE EXIT 692 TOWARDS FERNDALE/FERNBRIDGE AND
 -TURN RIGHT ON SINGLEY ROAD
 -TURN RIGHT ONTO CA-211 SOUTH (4.8 MILES)
 -TURN RIGHT ONTO BLUFF STREET/OCEAN AVENUE
 -TURN LEFT ONTO WILDCAT AVE / MATTOLE ROAD (~28.1 MI)
 -CONTINUE ONTO FRONT STREET IN PETROLIA (0.5 MI)
 -DRIVEWAY ON RIGHT

PROJECT DESCRIPTION:

NORTH FORK MATTOLE FARMS, LLC IS PROPOSING TO PERMIT EXISTING CANNABIS CULTIVATION ACTIVITIES IN ACCORDANCE WITH THE COUNTY OF HUMBOLDT (COUNTY) COMMERCIAL CANNABIS LAND USE ORDINANCE (CCLUO). THE OPERATION INCLUDES 43,560 SQUARE FEET OF OUTDOOR CULTIVATION. THE PROJECT PROPOSAL INCLUDES THE DEVELOPMENT OF FACILITIES APPURTENANT TO THE CULTIVATION INCLUDING GREENHOUSES, FACILITIES FOR DRYING, CURING, GRADING OF CANNABIS. IRRIGATION WATER SOURCED FROM RAIN CATCHMENT. DRY FARMING TECHNIQUES WILL ALSO BE UTILIZED TO REDUCE WATER USAGE.

GENERAL NOTES:

1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA. SL CONSULTING SERVICES INC. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
3. THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE PROPOSED CULTIVATION AREA.
4. THERE ARE NO RESIDENCES ON ADJOINING PARCELS WITHIN 300 FEET OF THE PROPOSED CULTIVATION AREAS.
5. ANY EXISTING DEVELOPMENT CONSTRUCTED WITHOUT THE BENEFIT OF COUNTY REVIEW WILL BE SUBJECT TO THE HUMBOLDT COUNTY BUILDING DEPARTMENT UPON APPROVAL OF THE ZONING CLEARANCE CERTIFICATE.



PROJECT INFORMATION:

APPLICANT:
 NORTH FORK MATTOLE FARMS, LLC
 656 FERNCREST ROAD
 TRINIDAD, CA 95570

PROPERTY OWNER:
 NORTH FORK MATTOLE RANCH, LLC
 656 FERNCREST ROAD
 TRINIDAD, CA 95570

OWNERS AGENT:
 SL CONSULTING SERVICES INC
 973 DOWLER DR
 EUREKA, CA 95501
 (707) 440-9033

SITE ADDRESS:
 105-051-009
 29330 MATTOLE ROAD
 PETROLIA, CA 95558

TREES TO BE REMOVED = NONE
 EXISTING CULTIVATION AREA = 0 SQ. FT.
 PROPOSED CULTIVATION AREA = 43,560 SQ. FT.
 TOTAL CULTIVATION AREA PROPOSED = 43,560 SQ. FT.

EARTHWORK QUANTITIES = TBD

WATER SOWER = PRIVATE
 PARCEL SIZE = 482.15 ACRES

ZONING: GENERAL PLAN DESIGNATION = AG, RCC

SRA AREA: YES
 IN COASTAL ZONE: NO
 IN 100 YR FLOOD ZONE: YES

PLOT PLAN

22X34 SHEET: 1"=150'
 11X17 SHEET: 1"=300'
 0 10 150 300



| DATE | REVISIONS | DRAWN BY |
|---------|------------------------------------|----------|
| 7-23-21 | ACCESSORY NURSERY REDUCTION TO 10% | |
| 6-10-21 | REVISED SITE PLAN | |

NORTH FORK MATTOLE FARMS LLC APN: 105-051-009-000

29330 MATTOLE ROAD, PETROLIA CA 95558

PLOT PLAN, VICINITY MAP AND PROJECT NOTES

| | |
|--------------|----------|
| PROJECT NO. | 22-001 |
| PROJECT NAME | SL |
| DRAWN BY | SL |
| DATE | 11-2-20 |
| SCALE | AS SHOWN |
| SHEET | 48 |

C1

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 PROJECT MAY BEGIN OPERATING

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. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, the greenhouses, one (1) drying building, and all other structures 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.
6. Prior to the use of the ag barn on APN 105-093-001 for rainwater catchment the applicant shall record and obtain an easement for use of the structure as a rainwater collections system. The applicant shall submit documentation of the easement and submit an updated Site Plan showing the easement, as well as the locations and dimensions of the two structures used for rainwater catchment.
7. The applicant shall ensure all fences and gates are located out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way. Confirmation from the Department of Public Works that the work has been done will satisfy this condition.
8. The applicant shall pave the surface of the intersection where Old Coast Wagon Road meets the private driveway for a minimum of 18 feet and a length of 50 feet. An encroachment

permit shall be obtained from Department of Public Works, Land Use Division prior to work within the County right-of-way. Final signoff from the Department of Public Works will satisfy this condition.

9. The applicant shall ensure all driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). Final signoff from the Department of Public Works will satisfy this condition.
10. The applicant shall ensure all surfaced parking lots have an oil-water filtrations system prior to discharge into any County maintained facility. Final signoff from the Department of Public Works will satisfy this condition.
11. The Applicant shall provide the final Site Management Plan (SMP) report to the department when available. The applicant shall implement all corrective actions detailed in the Site Management Plan developed for the parcel, prepared pursuant to enrollment under the State Water Resource Control Board (SWRCB) Cannabis Cultivation Policy (Cannabis Policy), in congruence with Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order). A letter or similar communication from the State Water Board verifying that all their requirements have been met will satisfy this condition.
12. The applicant shall provide a minimum of 2,500 gallons of dedicated water storage for fire protection, with 2.5" minimum National Hose thread and sufficient access for emergency vehicles.
13. The applicant shall obtain service from PG&E or submit documentation from a qualified professional verifying that the applicant has obtained an appropriately sized solar array to meet the energy needs of the project.
14. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
15. 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.
16. The applicant shall adhere to all recommended mitigation measures outlined in the *Biological Reconnaissance Assessment*, which includes:
 - a. Following best management practices to prevent sediment, fuels or contaminates from entering the surrounding terrestrial environment.
 - b. Preconstruction migratory bird nest surveys if construction is to take place between February 1st and August 31st.
17. Prior to development activities, the applicant shall submit an *Invasive Species Control Plan* to the Planning Department documenting the existence and location of invasive species on the subject parcel and a plan to control their spread, as well as appropriate removal methods and subsequent maintenance strategies for invasive species within cultivation areas.

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

1. 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.
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/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
4. The applicant shall follow all recommended mitigation measures outlined in the Cultural Resource Investigation. The applicant is required to have a cultural monitor on site during all ground disturbance activities.
5. 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.

6. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials (on the full-sun outdoor cultivation) 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.
7. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.

8. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
9. The use of anticoagulant rodenticide is prohibited.
10. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
11. 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.
12. Receipts from portable toilets will be kept on file by the applicant to be furnished during annual inspections.
13. Documentation from licensed offsite processing service shall be kept on file by the applicant to be furnished during annual inspections.
14. 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.
15. 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.
16. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board.
17. 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).
18. Maintain enrollment in Tier 1 or, 2 certification with State Water Quality Control Board (SRWQCB) 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.
19. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
20. 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.
21. 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).

22. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
23. Pay all applicable application, review for conformance with conditions and annual inspection fees.
24. 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.
25. The master logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.
26. 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

27. Pursuant to the Business and Professions Code section 26051.5(a)(8), 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."
28. 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).
29. 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.
30. 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.
31. 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
32. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
33. 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 or not 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.
34. 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.
35. 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.

36. 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 Medical Cannabis.
37. 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.

ATTACHMENT 2

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

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

**APN 105-051-009; 16766 on the west side of Mattole Road, approximately 1,100 feet southwest
from the intersection of Mattole Road and Chambers Road, on the property known as 29330
Mattole Road.**

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

August 2021

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 new cannabis operations by establishing regulations for an unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted cultivation operations. The EIR prepared for the CCLUO also established local land use regulations to allow for 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. New commercial cannabis cultivation operations were included in the environmental analysis 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 modified project involves a Special Permit for 23,560 square feet of new dry-farmed full sun outdoor commercial cannabis cultivation, and 20,000 square feet of new light deprivation cultivation. 20,000 square feet of outdoor cultivation utilizing light deprivation will occur in ten (10) 20'x100' (2,000 square feet each) cold frame greenhouses. Full sun outdoor dry-farmed cultivation will occur in twenty-one (21) 4'x200' rows, sixteen (16) 4'x100' rows, and one (1) 4'x90' row, for a total cultivation space of 23,560 square feet. Ancillary propagation will occur in three greenhouses totaling 4,560 square feet. The applicant anticipates there will be two cultivation and harvest cycles occurring annually for the outdoor cultivation utilizing light deprivation techniques, and one harvest cycle occurring annually for the full sun outdoor cultivation.

Water for irrigation will be provided by a proposed rainwater catchment system to fill seventy-two (72) 5,000 gallon water tanks for a total water storage of 360,000 gallons. The applicant anticipates a total of 229,000 gallons of water will be required annually for irrigation (219,000 gallons for the light deprivation cultivation, and 10,000 gallons for the full sun outdoor dry-farmed cultivation).

The applicant submitted a Cultural Resources Investigation in September of 2020. According to the report, two (2) isolated resources and one (1) historic cemetery were located during the survey. The report stated that no resources would be impacted by the project, provided recommendation measures were followed. Recommendations include the inadvertent discovery protocol, and that no project activities occur within 30 feet of the entire base of the discrete geological feature on which a historic cemetery is located. The project is located in the Bear River Band and Sinkyone Aboriginal Ancestral Territories. The project was referred to Northwest Information Center, Bear River Band, and Sinkyone tribe. The Bear River Band Rancheria recommended following the archaeologist mitigation measures, and that a cultural monitor be on site during ground disturbance activities. No response was received from Intertribal Sinkyone Wilderness Council.

The modified project is consistent with the adopted EIR for the CCLUO because it complies with all standards of the CCLUO which were intended to mitigate for impacts of cultivation. These include compliance with noise and light standards to limit disturbance to wildlife, increased water storage to allow for complete forbearance from water diversion during the dry season, and proper storage of fertilizers and soil amendments.

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 effect 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 in 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.

Technical documents utilized in conducting this review included, but are not limited to the following:

- *Cultivation and Operations Plan* prepared by SL Consulting Services Inc., dated June, 2021.
- *Prepared Site Plan*.
- *Biological Reconnaissance Assessment* prepared by Naiad Biological Consulting dated September 2020.
- *Wetland Delineation Report* prepared by Naiad Biological Consulting dated April, 2021.
- *Cultural Resource Investigation* prepared by Archaeological Research and Supply Company dated September 2020.

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

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. (Plot Plans prepared by the agent dated February 2021 – **Attached** with project 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. (Cultivation and Operations Plan prepared by the agent dated June, 2021- **Attached**)
5. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 3. above)
6. Layout of legal parcels contained on APN 105-051-009 (Map for Certificate of Compliance Application- **Attached**)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2019-0001, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Site Management Plan (SMP) prepared by the agent- 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. (Not applicable)
9. If the source of water is a well, a copy of the County well permit, if available. (Not applicable)

10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Not applicable)
11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
14. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
15. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)
16. *Cultural Resource Investigation* prepared by Archaeological Research and Supply Company dated September 2020. (On file)
17. Road Evaluation Form prepared by the applicant dated August 8, 2021 (On file).
18. *Biological Reconnaissance Assessment* prepared by Naiad Biological Consulting dated September 2020. (On file)
19. *Wetland Delineation Report* prepared by Naiad Biological Consulting dated April 2021. (On File)
20. *Botanical Survey* Prepared by Naiad Biological Consulting dated August 2021. (On File)



North Fork Mattole Farms, LLC
Cultivation and Operations Manual
Humboldt County, CA

Cannabis Cultivation Facilities

June 2021

Cultivation and Operations Manual
For
North Fork Mattole Farms

Cannabis Cultivation Facilities
APN No. 105-051-009-000

Lead Agency:

Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

Prepared By:
SL Consulting Services Inc
973 Dowler Dr
Eureka, California 95501

In Consultation with:

North Fork Mattole Farms
29330 Mattole Road
Petrolia, CA 95558

June 2021

AMENDED JULY 2021

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1. Project Summary

1.1. Project Objective

North Fork Mattole Farms is proposing to permit Commercial Cannabis Cultivation Activities in Accordance with the County Of Humboldt Commercial Cannabis Land Use Ordinance (CCLUO). The project is seeking a Special Permit for commercial cannabis cultivation of 23,560 square feet outdoor full sun dry farmed cultivation, 20,000 square feet of outdoor light deprivation greenhouse cultivation with 4,350 square feet of appurtenant nursery facilities in greenhouses. A commercial processing license is also being sought to allow the drying barn to be used for all the licenses on the property instead of developing separate distinct premises as required by CalCannabis as the cultivation operation will have to be broken into multiple smaller licenses at the state level. No on-site trimming is proposed, the processing activity will be limited to hanging, drying and bucking dried cannabis off the stalk into totes for sale to a distributor or transport to a licensed processor. Cultivation will occur outdoors in amended native soil beds using dry farming techniques. A 50'x100' barn will be used for drying and storage. Water will be sourced by rain catchment. 240,000 gallons of hard plastic tank storage with rain catchment of off the barn. Nursery structures will be cold frame structures with supplemental lighting. Blackout tarps will be pulled over the greenhouses when supplemental lighting is in use. Power will be provided by a service from PG&E or a solar array with battery system and generator back up. Up to two harvests per year.

2. Land Use

2.1. Site Description

The Project is located near Petrolia, CA (APN 105-051-009-000) just south of the intersection of Mattole and Old Coast Wagon Roads. The subject parcel is zoned U and is approximately 79.56 total acres in size (per the County of Humboldt's WebGIS). The property is primarily open grazing area, with North Fork Mattole River along the western property boundary. The field has historically been used as a pasture for cattle, and will continue to be used for livestock grazing outside fenced cultivation areas during the cultivation season. Upon harvest, the cultivation area will resume livestock grazing until the next cultivation season.

2.2. State of California Commercial Cannabis Activity License

North Fork Mattole Farms will operate under a California Cultivation license.

2.3. State Water Resources Control Board

Water will be provided by rain catchment and stored in forty eight (48) 5,000gallon water tanks totaling 240,000gallons in water storage. The property will be enrolled under the Waterboard's Cannabis Cultivation general order.

2.4. Cal Fire

The subject property is located within a State Responsibility Area (SRA) for fire protection and SRA requirements have been met. All structures on the property meet the 30-foot SRA setback requirement from property lines.

2.5. California Department of Fish and Wildlife

A Lake and Streambed Alteration Agreement (LSAA) from the Department of Fish and Wildlife (DFW) will be obtained for the subject parcel. Four stream crossings ~~and two diversions~~ will be permitted.

2.6. Cultural Resources

If buried archaeological or historical resources are encountered during construction or cultivation activities, the applicant or contractor shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground stone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.

3. Cultivation and Processing

3.1. Propagation and Initial Transplant

Operator sources clones plants from a licensed nursery. The clones are grown in the nursery greenhouse.

Once the clones are at the right size, they are transplanted into 4” pots within the nursery greenhouse until they are the proper size to plant in the field or flowering greenhouses.

TWO 28'X100' AND ONE 28'X17.5' accessory nursery greenhouses will be placed adjacent to the cultivation field and Barn. String lights will be used with blackout covers for light control to maintain vegetative stage.

3.2. Outdoor Cultivation Plan and Schedule

The cultivation will occur within the cultivation field as outlined in the site plan.

See schedule of operations below.

Proposed Outdoor Cultivation Schedule

| Cultivation Operations Schedule | | | |
|--|---|---------------------------|------------------------------|
| Month | Cultivation Activities | Nursery Activities | Processing Activities |
| January | No activity | No activity | No activity |
| February | No activity | No activity | No activity |
| March | No activity | No activity | No activity |
| April | No activity | Vegging up clones | No activity |
| May | Transplant juveniles to cultivation field/greenhouse | Vegging up clones | No activity |
| June | Transplant juveniles to cultivation field/greenhouse Pulling tarps | Vegging up clones | No activity |
| July | Watering/maintain plants Pulling Tarps | Vegging up clones | No activity |
| August | Harvest and replant greenhouses. Watering/maintain plants/leaf and prune | No activity | Bucking down plants, drying |
| September | Watering/maintain plants/begin harvest | No activity | Bucking down plants, drying |
| October | Harvest | No activity | Bucking down plants, drying |
| November | Field Maintenance/Cover crop | No activity | Bucking down plants, drying |
| December | Field Maintenance/Cover crop | No activity | No activity |

3.3. Irrigation Plan and Schedule

Irrigation and fertigation of plants occurs using drip irrigation and hand watering methods at agronomic rates which conserves water by not allowing excess water runoff. Plants are watered until established and then dry farming techniques are used to reduce water use.

Water is also used for supplemental foliar spraying of pesticides and drip watering of inoculants such as compost tea, beneficial bacterial.

See section 5.1 for water usage estimates.

3.4. Harvesting, Drying, and Trimming

Plants that are ready for harvest have their flowering branches removed and are brought to the drying facility. Once taken to the drying building then hung and suspended in the drying facilities. The drying facilities are equipped with air conditioning and dehumidifiers to ensure proper curing and elimination of conditions for mold. All work surfaces are maintained in a clean and sanitary manner. Contamination prevention protocols are strictly followed within the facilities.

Dried plants are bucked off the stalks and put into totes for transport to an offsite licensed processor or distributor. Waste plant material is composted onsite just outside the cultivation area.

3.5. Processing Facility

Drying will occur at the the proposed 50'x100' barn. No other processing (trimming) will occur onsite.

3.6. Employee Plan

North Fork Mattole Farms 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), and complies with all applicable federal, state and local laws and regulations governing California Agricultural Employers.

- Job Descriptions And Employee Summary

- Agent in Charge: Responsible for business oversight and management of the North Fork Mattole Farms. Responsibilities include, but are not limited to: inventory and tracking, personnel management, record keeping, budget, and liaison with State and County inspectors as needed. This is a part-time to full-time, seasonal position.
- Operations and Compliance Managers: Oversight and management of the day to day cultivation of medical cannabis. Responsibilities include, but are not limited to: plant propagation and transplant, soil management, irrigation, fertilization, pesticide management, and harvest activities. This is a full-time, year-round position.
- Seasonal Laborer: Provides cultivation, harvesting and processing support. This is a part-time to full-time, seasonal position.

3.7. Staffing Requirements

Staffing is limited to two (3) operating partners and (3) part time staff. Approximately twelve (12) seasonal labor positions are utilized during peak operations for a peak of (18) employees onsite.

| Month | Cultivation | Nursery | Harvest/Planting / Processing |
|--------------|--------------------|----------------|--------------------------------------|
| January | - | 0 | 0 |
| February | - | 0 | 0 |
| March | 3 | 1 | 0 |
| April | 3 | 1 | 0 |
| May | 3 | 1 | 12 |
| June | 5 | 1 | |
| July | 3 | 0 | 12 |
| August | 3 | 0 | 0 |
| September | 3 | 0 | 0 |
| October | 6 | 0 | 12 |
| November | 3 | 0 | 0 |
| December | 3 | 0 | 0 |

3.8. Employee Training and Safety

On site cultivation, harvesting, drying and processing is performed by employees trained on each aspect of the procedure including: cultivation and harvesting techniques and use of pruning tools; proper application and storage of pesticides and fertilizers. All cultivation and processing staff are provided with proper hand, eye, body and respiratory Personal Protective Equipment (PPE). Access to the onsite facilities are limited to authorized and trained staff.

All employees are trained on proper safety procedures including fire safety; use of rubber gloves and respirators; proper hand washing guidelines; and protocol in the event of an emergency. Contact information for the local fire department, CAL FIRE, Humboldt County Sheriff and Poison Control as well as the Agent in Charge will be posted at the employee restroom. Each employee is provided with a written copy of emergency procedures and contact information. The material safety data sheets (MSDS) are kept on site and accessible to employees.

3.9. Toilet and Handwashing Facilities

Portable toilets and handwashing stations will be provided.

3.10. Drinking Water Source

Bottled water will be provided and properly disposed of.

3.11. On Site Housing

No on-site housing is provided for employees.

3.12. On Site Parking

See plot plan for parking locations.

4. Security Plan and Hours of Operation

4.1. Facility Security

Entry gates are located at entrances. The entry gates remain locked at all times and access to the cultivation area is limited exclusively to employees. Motion sensors located at access points and any buildings holding drying or processed inventory. The drying facility area has low intensity, downcast and shielded exterior lighting to illuminate the entrances, and will include a small number of motion activated security lights. All lighting will be designed and located so that direct rays are confined to the property. Security cameras and alarm system is installed at entrances to the site.

4.2. Hours of Operation

Activities associated with cultivation in the greenhouses (watering, transplanting, and harvesting) generally occur during daylight hours. All other activities typically occur no earlier than 8 AM and extend no later than 8 PM.

5. Environment

5.1. Water Source and Projected Water Use

Water is sourced from rain catchment.

North Fork Mattole Farms will utilize water management strategies such as drip irrigation and planting in native soil to conserve water use.

The table below outlines the estimated irrigation water usage for cultivation during a typical year. Variables such as weather conditions and specific cannabis strains will have a slight effect on water use. Dry farming techniques are utilized for the full sun operation and the majority of the water is used to water in the plants in May/June. Drip irrigation will be implemented for the light deprivation operation – approximately 11 gallons per square foot of light deprivation canopy is proposed but use of native soil and efficient drip irrigation will likely reduce this demand.

| TABLE 5A ESTIMATED LIGHT DEP ANNUAL IRRIGATION WATER USAGE | | | | | | | | | | | |
|---|-----|-----|------|-------|-------|-------|-------|-------|-------|-----|-----|
| JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC |
| --- | --- | 0 | 5000 | 22500 | 34000 | 45000 | 45000 | 45000 | 22500 | --- | --- |

| TABLE 5B ESTIMATED OUTDOOR ANNUAL IRRIGATION WATER USAGE | | | | | | | | | | | |
|---|-----|-----|-----|------|------|-----|-----|-----|-----|-----|-----|
| JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC |
| --- | --- | 0 | 0 | 5000 | 5000 | 0 | 0 | 0 | 0 | --- | --- |

5.2. Water Storage

Forty eight (48) 5,000gallon water tanks will be located near the cultivation area and ag building. The barns will be guttered to generate sufficient rainfall to supply the tanks and cultivation operation, ~~using the ag well as a supplemental source.~~ 240,000 gallon of water storage are provided.

5.3. Site Drainage, Runoff, and Erosion Control

North Fork Mattole Farms will enroll with the State Water Quality Control Board State general order and a Water Resource Protection Plan (WRPP) will be developed utilizing best management practices (BMP's) in accordance with the NCRWQCB's recommendations.

5.4. Site Drainage and Runoff

The site is mostly flat and has a forested buffer surrounding the property to mitigate runoff. Buffers and setbacks from neighboring drainages are met.

5.5. Erosion Control

North Fork Mattole Farms will utilize best management practices including but not limited to:

- Maintenance of roads, including rocking and armoring.
- Proper management of solid, liquid and cultivation waste (see section 3.8)
- Cultivation facilities and spoil stockpiles will meet all required setbacks from riparian and wetland areas.
- Irrigation and application of fertilizers will be applied at agronomic rates.
- Regulated products will be safely stored with secondary containment (see section 3.7)

5.6. Watershed and Habitat Protection

Adherence to the proposed best management practices ensures that the watershed and surrounding habitat are protected. The cultivation activities and associated structures meet all required setbacks from the nearest watercourse, providing a suitable buffer between the cultivation operation and habitat. Additionally, site development and maintenance activities utilize BMP's in accordance with the NCRWQCB's recommendations. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits.

5.7. Monitoring and Reporting

Monitoring will be conducted to confirm the effectiveness of corrected measures listed in the Water Resource Protection Plan and determine if the site meets all Standard Conditions. Inspections will include photographic documentation of any controllable sediment discharge sites as identified on the site map. Visual inspection will occur at those locations on the site where pollutants or wastes, if uncontained, could be transported into receiving waters, and those locations where runoff from roads or developed areas drains into or towards surface water. The inspection will also document the progress of any plan element subject to a time schedule, or in the process of being implemented.

- Before and after any significant alteration or upgrade to a given stream crossing, road segment, or other controllable sediment discharge site. Inspection should include photographic documentation, with photo records to be kept on site.
- Prior to October 15 and December 15 to evaluate site preparedness for storm events and storm water runoff.
- Following any rainfall event with an intensity of 3 inches precipitation in 24 hours. Precipitation data can be obtained from the National Weather Service by entering the site zip code at <http://www.srh.noaa.gov/forecast>.

A Monitoring and Reporting Form will be submitted upon initial enrollment in the Order and then annually by March 1 to the Water Board. The annual report will include data from the monitoring reports.

5.8. Energy Plan

Power will be provided by PG&E ag service once available. An interim solar and battery system with back up generator will be used in the interim.

5.9. Light Pollution Control Plan

Nursery greenhouses use blackout tarp over the lighted canopy areas whenever supplemental lighting is utilized outside of daylight hours. The project will meet International Dark Sky Standards.

5.10. Best Management Practices

Best Management Practices (BMP's) are employed when storing, handling, mixing, application and disposal of all fertilizers, pesticides and fungicides. All nutrients, pesticides and fungicides are located in a locked storage room, and contained within water tight, locked and labeled containers in accordance with manufacturer's instruction. Application rates will be tracked and reported with the end of the year monitoring report required in the SMP. Employees responsible for application are trained to handle, mix, apply or dispose of pesticides/fungicides with proper hand, eye body and respiratory protection in accordance with the manufacturer's recommendations.

5.11. Fertilizers

Nutrients and biological inoculants used for cultivation and kept on site include:

- Homemade Compost Tea
- up to 200lbs Compost
- Growers Secret (up to 15 gallons each):
 - Liquid Bone Meal
 - Fish Emulsion

Pesticides and fungicides used for cultivation include:

- Plant Therapy (10 gallons)
- Sulfur Powder
- Beauveria bassiana (beneficial fungus)
- QST Subtilis (beneficial bacteria)

Fuels, oils other regulated substances stored on site include:

- Gasoline and diesel, up to 25 gallons of each
- Isopropyl / Ethyl Alcohol – up to 5 Gallons

5.12. Waste Management Plan

Animal-proof trash and recycling containers are located near the greenhouses. Solid waste and recycling is hauled off-site to a transfer station at least once per month.

5.13. Cultivation Waste and Soil Management

Cultivation vegetative matter such as root balls are composted on site. Soil is stored in a designated contained area and reused or disposed of at a licensed transfer facility or landscaping yard for re-amendment and re-sale.

5.14. Materials Management Plan

Waste bins with lids are kept adjacent to cultivation sites and emptied out the day they are filled up or weekly.

Waste materials are stored in a trailer and self-hauled off weekly to a licensed waste transfer station.

5.15. Wastewater Management

Combination of hand watering and drip irrigation methods minimize the over-irrigation of plants and subsequent runoff. Moreover, the greenhouse floors are gravel/dirt and will absorb any excess runoff.

5.16. Storm-water Management Plan

Roads will be armored appropriately.

Rainwater from the roofs will be captured and stored in plastic tanks reducing runoff

Native soil will be utilized and cover cropped to reduce sediment delivery.

6. Product Management

6.1. Product Testing and Labeling

Sampling and labeling is handled by the third party distributor off-site.

6.2. Product Inventory and Tracking

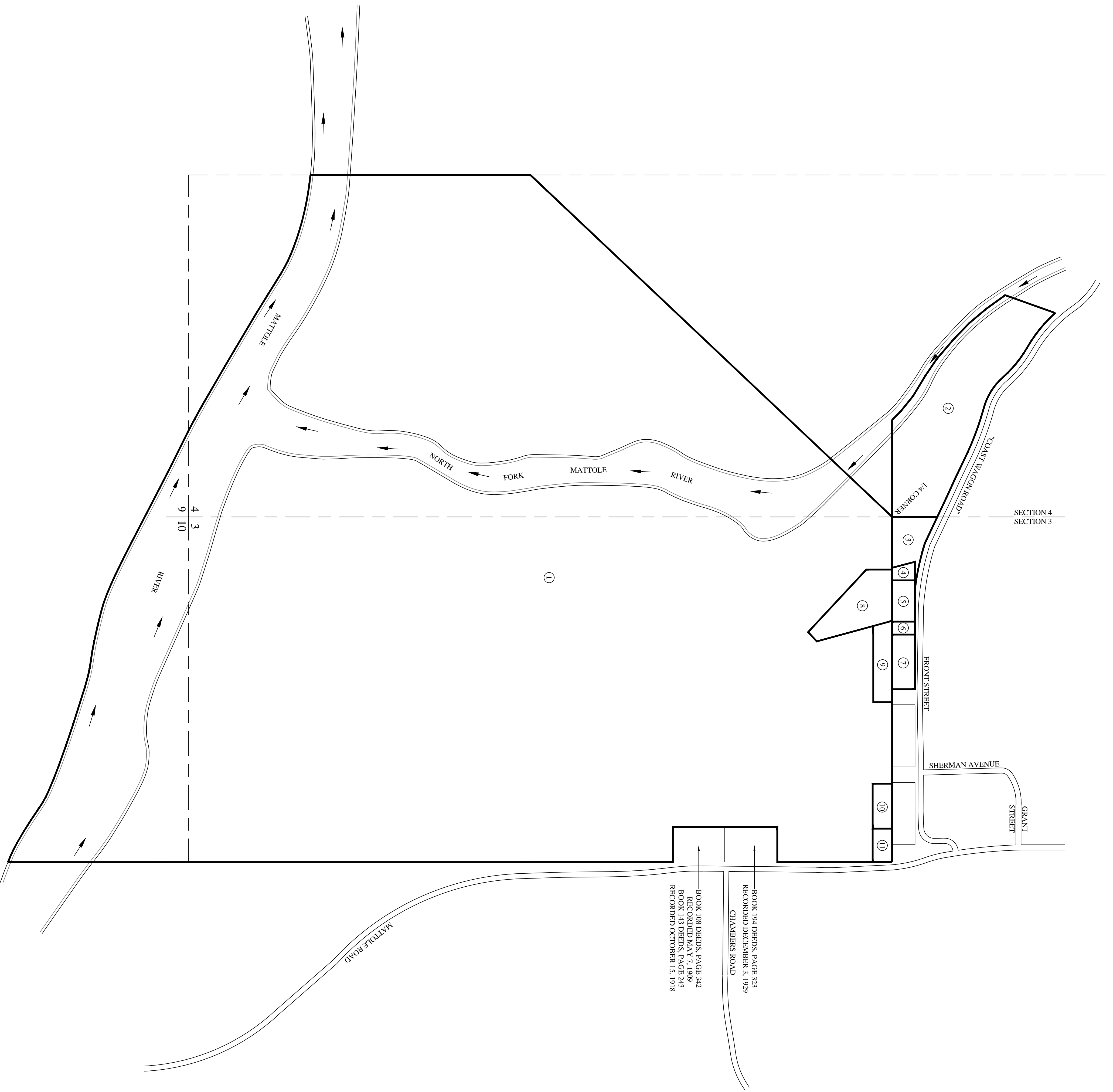
Site will be enrolled with the state METRC track and trace system and utilizes it to manage inventory and tracking.

6.3. Transportation and Distribution

Transportation will be handled by a third-party, contracted, licensed transporter/distributor in accordance with State and Local regulations. All merchantable product will be distributed through licensed medical cannabis dispensaries. Prior to moving packages from the on-site holding facility to another physical location, a transport manifest will be created by the distributor/transporter and will include:

- Product ID numbers and product weight
- Route to be travelled
- Origin and destination address
- Time of departure
- Time of arrival

The Agent in Charge and the Cultivation Manager are responsible for performing a physical inventory of all packages being transported, and ensuring that the physical inventory coincides with the transport manifest.



BOOK 194 DEEDS, PAGE 232
RECORDED DECEMBER 3, 1929

CHAMBERS ROAD

BOOK 108 DEEDS, PAGE 342
RECORDED MAY 7, 1909

BOOK 143 DEEDS, PAGE 243
RECORDED OCTOBER 15, 1918

| PARCEL | CREATION DOCUMENT | RECORDING DATE |
|--------|---|--------------------|
| ① | BOOK 459 O.R., PAGE 103 - PARCEL IV | SEPTEMBER 12, 1957 |
| ② | REMNANT PARCEL FROM SEVERAL DEEDS THAT WERE RECORDED IN BOOK 848 O.R., PAGE 455 (PARCEL II) AND IN QUIET TITLE JUDGMENT RECORDED IN BOOK 1047 O.R., PAGE 411 (PARCEL 05D) | AUGUST 18, 1965 |
| ③ | BOOK 24 DEEDS, PAGE 232 (EXCEPTING 61 DEEDS, PAGE 57) - ALSO DESCRIBED AS PARCEL II IN BOOK 848 O.R., PAGE 455 | NOVEMBER 11, 1887 |
| ④ | BOOK 43 DEEDS, PAGE 621 | OCTOBER 6, 1892 |
| ⑤ | BOOK 61 DEEDS, PAGE 87 | SEPTEMBER 8, 1897 |
| ⑥ | BOOK 12 DEEDS, PAGE 515 | MARCH 17, 1884 |
| ⑦ | BOOK 12 DEEDS, PAGE 315 | FEBRUARY 27, 1884 |
| ⑧ | BOOK 7 DEEDS, PAGE 552 | FEBRUARY 1, 1883 |
| ⑨ | BOOK 12 DEEDS, PAGE 770 | APRIL 12, 1884 |
| ⑩ | BOOK 75 DEEDS, PAGE 451 | APRIL 29, 1901 |
| ⑪ | BOOK 56 DEEDS, PAGE 431 | NOVEMBER 24, 1896 |

NOTES

1. THE PURPOSE OF THIS MAP IS TO ILLUSTRATE PARCELS FOR A CERTIFICATE OF COMPLIANCE APPLICATION SUBMITTED TO THE HUMBOLDT COUNTY PLANNING DEPARTMENT.
2. THIS MAP HAS BEEN PREPARED BASED ON RECORDED PATENTS AND DEEDS AND IS NOT BASED ON A FIELD SURVEY.

**MAP FOR CERTIFICATE
OF COMPLIANCE APPLICATION**

NORTH FORK MATTOLE RANCH LLC

FOR

IN

SECTIONS 3 & 4 T2S, R2W, HUMBOLDT MERIDIAN
IN THE UNINCORPORATED AREA OF HUMBOLDT COUNTY
JULY 2021 SCALE 1" = 200'

SURVEYOR/AGENT:
KELLY-O'HEARN ASSOCIATES
ATTN: MICHAEL O'HEARN
5340 MOORE AVENUE
EMERYVILLE, CA 94550
(707) 948-2285

OWNER/APPLICANT:
NORTH FORK MATTOLE RANCH LLC
C/O BEN BROWN
P.O. BOX 198
EMERYVILLE, CA 94558
(707) 939-2269

HUMBOLDT COUNTY
STATE OF CALIFORNIA
KELLY-O'HEARN ASSOCIATES
EUREKA, CALIFORNIA

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

| Referral Agency | Response | Recommendation | Location |
|--|-----------------|-----------------------|--------------------------|
| Building Inspection Division | | No Response | |
| Division Environmental Health | ✓ | Conditional Approval | Attached |
| Public Works, Land Use Division | ✓ | Conditional Approval | Attached |
| California Department of Fish & Wildlife | | No Response | |
| Northwest Information Center | ✓ | Comments | On file and confidential |
| Bear River Band Rancheria | ✓ | Conditional Approval | On file and confidential |
| Ag Commissioner | | No Response | |
| Intertribal Sinkyone Wilderness Council | | No Response | |
| Regional Water Quality Control Board | | No Response | |
| PG&E | ✓ | Comments | Attached |
| County Counsel | | No Response | |
| District Attorney | | No Response | |
| Sheriff | ✓ | Approved | |
| Petrolia Fire Protection District | ✓ | Conditional Approval | Attached |
| Mattole Unified School District | | No Response | |
| Division of Water Rights | | No Response | |
| North Coast Unified AQMD | | No Response | |

- Summary
- Project Description
- Workflow
- 1 Referral Assignments
- 2 Planning Information
- 3 GP / Zoning Information
- 4 CEQA
- 5 Cannabis
- Project Tracking
- 6 Referral Task Log (2)
- Fee (9)
- Payment
- Workflow History (17)**
- Comments (1)

1 A notice was added to this record on 2021.08.25.
 Condition: Parcel Status : 105-051-009 LP 1M Severy - Notice
 Total conditions: 1 (Notice: 1)

[View notice](#)

| Task | Due Date | Assigned Date | Status | Approved with Conditions | Comments |
|---|--|--|---|-----------------------------|---|
| Environmental Health | 07/22/2021 | 06/17/2021 | Assigned to Department Environmental Health | Assigned to Joey Whittlesey | Seasonal cultivation without processing may use portable toilets to serve the operation. Permittee shall provide portable toilet(s) to cultivation areas, meeting appropriate setbacks per Humboldt County Code, or install a permitted onsite wastewater treatment system associated with a permitted structure. |
| Action by Department Environmental Health | End Time | Status Date | Action By | Approved with Conditions | |
| | End Time | 07/12/2021 | Joey Whittlesey | | |
| Billable | OverTime | Hours Spent | | | |
| No | No | 0.0 | | | |
| Time Tracking Start Date | Est. Completion Date | In Possession Time (hrs) | | | |
| Display Email/Address in ACA | <input checked="" type="checkbox"/> Display Comment in ACA | <input checked="" type="checkbox"/> Comment Display in ACA | | | |
| No | | <input checked="" type="checkbox"/> All ACA Users | | | |
| | | <input checked="" type="checkbox"/> Record Creator | | | |
| | | <input checked="" type="checkbox"/> Licensed Professional | | | |
| | | <input checked="" type="checkbox"/> Contact | | | |
| | | <input checked="" type="checkbox"/> Owner | | | |
| Estimated Hours | Action | Workflow Calendar | | | |
| 0.0 | Updated | Workflow Blockout | | | |



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T
 MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
 AREA CODE 707

ON-LINE
 WEB: CO.HUMBOLDT.CA.US

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


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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Michael Holterman, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer 

DATE: 06/23/2021

| | | |
|------------|-----------------------|-------------------------------------|
| RE: | Applicant Name | NORTH FORK MATTOLE FARMS LLC |
| | APN | 105-051-009 |
| | APPS# | PLN-2020-16766-CUP |

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

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

Note: Prior to requesting an applicant to submit a road evaluation report, verify if the project is exempt from meeting road system performance standards under CCLUO v2.0 sections 313-55.4.6.5.1 and 314-55.4.6.5.1, even if this box is checked.

No re-refer is required.

*Note: Exhibits are attached as necessary.

Additional comments/notes:

]

// END //

Public Works Recommended Conditions of Approval

(All checked boxes apply)

COUNTY ROADS- PROXIMITY OF FARMS:

Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.

COUNTY ROADS- FENCES & ENCROACHMENTS:

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

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

COUNTY ROADS- DRIVEWAY (PART 1):

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

COUNTY ROADS- DRIVEWAY (PART 2):

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

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

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

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

COUNTY ROADS- DRIVEWAY (PART 3):

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

COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:

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

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

COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:

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

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

COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD)

Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. Applicant must apply for and obtain an encroachment permit from the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing intersection culverts; minimum size is typically 18 inches.

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

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

COUNTY ROADS- ROAD EVALUATION REPORT(S):

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

// END //



July 9, 2021



County of Humboldt
Planning Division
3015 H St
Eureka, CA 95501

Re: PLN-2020-16766

Dear Humboldt Planning Clerk,

Thank you for providing PG&E the opportunity to review your proposed plans for PLN-2020-16766 dated 6/23/2021. Our review indicates your proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

If you require PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING
 3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7245

6/17/2021

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, FPD: Petrolia, RWQCB, NCUAQMD, School District: Mattole Unified, Cal Fish & Wildlife, CA Division of Water Rights, Bear River Band, Intertribal Sinkyone Wilderness Council, NWIC, PGE

Applicant Name North Fork Mattole Farms LLC Key Parcel Number 105-051-009-000

Application (APPS#) PLN-2020-16766 Assigned Planner Michael Holterman

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

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

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

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

Return Response No Later Than: 7/2/2021

Planning Clerk
 County of Humboldt Planning and Building Department
 3015 H Street
 Eureka, CA 95501
 Email: PlanningClerk@co.humboldt.ca.us Fax: (707) 269 - 3792

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

- Recommend Approval. The department has no comment at this time.
- Recommend Conditional Approval. Suggested conditions attached.
- Applicant needs to submit additional information. List of items attached.
- Recommend Denial. Attach reasons for recommended denial.

Other Comments:

*Requesting water source for fire plumbed
 at 2.5" (minimum) national hose thread and sufficient
 access for emergency vehicles*

DATE: ~~6-17-21~~
 6-30-21

PRINT NAME: Travis Howe
Fire Chief



ATTACHMENT 5
PUBLIC COMMENT

Re: North Fork Mattole Farms, LLC: Petrolia Area, Record Number PLN-2020-16766

Holtermann, Michael <mholtermann@co.humboldt.ca.us>

Thu 9/9/2021 10:46 AM

To: Michael Evenson <evenson@igc.org>

📎 1 attachments (214 KB)

16766 Updated Site Plan 7.23.21.pdf

Good morning Michael,

Attached is the Site Plan for the project.

Regarding the rainwater catchment system, the applicant is proposing to have the storage tanks themselves collect rainwater, as well as two existing structures. One structure is on the parcel, and the other structure (roughly 1,200 square feet in area) is on an adjacent parcel under the same ownership (APN 105-193-001). The applicant is conditioned to obtain an easement prior to use of the structure on the neighboring parcel.

I hope this information is helpful, and if you have any further questions, please do not hesitate to contact me.

Best,



Michael Holtermann

Planner - Cannabis Services Division

[Planning and Building Department](#)

(707) 445-7541

3015 H Street | Eureka, CA 95501

Email: mholtermann@co.humboldt.ca.us

From: Michael Evenson <evenson@igc.org>

Sent: Wednesday, September 8, 2021 5:34 PM

To: Holtermann, Michael <mholtermann@co.humboldt.ca.us>

Subject: North Fork Mattole Farms, LLC: Petrolia Area, Record Number PLN-2020-16766

Can you send me maps (plot plan for cultivation/buildings/etc) on file for the **North Fork Mattole Farms, LLC**; Petrolia Area, Record Number PLN-2020-16766?

Please also include description of facilities for collecting rainwater

I'm in favor of dry farm techniques and hope they are successful.

Thanks,
Michael

Public Comment

The project has received public comment, with concerns raised and addressed in the table below.

| | |
|---|---|
| Will the project use fans? | Yes. |
| Who monitors noise levels? | Ambient noise levels are listed in the staff report and are kept on file. Noise levels may not exceed 3 decibels above recorded ambient noise. Noise levels are measured at annual compliance inspections, and additionally if the County receives complaints from the public regarding noise. |
| When will PG&E be available? Is PG&E power available? | It is unclear if and when PG&E power will be available, however the applicant proposes to use solar power until PG&E power can be obtained. In the event that PG&E power is unavailable the applicant proposes to utilize solar power for the project. |
| The applicant should wait to cultivate until solar and PG&E are both in place, so no generators are required. | |
| Is 360,000 gallons enough water storage for the project? | The applicant expects an annual water use of 229,000 gallons. 360,000 gallons of water storage exceeds the estimated water requirements by over 140,000 gallons. |
| How will the applicant catch rainwater? | The applicant proposes rainwater catchment systems on two existing structures, one on-site, and the other on a neighboring parcel under the same ownership. |
| If there is a drought how will the applicant obtain water? Will they pump from a well/river? | The applicant expects the rainwater catchment system to supply 250,160 gallons of water in a low precipitation year, and 381,000 gallons of water in a high precipitation year. If sufficient water for cultivation is not available in a drought year the applicant will not be permitted to obtain water from an alternate source, including a well or surface water feature. |
| Does dry farming mean no water use? | Dry farming does not entail no water use, however very little water is required. The applicant expects to use 10,000 gallons of water annually for the full sun dry farmed cannabis. |
| Do workers live on-site? | No. |
| Will trucks be hauling soil to the site? Will this impact Old Coast Wagon Road? | Soil will not be trucked on to site, amendments will be added to the native soil. The project was referred to public works and has been verified to be a Category 4 equivalent road. The applicant will be on Old Coast Wagon Road for less than 100 feet before accessing the property. Access to the property will be setback sufficiently from the County Road so that vehicles will not block traffic when staging to open/close the gate. No significant traffic impacts are expected. |

| | |
|---|---|
| <p>Will light pollution result from this project? Who will monitor light pollution?</p> | <p>Light pollution will not result from this project, as the only light sources proposed would be from propagation spaces and the drying barn. All lights will adhere to International Dark Sky Association Standards as set forth in the CCLUO. Light shielding will be inspected during annual inspections, and additionally if the County receives complaints from the public regarding light pollution.</p> |
| <p>How close will the project be to neighboring residences and the school?</p> | <p>The project is roughly 900 feet from the school, exceeding the required 600-foot setback. The project also meets setbacks to neighboring residences, and has obtained written consent from neighboring property owners to waive the required setbacks to residences in cases where the project is within 300 feet of a residence on a neighboring parcel.</p> |
| <p>Will a wall be installed to block cultivation visibility to the public?</p> | <p>The applicant has not proposed to install a wall to block visibility to the public.</p> |
| | |

Public Comment and Concerns

Holtermann, Michael <mholtermann@co.humboldt.ca.us>

Tue 9/7/2021 4:46 PM

To: bushmanlives@hotmail.com <bushmanlives@hotmail.com>

📎 1 attachments (4 MB)

Resolution 18-43 Countywide Permit Cap (PDF).pdf

Good afternoon Robert,

Regarding our phone conversation earlier today, I would like to address the concerns you had expressed. Your questions included whether the County has an overall limit on water use in a watershed, how much water use has already been permitted, updating water use for permitted projects based on annual precipitation, and whether there were appropriate measures in place to ensure permitted projects comply with the conditions of approval related to their projects.

To my knowledge the County does not have an overall limit on water use in a watershed, however the County does have a limit on the total acreage and number of permits that can be permitted in a watershed. There are also special restrictions for impacted watersheds. These limitations are outlined in an attached document (resolution 18-43).

I do not know the amount of total water use currently permitted for a given watershed, however all permitted cannabis projects have information available online that is accessible to the public. Humboldt County Web GIS is a good resource, as well as Accela. Please follow this link <https://aca-prod.accela.com/humboldt/Default.aspx> to view any pertinent information regarding a project in Accela. The citizen access does not require a login and is free to the public.

Accela Citizen Access

Welcome to the Citizen Portal. We are pleased to offer our citizens, businesses, and visitors access to government services online, 24 hours a day, 7 days a week.

aca-prod.accela.com

Regarding updating water use for permitted projects based on annual precipitation, the county has created a Drought Task Force that is consulting with a licensed hydrogeologist to look at the existing uses and potential water impacts and policy changes, but that effort is just beginning.

Regarding project compliance with their conditions of approval, the County has an entire team of inspectors whose only job is to inspect permitted farms with a goal to have post approval inspections for each permitted project at least once a year, although if the County receives complaints further inspections can be warranted to ensure compliance.

I sincerely hope I was able to help address your concerns. If you have any further questions or concerns, please contact the Supervising Planner Cliff Johnson, as he is better equipped to answer questions regarding policy concerns.

Best,



Michael Holtermann
Planner - Cannabis Services Division
[Planning and Building Department](#)
(707) 445-7541
3015 H Street | Eureka, CA 95501
Email: mholtermann@co.humboldt.ca.us

From: richard.scheinman
To: [Planning Clerk](#)
Subject: pln 2020 16766
Date: Saturday, September 04, 2021 11:25:30 AM

**richard
scheinman** <drfun9@gmail.com>

8:48 AM (2 hours ago)



to [planningclerk](#)

Comment on marijuana grow at North Fork Farms LLC Record number PLN-2020-16766 apn 105051009. hearing date is sept 16.

I have several points to make about this project based on their proposal you sent me and believe you/they must address them.

Noise,. Noise is a big concern for m. it comes from motors-fans. Are they going to use fans? Who will monitor noise levels?

Power. Solar is good. Pge - they have planned back up generator for solar until pgs comes in. when will pge come in? Is that certain? Pumps are loud. Generators are loud. They should wait until they have pge backup.

Water. Is 360k gallons enough for this project? How are they going to 'catch' water in winter. What happens when it;s a drought? Will they pump? From wells? From the river? What;s plan B for water. It should be to limit number of plants to the available caught water - by a certain cut off date. april 1 maybe. My well is sketchy in late september as it is. Does 'dry farming' really mean no water use? After what date?

Workers - are they living on site?

Smell and noise - How close to the road and residences is this going to be? How close to the school?

Are they going to put up a big wall to block views?

Traffic - are big trucks going to haul in soil from afar? will this impact old coast wagon road?

Light pollution - will this impact night sky? Who will monitor this?

I don't have a problem with the outdoor plan if it is set back well from the road. The light dep greenhouses have fans, motors, lots of plastic, can have light impacts. They have to be done very carefully and monitored. I would prefer they not be done at all.

Thank you.

**Richard Scheinman
PO box 49
Petrolia, CA
95558**

My clinic is located across the street from this proposal.

From: [Ruth Park](#)
To: [Planning Clerk](#); [Ruth Park](#); [Tricia Gonzales](#); [Karen Sacchi](#)
Subject: Re: AT&T cell tower Parcel number 505-151-006 Record number PLN-2020-1675
Date: Friday, August 27, 2021 1:00:53 PM

I understand that the cell tower needs to be built about 20 feet higher. I am in favor of this to provide the best tower service for everyone.

Ruth Park
17515 Field Row Trail
Hockley, Tx. 77447

On Friday, July 30, 2021, 02:24:30 PM CDT, Ruth Park <ruthpark49@yahoo.com> wrote:

Parcel number 505-151-006
Record number PLN-2020-1675

I have been an AT&T customer most of my life and I am 72 years old. I grew up with AT&T in Ruston, La. when they had telephone operators! Even though the service of then was a lot more antiquated than today it worked. Today we need a good cell tower to assist with the life style and needs of our current world. I worked 47 years with computers and in the past 25 years we have certainly needed the phone service to assist with the variance of the job market and the diversity of the world. I have had to use other services in parts of the country and they do not provide the service that one needs or desires.

I live in Houston, Texas and the AT&T service is excellent! I have family and friends in northern California and many times when I call the service does not work correctly. It would be wonderful if the AT&T cell tower could be installed and start working for not only the people of Northern California, but the people that call from many locations and desire better service.

Please approve the tower....

Ruth Park
17515 Field Row Trail
Hockley, Tx. 77447