



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CURRENT PLANNING DIVISION**

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

Hearing Date: November 4, 2021

To: Humboldt County Zoning Administrator

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

Subject: **John Mahony Special Permit**  
Record Number PLN-13137-SP  
Assessor's Parcel Number (APN) 216-107-007  
2343 Lauffer Road, Blue Lake

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Please contact Jordan Mayor, Assigned Contract Planner, at 707-683-4711 or by email at [jordan.mayor@icf.com](mailto:jordan.mayor@icf.com), if you have any questions about the scheduled public hearing item.



## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
November 4, 2021	Special Permit	Jordan Mayor

**Project Description:** John Mahony seeks a Special Permit for 6,300 square feet (SF) of existing outdoor cannabis cultivation grown in raised beds with ancillary support and processing activities on the 76-acre parcel. Water for irrigation is sourced from an existing onsite well drawing water from depths of 120 to 230 feet. Total water storage equals 72,000 gallons in 24 3,000-gallon hard plastic tanks. Estimated annual water usage is 61,950 gallons (9.8 gallons/SF/year) during an 8-month-long growing season. Processing, including drying and trimming, occurs onsite in the attached garage of an existing 3,220-SF. Electricity is provided by Pacific Gas and Electric Company and emergency use generators are stored in an enclosed shed.

**Project Location:** The project is in Humboldt County, in the New Harris area, on the east side of Laufer Road, approximately 2.3 miles north from the intersection of Island Mountain Road and Laufer Road, on the property known as 2343 Laufer Road. (APN: 216-107-007).

**Present Plan Land Use Designations:** Residential Agriculture (RA60), Density: 60 acres per dwelling unit, Slope Stability: High instability (3)

**Present Zoning:** Agriculture Exclusive (AE)

**Record Number:** PLN-13137-SP

**Assessor's Parcel Number:** 216-107-007

**Applicant**

John Mahony  
PO Box 166  
Redway, CA 95560

**Owner**

John & Jacqueline Mahony  
PO Box 166  
Redway, CA 95560

**Agent**

Timberland Resource  
Consultants  
165 S Fortuna Blvd  
Fortuna, CA 95540

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

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

**Major Issues:** None



**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 Mitigated Negative Declaration (MND) for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State California Environmental Quality Act (CEQA) Guidelines, make all the required findings for approval of the Special Permit, and adopt the Resolution approving the John Mahony Special Permit as recommended by staff subject to the recommended conditions.*

**Executive Summary:** John Mahony seeks a Special Permit to allow the continued operation of an existing 6,300-square-foot (SF) outdoor cannabis cultivation operation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, CMMLUO. The 76-acre parcel is designated Residential Agriculture (RA60) in the Humboldt County General Plan and zoned Agriculture Exclusive (AE). Cultivation takes place in one raised bed outdoor garden area with slopes less than 15 percent. One harvest is anticipated annually for a growing season that extends from March through October.

Plants are harvested at peak ripeness and immediately transferred to the drying facility (garage) where they are hung to dry and undergo processing. Natural air flow may be supplemented with household fans and dehumidifiers to aid the drying process. All processing of harvested product is done by family members on the property with no additional employees. No supplemental lighting is used. Electricity is provided by Pacific Gas and Electric Company and emergency use generators are stored in an enclosed shed. No employees are proposed. The residence contains a permitted sewage disposal system (10/11-0624). Site security is achieved through use of locked gates preventing access into the property. Cultivation areas are fenced, and the premises are normally occupied and not left unattended.

**Water Resources**

Water for irrigation is provided by an existing permitted well (19/20-0503) drawing water at an estimated rate of 30 gallons-per-minute from depths of 120 to 230 feet (Attachment 3) and onsite storage. The well is also registered with the California Department of Water Resources (WCR2020-005728). Existing onsite water storage consists of 24 poly-plastic tanks each having 3,000-gallon storage capacity for a total of 72,000 gallons of water storage. Estimated annual water usage is 61,950 gallons (9.8 gallons/SF/year) with peak demand occurring between August and September at approximately 13,650 gallons per month. A Lake and Streambed Alteration Agreement (LSAA) was submitted to the California Department of Fish and Wildlife (CDFW) (Attachment 3) in April 2019 for two water diversion wells (one, now discontinued, is on a neighboring parcel owned by the same applicant). In a letter from CDFW dated August 14, 2019, CDFW concluded that the "Department did not meet that [response] date. As a result, by law, you may now complete the project described in your notification without an Agreement." The Site Management Plan (SMP) prepared for the project included a wet area fed by two ephemeral drainages and some headwaters of seasonal drainages that flow south off of the parcel. Two water tanks were identified as within the 50-foot setback from an ephemeral stream flowing into a wetland area and these have been relocated..

The SMP (Attachment 3) (WDID - 1\_12CC415251) was prepared by Timberland Resource Consultants in February 2020 pursuant to the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy, in congruence with Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities. The SMP was prepared under a Tier 1, Low Risk designation for parcel APNs 216-107-006 and 216-107-007. The SMP includes Best Practicable



Treatment or Control measures and an Implementation Schedule to achieve compliance that are made conditions of approval (COA #9).

### **Biological Resources**

There are no mapped sensitive species onsite. CDFW's project referral comments dated April 30, 2019 requested that their standard conditions of project approval be included, which have been incorporated in the conditions of approval. A Biological Assessment was not prepared for the project and while there is the potential for some sensitive and protected species to be present onsite, the proposed project is to continue use of existing developed sites and the potential indirect impacts are mitigated through implementation of best management practices, the SMP required by the SWRCB, and the recommend measures in the CDFW LSAA response. Therefore, expected daily activities will not produce noise levels great enough to affect northern spotted owl.

The project is conditioned to adhere to Dark Sky Association standards for propagation greenhouse lighting and security lighting, refrain from using synthetic netting, ensure refuse is contained in wildlife-proof storage and refrain from using anticoagulant rodenticides to further protect wildlife. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively affect northern spotted owl or other sensitive species.

### **Tribal Cultural Resources Coordination**

The project was referred to the Northwest Information Center in June 2018. A Cultural Resources Investigation was prepared for the project in March 2019 by Archaeological Research and Supply Company. The study concluded that if "mitigation measures are followed, this project will not affect the site or other cultural resources." Ongoing conditions of approval are incorporated regarding the Inadvertent Discoveries Protocol to protect cultural resources.

### **Access**

From Garberville, the site is 22.7 miles east on Alderpoint Road to Bell Springs Road, left onto Island Mountain Road, left onto Road C (optional route), then left onto Lauffer Road to 2343 Lauffer Road. Road Evaluation Reports were prepared by Omsberg & Preston Engineers for Island Mountain Road, Road C, and Lauffer Road (Attachment 3), which indicate that each road is maintained to the equivalent of a road Category 4 standard. Public Works' recommendations to ensure all fences and gates be relocated out of the County right-of-way and if the County-maintained road (Lauffer 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. This is made a condition of approval (COA #11).

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted MND that was adopted for the CMMLUO and has prepared an addendum to this document for consideration by the Zoning Administrator (See Attachment 2 for more information).

**RECOMMENDATION:** Based on a review of Planning Division reference sources and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all the required findings for approval of the Special Permit.

**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-13137-SP  
Assessor's Parcel Number: 216-107-007**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act (CEQA) and conditionally approves the John Mahony Special Permit.**

**WHEREAS, John Mahony**, submitted an application and evidence in support of approving a Special Permit for the continued operation of an existing 6,300-square-foot (SF) outdoor cannabis cultivation operation with appurtenant propagation and drying activities;

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

**WHEREAS**, the Humboldt County Zoning Administrator held a duly noticed public hearing on November 4, 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:** A Special Permit for 6,300 square feet (SF) of existing outdoor cannabis cultivation grown in raised beds with ancillary support and processing activities on the 76-acre parcel. Water for irrigation is sourced from an existing onsite well drawing water from depths of 120 to 230 feet. Total water storage equals 72,000 gallons in 24 3,000-gallon hard plastic tanks. Estimated annual water usage is 61,950 gallons (9.8 gallons/SF/year) during an 8-month-long growing season. Processing, including drying and trimming, occurs onsite in the attached garage of an existing 3,220-SF. Electricity is provided by Pacific Gas and Electric Company and emergency use generators are stored in an enclosed shed.

**EVIDENCE:**                      a) Project File: PLN-13137-SP

- 2. FINDING:**                      **CEQA.** The requirements of CEQA have been complied with. The Humboldt County Zoning Administrator has considered the Addendum to the MND prepared for CMMLUO adopted by the Humboldt County Board of Supervisors on January 26, 2016.

**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 MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines

c) Road Evaluation Reports were prepared by the applicant for Island Mountain Road, Road C, and Laufer Road (Attachment 3), which indicate that each road is maintained to the equivalent of a road Category 4



standard. Public Works' recommendations to ensure all fences and gates be relocated out of the County right-of-way and 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, and is made a condition of approval.

### **FINDINGS FOR SPECIAL PERMIT**

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

**EVIDENCE** a) General agriculture is a use type permitted in the Residential Agriculture (RA) 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 Agriculture Exclusive (AE-Zone) in which the site is located.

**EVIDENCE** a) The AE-Zone is applied to areas of the county in which general agriculture uses are the desirable predominant uses.  
b) All general agricultural uses are principally permitted in the AE-Zone.  
c) Humboldt County Code Section 314-55.4.8.2.2 allows cultivation of up to 10,000 SF of existing outdoor cannabis and up to 10,000 SF of existing mixed-light cannabis on a parcel over 1 acre subject to approval of a Special Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 6,300 SF outdoor cultivation on a 76-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

- 5. FINDING** The proposed development is consistent with the requirements of the CMMLUO Provisions of the Zoning Ordinance.

**EVIDENCE** a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned AE (Humboldt County Code Section 314-55.4.8.2.2).  
b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration by deed recorded June 2008.  
c) The project will obtain water from a non-diversionary water source, an existing onsite well drawing water from depths of 120 to 230 feet.  
d) Road Evaluation Reports were completed by the applicant in April 2018. The Evaluations addressed Island Mountain Road, Road C, and Lauffer Road, which indicate that each road is maintained to the equivalent of a road Category 4 standard and were found to be functionally appropriate for the expected traffic. Public Works' recommendations to ensure all fences and gates be relocated out of the County right-of-way and 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. This



is made a condition of approval.

- e) The slope of the land where cannabis will be cultivated is less than 15%.
- f) The cultivation of cannabis will not result in the net conversion of timberland.
- g) 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 and more than 600 feet from any school, church, public park, or tribal cultural resource.

**6. FINDING**

The cultivation of 6,300 SF of cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

**EVIDENCE**

- a) The site is located on a road that has been determined by the applicant to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a remote, rural part of the county where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sizes in the area.
- c) Irrigation water will come from a groundwater well that has been permitted by the Division of Environmental Health. Domestic wastewater is disposed of through a permitted septic system which serves the residence on the property.
- d) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

**7. FINDING**

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

**EVIDENCE**

- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. 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 John Mahony, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on November 4, 2021

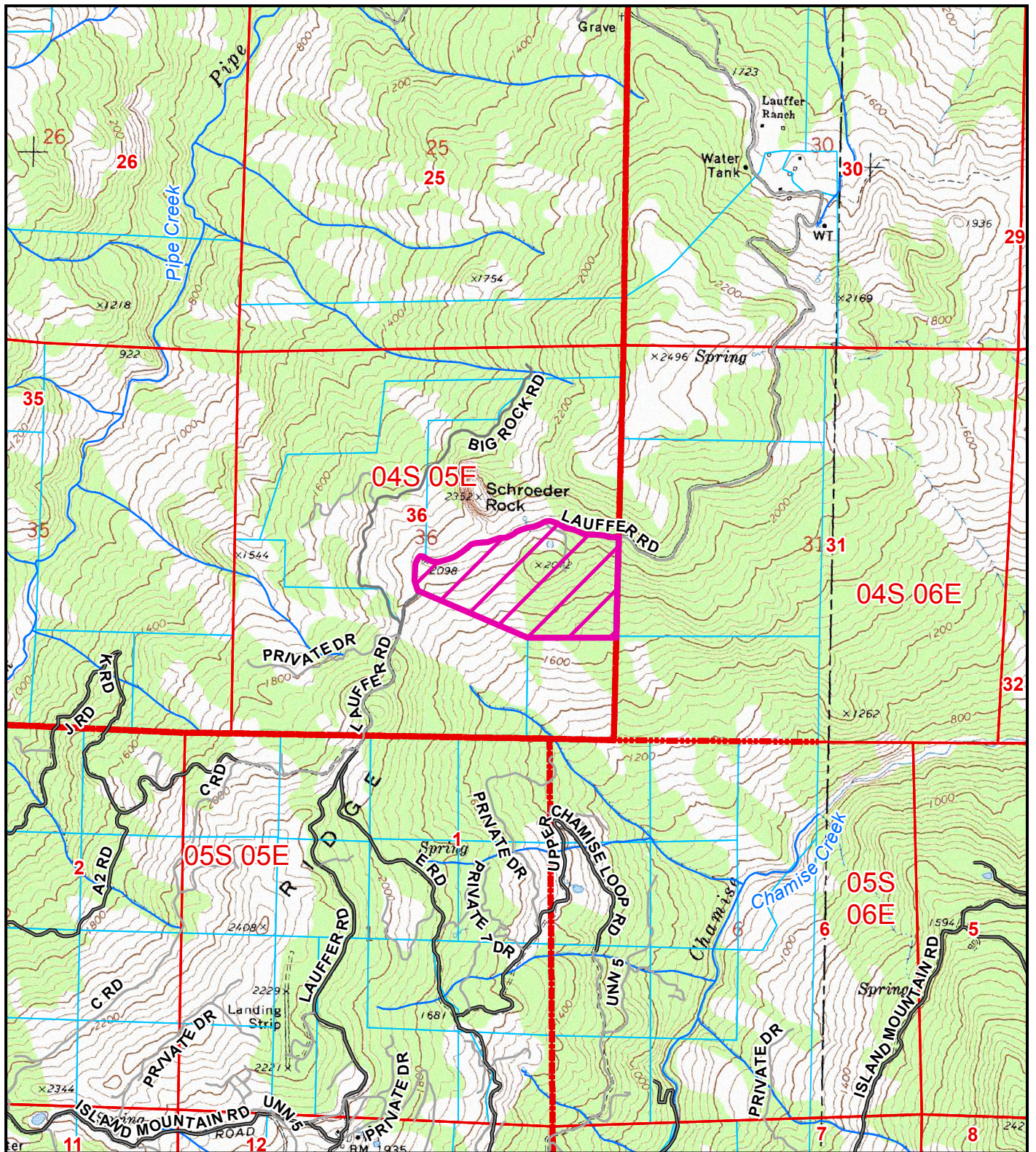
### DECISION:

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

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John Ford, Director  
Planning and Building Department





**TOPO MAP**  
**PROPOSED JOHN MAHONY**  
**NEW HARRIS AREA**  
**SP-16-784**  
**APN: 216-107-007-000**  
**T04S R05E S36 HB&M (JEWETT ROCK)**

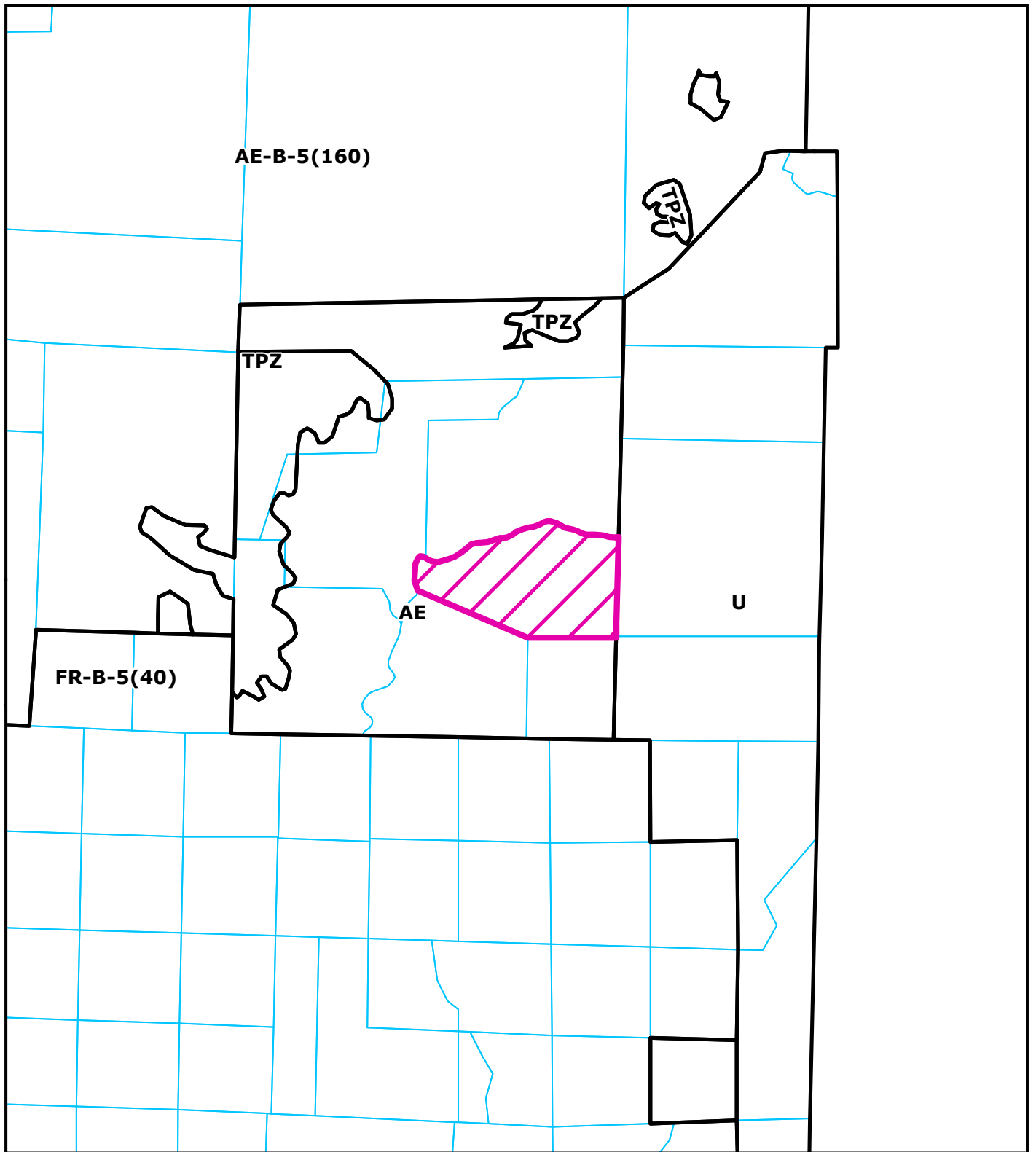
Project Area = 

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

0 1,000 2,000 4,000 Feet







Project Area = 

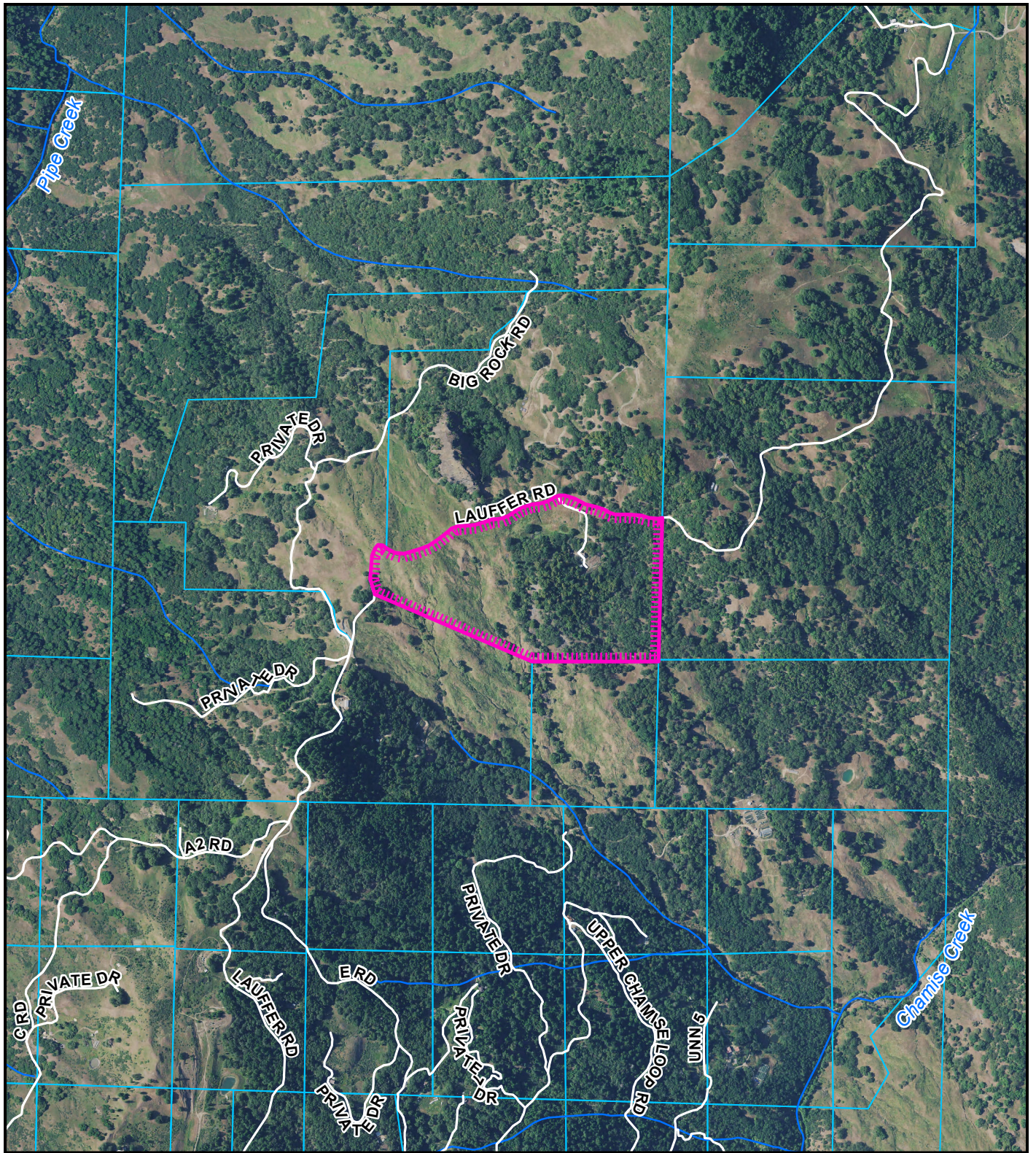
**ZONING MAP**  
**PROPOSED JOHN MAHONY**  
**NEW HARRIS AREA**  
**SP-16-784**  
**APN: 216-107-007-000**  
**T04S R05E S36 HB&M (JEWETT ROCK)**

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0 1,000 2,000 4,000 Feet



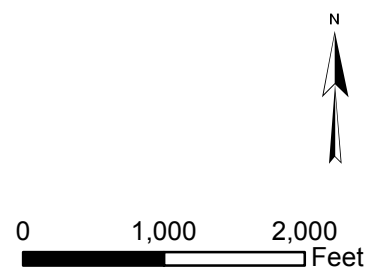




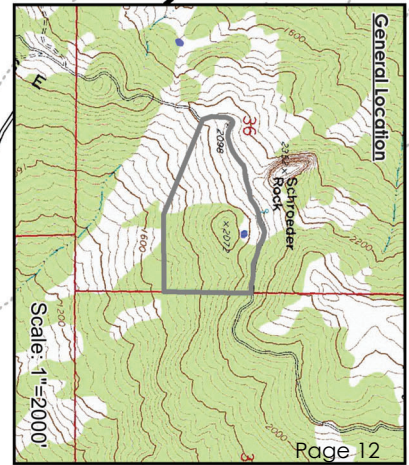
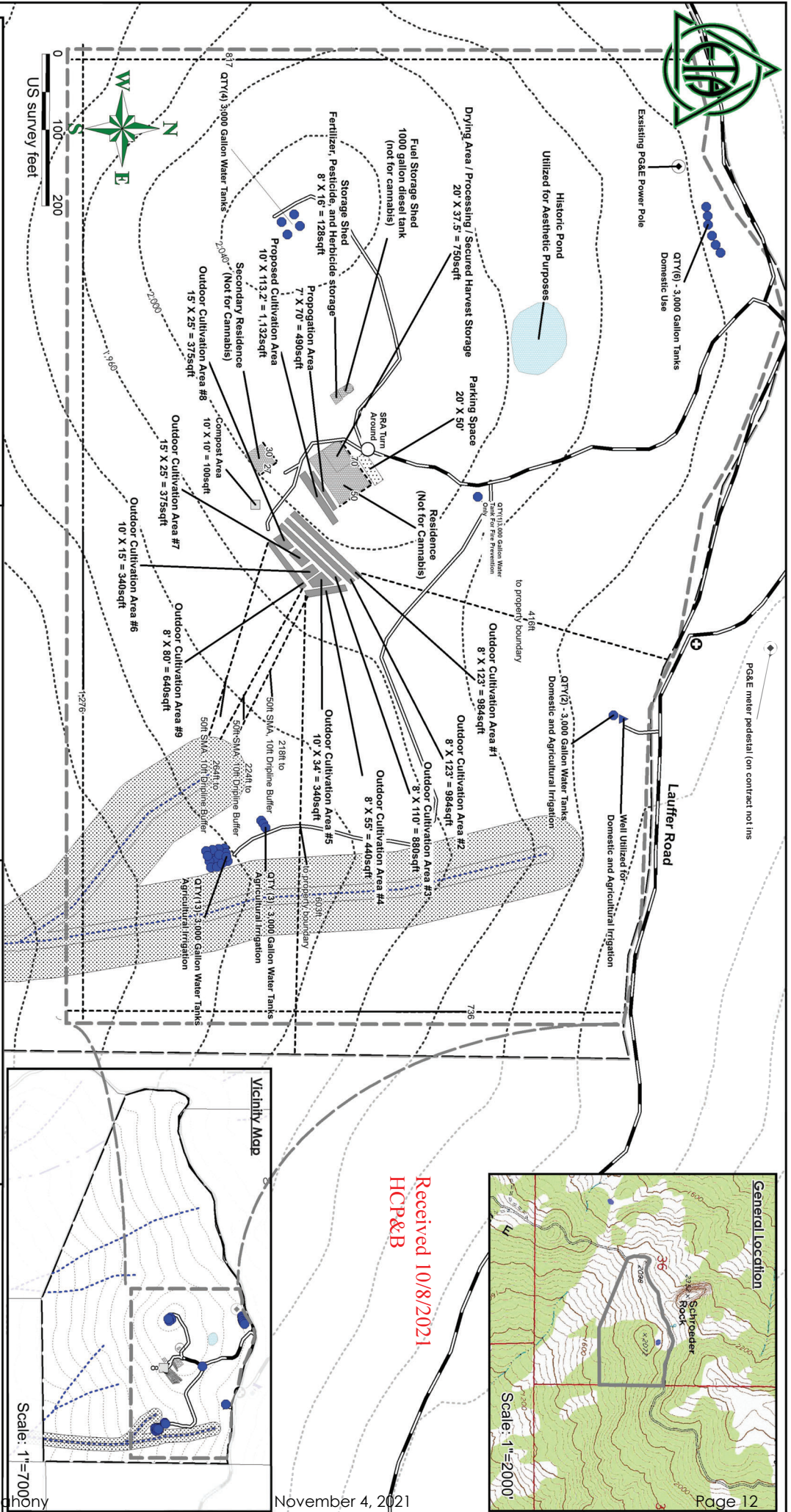
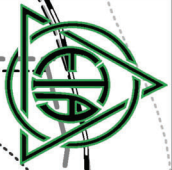
**AERIAL MAP**  
**PROPOSED JOHN MAHONY**  
**NEW HARRIS AREA**  
**SP-16-784**  
**APN: 216-107-007-000**  
**T04S R05E S36 HB&M (JEWETT ROCK)**

Project Area = 

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Received 10/8/2021  
HCP&B

November 4, 2021

### Humboldt County Plot Plan

APN: 216-107-007

- Property Boundary
- Cultivation Area
- Structure
- SMA Buffer
- Pond
- Road
  - Permanent
  - Seasonal
  - Tail
  - Premise Boundary
  - Measurement (U.S. Survey Feet)
- Soil
- Water Tank
- Well

### Cultivation Area

Total Canopy = 5,168sqft  
Propagation Area = 490sqft  
Unlocated Area = 1,132sqft  
Cultivation Area = 6,300sqft

- 1. 8' X 123' = 984sqft
- 2. 8' X 123' = 984sqft
- 3. 8' X 110' = 880sqft
- 4. 8' X 55' = 440sqft
- 5. 10' X 34' = 340sqft
- 6. 10' X 15' = 150sqft
- 7. 15' X 25' = 375sqft
- 8. 15' X 25' = 375sqft
- 9. 8' X 80' = 640sqft

### Project Information

County Application Number: 13143  
WDID: 1\_12CC415251  
State License: CCL 180003195  
Water Storage: 72,000 Gallons  
Water Source: Permitted Well

### Property Information

County: HUMBOLDT, CA  
Parcel # (APN): 216-107-007-000  
Parcel Status: ACTIVE  
Owner Name: MAHONY JOHN & JACQUELINE TR  
Mailing Address: P.O. Box 166 REDWAY CA 95560  
Legal Description: LOT 2 TR623 BK 24 PGS 120-123  
Acres: 76.304

PLN-13137-SP John Mahony



## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

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

##### **A. General Conditions**

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within 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 California Environmental Quality Act Guidelines. The Department will file the NOD and will charge this filing cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #13. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, water tanks over 5,000 gallons, existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures, as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
7. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.
8. The applicant shall implement all Best Practicable Treatment or Controls corrective actions detailed for the subject parcel (216-107-007) in the Site Management Plan prepared for the project (WDID-1\_12CC415251). This includes: (a) implementing the proposed treatment of cultivation soil storage at



Site 14, **(b)** monitoring and maintaining records of all water use, **(c)** removal of water tanks located within a 50-foot riparian setback to a Class III watercourse at Site 07, **(d)** installation of secondary containment capable of holding 110 percent of the water bladder contents, **(e)** removal of old infrastructure associated with the discontinued stream diversions, **(f)** installation of an impermeable barrier or structure to contain all stored petroleum products in case of accidental spillage, and **(g)** implementation of the recommend annual winterization measures. A letter or similar communication from the State Water Resources Control Board (SWRCB) verifying that all their requirements have been met will satisfy this condition.

9. The applicant shall install water monitoring device on each source—well and surface diversion if/when utilized and storage tanks as applicable—to monitor water used for cannabis irrigation separate from domestic use.
10. The applicant shall implement Public Works' recommendations to ensure all fences and gates be relocated out of the County right-of-way and 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. An encroachment permit shall be obtained from the Department of Public Works Land Use Division prior to initiation of work within 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.
11. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
12. 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.
13. 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 Humboldt County Code and available at the Planning Division.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of northern spotted owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying Commercial Medical Marijuana Land Use Ordinance (CMMLUO) Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels (dB). Conformance will be evaluated using current auditory disturbance guidance prepared by the United States Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial 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. The light source should comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare. Should the Humboldt County Planning Division receive complaints that the lighting is out of alignment or not complying with these standards, within 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 has been repaired, inspected, and corrected, as necessary.

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 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. Ensure that any emergency-use generators be located on stable surfaces with a minimum 200-foot buffer from all waterways measured horizontally from the outer edge of the riparian drip zone.
5. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
6. All refuse shall be contained in wildlife-proof storage containers, at all times, and disposed of at an authorized waste management facility.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. The operator shall provide information to all 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.
10. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Cultivation and Operations Plan, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
11. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), as applicable to the permit type.
12. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than 2 years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within 1 year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the 2 years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
13. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
14. Compliance with all statutes, regulations, and requirements of the SWRCB and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river,



underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.

15. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
16. Maintain enrollment in Tier 1 or 2 certification with SWRCB Order No. WQ-2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
17. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife and provide the County with a copy of the Final Notification(s).
18. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection, if applicable.
19. Consent to an annual onsite compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
20. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
21. Pay all applicable application, review for conformance with conditions and annual inspection fees.
22. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
23. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
24. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

#### Performance Standards for Cultivation and Processing Operations

25. Pursuant to 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."
26. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
27. Cultivators engaged in processing shall comply with the following Processing Practices:
  - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.



- b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
  - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
  - d. Employees must wash hands sufficiently when handling cannabis or use gloves.
28. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
- a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
    - (1) Emergency action response planning as necessary;
    - (2) Employee accident reporting and investigation policies;
    - (3) Fire prevention;
    - (4) Hazard communication policies, including maintenance of material safety data sheets;
    - (5) Materials handling policies;
    - (6) Job hazard analyses; and
    - (7) Personal protective equipment policies, including respiratory protection.
  - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
    - (1) Operation manager contacts;
    - (2) Emergency responder contacts; and
    - (3) Poison control contacts.
  - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
  - d. Onsite housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
29. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
  - b. Location where processing will occur
  - c. Number of employees, if any
  - d. Employee Safety Practices
  - e. Toilet and handwashing facilities
  - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
  - g. Drinking water for employees
  - h. Plan to minimize impact from increased road use resulting from processing
  - i. Onsite housing, if any
30. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation Special Permit issued pursuant to the CMMLUO shall expire 1 year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
31. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance or file an appeal within 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 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.

32. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
33. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.
34. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
  - a. Identifying information for the new owner(s) and management as required in an initial permit application;
  - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
  - c. The specific date on which the transfer is to occur;
  - d. Acknowledgement of full responsibility for complying with the existing permit; and
  - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
35. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

#### **Informational Notes:**

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than 2 years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within 1 year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of 1 year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #5 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to



evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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



**ATTACHMENT 2**

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

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

**APN 216-107-007; 2343 Lauffer Road, New Harris  
County of Humboldt**

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

**November 4, 2021**



## Background

### **Modified Project Description and Project History**

The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. These regulations were developed in concert with the Mitigated Negative Declaration (MND) that was adopted for the ordinance to implement the mitigation measures of the MND. The MND addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The MND specified that the regulations established in the CMMLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. Commercial cannabis cultivation in existence as of December 31, 2015 was included in the environmental baseline for the MND and the MND states that "Bringing existing operations into compliance will help to attenuate potential environmental effects from existing cultivation activities, including aesthetic impacts resulting from improper operation or poor siting." The current project was contemplated by the MND and compliance with the provisions of the CMMLUO will fully mitigate all environmental impacts of the project to a less-than-significant level.

John Mahony seeks a Special Permit to allow the continued operation of an existing 6,300-square-foot (SF) outdoor cannabis cultivation operation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, CMMLUO. The site is designated as Residential Agriculture (RA60) in the Humboldt County General Plan and zoned Agriculture Exclusive (AE). Cultivation takes place in one area. Plants are harvested at peak ripeness and immediately transferred to the drying facility (garage) where they are hung to dry and undergo processing. Natural air flow may be supplemented with household fans and dehumidifiers to aid the drying process. All processing of harvested product is done by family members on the property with no additional employees. Water is sourced from an existing well. Estimated annual water usage is 61,950 gallons (9.8 gallons/SF/year) during an 8-month-long growing season. Processing, including drying and trimming, occurs onsite in an existing attached garage. Electricity is provided by Pacific Gas and Electric Company; generators are not used. Site security is achieved through use of locked gates preventing access into the property. Cultivation areas are fenced, and the premises are normally occupied and not left unattended. One harvest is anticipated annually for a growing season that extends from March through October. A Cultural Resources Investigation was prepared for the project in March 2019 by Archaeological Research and Supply Company. The study concluded that if "mitigation measures are followed, this project will not affect the site or other cultural resources."

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

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

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



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

### **Summary of Significant Project Effects and Mitigation Recommended**

No changes are proposed for the original MND recommended mitigation measures. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 6,300 SF of outdoor cultivation with ancillary drying and processing activities is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less-than-significant level.

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

- Plot Plan prepared by the applicant.
- Cultivation and Operations Overview received 6/12/18.
- Road Evaluation Reports for Island Mountain Road, Road C, and Lauffer Road prepared by applicant, dated 4/3/18, received 4/4/18.
- Division of Environmental Health Attachment for Commercial Medical Marijuana Clearances/ Permits.
- Notification of Lake or Streambed Alteration letter from California Department of Fish and Wildlife, dated 8/14/19, received February 2021.
- Well Completion Report 19/20-0503.
- Cultural Resources Investigation prepared by Archaeological Research and Supply Company, dated March 2019, received 2/10/21.
- Site Management Plan prepared by Timberland Resource Consultants, dated 2/28/20.

### **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 MND was adopted. Based upon this review, the following findings are supported:



## **FINDINGS**

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

## **CONCLUSION**

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



### ATTACHMENT 3

#### Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address, and phone number(s) of the applicant. (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 Plan prepared by applicant – 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 Overview prepared by applicant, received 6/12/18 - **Attached**)
5. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Overview (item 4. above).
6. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast RWQCB demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Site Management Plan (WDID:1\_12CC415251) prepared by Timberland Resource Consultants, dated 2/28/20; SWRCB Notice of Applicability - Waste Discharge Requirements Water Quality Order WQ 2019-0001-DWQ – **Attached**)
7. If any onsite or offsite component of the cultivation facility, including access roads, water supply, grading, or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (LSAA notification letter dated 8/14/19 – **Attached**)
8. If the source of water is a well, a copy of the County well permit, if available. (Well Completion Report 19/20-0503 – **Attached**)
9. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner



has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Not applicable)

10. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
11. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
12. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
13. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System. (On file)
14. Road Evaluation Reports for Island Mountain Road, Road C, and Lauffer Road prepared by applicant, dated 4/3/18, received 4/4/18. (**Attached**)
15. Division of Environmental Health Attachment for Commercial Medical Marijuana Clearances/Permits (DEH Form). (On file)
16. Site Management Plan prepared by Timberland Resource Consultants, dated 2/28/20. (**Attached**)





## **Cultivation and Operations Overview**

### **Special Permit SP 16-784**

**APN: 216-107-007**

The Applicant is seeking approval of a Special Permit for existing cannabis cultivation up to 6,300 square feet, ancillary processing activities and appurtenant support facilities. Date stamped aerial imagery generated through the Humboldt County CAV process shows cultivation operations occurring prior to January 1, 2016 encompassing an area totaling 6,300 square feet.

The applicant acknowledges that the commercial cannabis activity approval being sought under the aforementioned special permit, pursuant to CMMLUO, is subject to compliance with all other applicable Humboldt County zoning and land use regulations, as well as other applicable provisions of the Humboldt County Code and applicable state laws. Site development appurtenant to cultivation operations shall be completed in accordance with all applicable permit requirements.

The subject parcel (APN: 216-107-007) is approximately 76 acres and zoned Agriculture Exclusive AE (Framework designation AL60). It is located at 2343 Lauffer Road, New Harris, California.

The western portion of the parcel is grassy hillside with very few trees and defined drainage courses (two Class III watercourses). The eastern portion of the parcel supports native hardwoods and has a small clearing with a developed residence and cultivation site. The native ground surface is moderately sloped at approximately 16 % in areas surrounding the developed site.

The parcel borders Lauffer Road and the developed site is accessed by a private driveway extending approximately 450 feet off of Lauffer Road.

Electrical power is supplied to the subject parcel by PG&E. Blue Star Gas in Garberville provides propane for residential use. Domestic wastewater is disposed of through a permitted septic system which serves the residence on the property (copy of permit included).

A well on site **supplies agricultural water.**

**Water storage** currently consists of 24 poly-plastic tanks each having 3,000 gallon storage capacity for a total of 72,000 gallons of water storage.

The subject parcel is developed with a single residence which was built in 2011 under permit from Humboldt County Building Inspection Division, Permit # 11-750-AOB-3.

Cultivation on the subject parcel is limited to a single raised bed area approximately 75' x 130' as shown on the Site Plan included.



The **peak water demand** (calculated using 1.4 gallons of water/ft<sup>2</sup> of cultivation area) to maintain plants for the summer months of July through September is 13,650 gallons per month. The “Monthly Water Use” below shows estimated water use throughout the grow season. Water usage will be monitored and recorded by use of in-line totalizing flow meters in accordance with applicable regulations.

*There is no agricultural water use during the months not shown*

	<i>Cultivation Area: Single Plot @ 6,300 ft<sup>2</sup></i>	<i>Plant Stage</i>	<i>Total Gallons</i>
<i>February</i>		<i>Starts</i>	
<i>March</i>		<i>Seedling</i>	<i>600</i>
<i>April</i>		<i>Seedling/Veg</i>	<i>900</i>
<i>May</i>		<i>Vegetative</i>	<i>1,900</i>
<i>June</i>		<i>Vegetative</i>	<i>10,250</i>
<i>July</i>		<i>Vegetative</i>	<i>11,000</i>
<i>August</i>		<i>Vegetative</i>	<i>13,650</i>
<i>September</i>		<i>Veg/Flower</i>	<i>13,650</i>
<i>October</i>		<i>Flower</i>	<i>10,000</i>

**Irrigation** is accomplished by use of drip lines. The flow to drip lines is regulated by timers and adjusted for maximum efficiency taking into consideration temperature, plant demand etc. Water delivery throughout the system is carefully monitored on a regular basis to ensure proper function and responsible water use. Mulch is carefully placed as a top dressing to optimize soil water retention. Occasional hand watering may be employed if needed.

**Irrigation runoff** from the cultivation area is minimized by the use of carefully regulated drip irrigation to prevent any overwatering or residual discharge of nutrient solutions outside of the “targeted” root zone. In the unlikely event that residual discharge did occur, it would be absorbed upon contact with permeable soil surrounding the cultivation area. Cultivation activities are limited to the immediate area surrounding cultivation areas and conducted so materials are kept confined. The ground surface within and around the cultivation area is formed and managed year-round to prevent any movement of entrained constituents such as fine sediment, fertilizer or other organic particles beyond the cultivation area.

The Cultivation Area on the subject parcel meets applicable setback requirements to watercourses, riparian zones or wetlands (see site plan). Natural vegetative buffers surrounding the cultivation area have remained undisturbed. Sheet flow of rainwater or transport of cultivation byproducts over the permeable, gently sloped soils in and around the cultivation area is unlikely. **Watershed protection** will be ensured by adherence to measures prescribed in the Water Resources Protection Plan being developed specifically for this parcel by Timberland Resource Consultants under Regional Water Quality Control Board WDR Order # R1-2015-0023 enrollment requirements. Included with this submittal is a signed copy of Appendix A, “Enrollment Notice of Intent”.



Once enrolled under R1-2015-0023, participants are required to engage in ongoing monitoring, reporting and maintenance including periodic site inspections and reviews of operational practices to ensure regulatory requirements related to the following listed items are being met:

<i>Site maintenance, erosion control, and drainage features</i>	<i>Stream crossing maintenance</i>
<i>Riparian and wetland protection and management</i>	<i>Spoils management</i>
<i>Water storage and use</i>	<i>Irrigation runoff</i>
<i>Fertilizers and soil amendments</i>	<i>Pesticides and herbicides</i>
<i>Petroleum products and other chemicals</i>	<i>Cultivation-related wastes</i>
<i>Refuse and human waste</i>	

Additionally, participants ensure that management measures and controls are effectively protecting water resources, and that any newly developing problems representing a water quality concern are identified and corrected quickly.

All cultivation taking place on the subject parcel is done **without the use of pesticides, herbicides, fungicides or artificial fertilizers**. There is no generator use or fuel stored at the premises as electric power is supplied by PG&E. Organic compost generated at APN: 212-061-030, owned by the applicant, is used at the beginning of the season to recondition cultivation soil. Fertilizers and amendments are not stored at this site.

The applicant acknowledges that the storage and/or use of certain materials in specified volumes and/or weights will be subject to regulation through Humboldt County Division of Environmental Health CUPA and may require: submittal of inventories for those materials, documentation of emergency and training procedures, maintenance of hazardous waste disposal records, obtaining an EPA generator ID number and be subject to site inspections.

Normal day to day operations shall be carried out by individuals residing on the subject parcel. **Restrooms** within the residence/dwelling on the subject parcel are within close proximity to all cultivation areas and are easily accessed by the individuals on the property as needed.

**Cultivation related wastes** are sorted such that compostable materials are recycled/composted onsite within a small area equipped with perimeter and top containment to prevent unwanted movement of materials due to weather conditions or animals/pests. Other materials, unsuitable for composting, are stored in conventional lid trash containers along with domestic garbage and hauled to an approved transfer station/disposal facility as needed. If necessary, exhausted soil will be removed from cultivation beds and carefully mixed and spread over native soils on level ground at select locations to initiate microbial reconditioning and prevent unwanted constituent migration. Spent growth medium containing inorganic substances such as perlite, will be stored in weatherproof containers and hauled to an approved waste facility as needed.



Cultivation on the subject parcel is limited to full-term outdoor cultivation.

February: Plants are started from seeds and/or clones from an approved source.

March/April: Plants are transplanted into larger pots (up to 1 gallon), grown in outside "cold frames/hoops".

April/May: Outdoor beds are prepared; organic compost added. Some plants are beginning to be placed into beds

May: Beds are completely planted by the end of the month.

June -October: Gardens are maintained and plants are harvested by hand in October.

October/November: Complete harvesting, drying and processing. Garden sites are cleaned up and prepared for winter.

Plants are harvested at peak ripeness and immediately transferred to the drying facility (garage) where they are hung to dry and undergo processing. Natural air flow may be supplemented with household fans and dehumidifiers to aid the drying process. All processing of harvested product is done by family members on the property where it was grown. Processing operations are conducted such that all surfaces, equipment and utensils which come into contact with harvested product are maintained in a clean, sanitary condition at all times.

Site security is achieved through use of locked gates preventing access into the property. Cultivation areas are fenced. The premises is normally occupied and not left unattended.





Addendum to Water Plan

**John Mahony**

**Location: 2343 Lauffer Rd. Island Mountain, CA 95542**

**County: Humboldt**

**APN: 216-107-007**

**Address: P.O. Box 166 Redway, CA 95560**

**Contact Name: Vanessa Valare**

**Telephone: 760.613.6520/ 707.923.1180**

**Email: [etahumboldt@gmail.com](mailto:etahumboldt@gmail.com)**

**This document serves as an addendum to the previously submitted Operations/Water plan for the purposes of clarifying the water source for this project.**

The applicant has installed a well on this parcel to provide water for all irrigation needs. This well produces more than enough water for all irrigation uses. The applicant is no longer using the Well on his adjacent parcel for this project. See Attached Well Log



June 25, 2019

WDID:1\_12CC415251

JOHN MAHONY  
PO BOX 166  
REDWAY, CA 95560

Subject: Notice of Applicability - Waste Discharge Requirements Water Quality  
Order WQ 2019-0001-DWQ

The attached Notice of Applicability provides notice that the requirements of the State Water Board *Cannabis Cultivation Policy- Principles and Guidelines for Cannabis Cultivation* (Policy), and the *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order WQ 2019-0001-DWQ (General Order – previously WQ 2017-0023-DWQ, with updates and revisions effective April 16, 2019) are applicable to the site as described below. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the State Water Board Policy and General Order.

Please direct all submittals, discharge notifications, and questions regarding compliance and enforcement to the North Coast Regional Water Quality Control Board Cannabis Program at (707) 576-2676 or [northcoast.cannabis@waterboards.ca.gov](mailto:northcoast.cannabis@waterboards.ca.gov).

Sincerely,

Matthias St. John  
Executive Officer  
North Coast Regional Water Quality Control Board

190625\_1L\_1\_12CC415251\_1B16772CHUM\_Big Rock Ranch\_NOA\_TW



**NOTICE OF APPLICABILITY – WASTE DISCHARGE REQUIREMENTS, WATER QUALITY ORDER WQ 2019-0001-DWQ, JOHN MAHONY, HUMBOLDT COUNTY APN(s) 216-107-006 216-107-007**

John Mahony (hereafter “Discharger”) submitted information through the State Water Resources Control Board’s (State Water Board’s) online portal on April 30, 2019, for discharges of waste associated with cannabis cultivation related activities. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the Policy and General Order. This letter provides notice that the Policy and General Order are applicable to the site as described below. You are hereby assigned waste discharge identification (WDID) number **1\_12CC415251**. The original WDID assigned by the North Coast Regional Water Quality Control Board was 1B16772CHUM.

The Discharger is responsible for all the applicable requirements in the Policy, General Order, and this Notice of Applicability (NOA). This includes making any necessary changes to the enrollment, and the Discharger is the sole person with legal authority to make those changes. The Discharger will be held liable for any noncompliance with the Policy, General Order, and the NOA.

**1. FACILITY AND DISCHARGE DESCRIPTION**

All dischargers enrolled under the North Coast Regional Water Board’s Order (R1-2015-0023) or the Central Valley Regional Water Board’s Order (R5-2015-0113) as of October 17, 2017, (the adoption date of the General Order) may retain the reduced setbacks applicable under the appropriate Regional Water Board order unless the Executive Officer for the appropriate Regional Board determines that the reduced setbacks applicable under their regional order are not protective of water quality. However, sites that expand their cannabis cultivation area or other cannabis related activities must comply with the riparian setbacks in the General Order.

The information submitted by the Discharger states the disturbed area is equal to or greater than 2,000 square feet and less than 1 acre (43,560 square feet) no portion of the disturbed area is within the setback requirements, no portion of the disturbed area is located on a slope greater than 30 percent, and the cannabis cultivation area is less than or equal to 1 acre.

Based on the information submitted by the Discharger, the cannabis cultivation activities are classified as Tier 1 Low Risk.

**2. SITE-SPECIFIC REQUIREMENTS**

The Policy and General Order are available on the Internet at:

[https://www.waterboards.ca.gov/water\\_issues/programs/cannabis/cannabis\\_water\\_quality.html](https://www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_water_quality.html)



The Discharger shall ensure that all site operating personnel know, understand, and comply with the requirements contained in the Policy, General Order, this NOA, and the Monitoring and Reporting Program (MRP, Attachment B of the General Order). Note that the General Order contains standard provisions, general requirements, and prohibitions that apply to all cannabis cultivation activities.

The application requires the Discharger to self-certify that all applicable Best Practicable Treatment or Control (BPTC) measures are being implemented, or will be implemented by the onset of the winter period (November 15 - April 1), following the enrollment date. Landowners of the cultivation site in the North Coast Region are required to submit and implement Site Management Plans that describes how BPTC measures are implemented property-wide, including BPTC measures implemented to address discharges from legacy activities (e.g. former timber harvest, road building, mining, etc.) at the site per Provision C.1.a. of the General Order. Dischargers that cannot implement all applicable BPTC measures by the onset of the winter period, following their enrollment date, shall submit to the appropriate Regional Water Board a *Site Management Plan* that includes a time schedule and scope of work for use by the Regional Water Board in developing a compliance schedule as described in Attachment A of the General Order.

During reasonable hours, the Discharger shall allow the State Water Board or Regional Water Board (collectively Water Boards), California Department of Fish and Wildlife, CAL FIRE, and any other authorized representatives of the Water Boards upon presentation of a badge, employee identification card, or similar credentials, to:

- i. enter premises and facilities where cannabis is cultivated; where water is diverted, stored, or used; where wastes are treated, stored, or disposed; or in which any records are kept;
- i. access and copy, any records required to be kept under the terms and conditions of the Policy and General Order;
- ii. inspect, photograph, and record audio and video, any cannabis cultivation sites, and associated premises, facilities, monitoring equipment or device, practices, or operations regulated or required by the Policy and General Order; and
- iii. sample, monitor, photograph, and record audio and video of site conditions, any discharge, waste material substances, or water quality parameters at any location for the purpose of assuring compliance with the Policy and General Order.

### **3. TECHNICAL REPORT REQUIREMENTS**

The following technical report(s) shall be submitted by the Discharger as described below:

A Site Management Plan, by July 28, 2019, consistent with the requirements of General Order Provision C.1.a., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the Site Management Plan.



A *Site Closure Report* must be submitted 90 days prior to permanently ending cannabis cultivation activities and seeking to rescind coverage under the General Order. The *Site Closure Report* must be consistent with the requirements of General Order Provision C.1.e., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

#### **4. MONITORING AND REPORTING PROGRAM**

The Discharger shall comply with all provisions of the Monitoring and Reporting Program (MRP), which appears as Attachment B to the General Order. The Discharger shall also comply with all provisions of the *North Coast Regional Supplement to Annual Monitoring and Reporting Requirements for Statewide Cannabis General Order WQ 2017-0023-DWQ* (Regional Supplement), which independently appears as Investigative Order No. R1-2019-0023, issued by the Regional Water Board Executive Officer on March 22, 2019. Annual reports for both sets of requirements shall be submitted to the Regional Water Board in a combined report by March 1 following the year being monitored. The Discharger shall not implement any changes to the MRP or to the Regional Supplement unless and until a revised MRP or Regional Supplement is issued by the Regional Water Board Executive Officer or the State Water Board Division of Water Quality Deputy Director, or the State Water Board Chief Deputy Director.

A copy of Attachment B to the General Order can be obtained online at the following location, or by contacting staff at the phone number and email address listed below.  
[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2019/wq2019\\_0001\\_dwq.pdf#page=32](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wq2019_0001_dwq.pdf#page=32)

A copy of the Regional Supplement can be obtained online at the following location, or by contacting staff at the phone number and email address listed below.  
[https://www.waterboards.ca.gov/northcoast/board\\_decisions/adopted\\_orders/pdf/2019/19\\_0023\\_Regional%20Supplement%2013267%20Order.pdf](https://www.waterboards.ca.gov/northcoast/board_decisions/adopted_orders/pdf/2019/19_0023_Regional%20Supplement%2013267%20Order.pdf).

#### **5. ANNUAL FEE**

According to the information submitted, the discharge is classified as Tier 1 Low Risk with the current annual fee assessed at \$600. The fee is due and payable on an annual basis until coverage under this General Order is formally rescinded. To rescind coverage, the Discharger must submit a Notice of Termination, including a *Site Closure Report* at least 90 days prior to termination of activities and include a final MRP report.

#### **6. TERMINATION OF COVERAGE UNDER THE GENERAL ORDER & REGIONAL WATER BOARD CONTACT INFORMATION**

Cannabis cultivators that propose to terminate coverage under the Conditional Waiver or General Order must submit a Notice of Termination (NOT). The NOT must include a *Site Closure Report* (see Technical Report Requirements above), and Dischargers enrolled under the General Order must also submit a final monitoring report. The Regional Water Board reserves the right to inspect the site before approving a NOT. Attachment C of the General Order includes the NOT form and Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.



If the Discharger cannot comply with the General Order, or will be unable to implement an applicable BPTC measure contained in Attachment A by the onset of the winter period each year, the Discharger shall notify the North Coast Regional Cannabis Unit staff at (707) 576-2676 or [northcoast.cannabis@waterboards.ca.gov](mailto:northcoast.cannabis@waterboards.ca.gov) so that a site-specific compliance schedule can be developed.

Cc: Kevin Porzio, State Water Resources Control Board,  
dwq.cannabis@waterboards.ca.gov  
Cheri Sanville, California Department of Fish and Wildlife,  
cheri.sanville@wildlife.ca.gov  
Cliff Johnson, Humboldt County Planning and Building,  
cjohnson@co.humboldt.ca.us



13137



California Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
REGION 1 – NORTHERN REGION  
619 Second Street  
Eureka, CA 95501  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
CHARLTON H. BONHAM, Director



August 14, 2019

John & Jacqueline Mahony  
PO Box 166  
Redway, CA 95560  
707-943-3830  
[jmahony@asis.com](mailto:jmahony@asis.com)

Subject: **Notification of Lake or Streambed Alteration No. 1600-2019-0331-R1  
Mahony Water Diversion Wells. Humboldt County Assessor's Parcel  
Numbers 216-107-006 and 216-107-007.**

Dear John & Jacqueline Mahony:

On April 29, 2019 the California Department of Fish and Wildlife (CDFW) received your Notification of Lake or Streambed Alteration (Notification). CDFW had until May 29, 2019, to determine if your notification was complete.

The Department is required to submit a draft Lake or Streambed Alteration Agreement (Agreement) to you within 60 calendar days from the date the Notification is complete. Therefore, the Department had until July 28, 2019 to issue you a draft Agreement or inform you that an Agreement is not required. Due to current staffing limitations, the Department did not meet that date. As a result, by law, you may now complete the **project described in your notification** without an Agreement.

Please note that pursuant to Fish and Game Code (FGC) section 1602, subdivision (a)(4)(D), if you proceed with this project, **it must be the same as described and conducted in the same manner as specified in the notification and any modifications to that Notification received by CDFW in writing prior to the date of this letter.** This includes completing the project within the proposed term and seasonal work period and implementing all avoidance and mitigation measures to protect fish and wildlife resources specified in the notification. If the term proposed in your notification has expired, you will need to re-notify CDFW before you may begin your project. Beginning or completing a project that differs in any way from the one described in the notification may constitute a violation of FGC section 1602.

Your notification includes, but is not limited to, the following information: Two water wells located at 40.0636, -123.5659 and 40.0696, -123.5574.

Although not disclosed in the Notification, CDFW anticipates that Cannabis cultivation areas located within riparian setbacks (40.06339, -123.56271) will be discontinued and the area restored. If restoration is subject to FGC section 1602, a Notification shall be submitted.

*Conserving California's Wildlife Since 1870*




Also note that while you are entitled to complete the project without an Agreement, you are still responsible for complying with other applicable local, state, and federal laws. These include FGC sections 5650 and 5652 which make it unlawful to pollute waters of the state. FGC section 5650 makes it unlawful to deposit in, permit to pass into, or place where it can pass into waters of the state any substance or material deleterious to fish, plant life, mammals, or bird life, including, but not limited to gasoline and oil, as well as sediment. FGC section 5652 makes it unlawful to deposit in, permit to pass into, or place where it can pass into waters of the state, or to abandon, dispose of, or throw away, within 150 feet of the high water mark of the waters of the state, any garbage, refuse, or waste, among other materials. A person who violates FGC sections 1602, 5650, and 5652 in conjunction with the cultivation or production of cannabis is subject to significant penalties or fines. Specifically, CDFW may impose civil penalties administratively against any person found by CDFW to have violated these FGC sections in connection with the production or cultivation of cannabis following a complaint and, if requested, a hearing.

Other statutes in the FGC that might apply to your activity, include, but not limited to the following sections: 2080 et seq. (species listed as threatened or endangered, or a candidate for listing under the California Endangered Species Act); 1908 (rare native plants); 3511, 4700, 5050, and 5515 (fully protected species); 3503 (bird nests and eggs); 3503.5 (birds of prey); 5901 (fish passage); 5937 (sufficient water for fish); and 5948 (obstruction of stream), and the requirements set forth in the Forest Practice Act (Pub. Resources Code, § 4511 et seq.) for projects on private timberlands.

Finally, if you decide to proceed with your project without an Agreement, you must have a copy of this letter and your notification with all attachments available at all times at the work site. As indicated in your Notification, the Applicant agrees to allow CDFW employees access to any property it owns and/or manages for the purpose of inspecting and/or monitoring the activities covered by this Notification, provided CDFW: a) provides advance notice; and b) allows the Applicant or representatives to participate in the inspection and/or monitoring. This condition does not apply to CDFW enforcement personnel. Please note this letter is only valid until **July 28, 2024** which is 5 years from the date the Department was required to provide a Draft Agreement.

If you have any questions regarding this letter, please contact Greg O'Connell, Environmental Scientist at [gregory.oconnell@wildlife.ca.gov](mailto:gregory.oconnell@wildlife.ca.gov).

Sincerely,

  
Cheri Sanville  
Senior Environmental Scientist Supervisor



John & Jacqueline Mahony  
August 14, 2019  
Page 3 of 3

Ec:

John & Jacqueline Mahony, [jmahony@asis.com](mailto:jmahony@asis.com)

Timberland Resource Consultants

Chris Carroll, [carroll@timberlandresource.com](mailto:carroll@timberlandresource.com)

Terra McAuliffe, [tmcauliffe@timberlandresource.com](mailto:tmcauliffe@timberlandresource.com)

North Coast Regional Water Quality Control Board Water Board Cannabis  
Cultivation Program

[NorthCoast.Cannabis@Waterboards.ca.gov](mailto:NorthCoast.Cannabis@Waterboards.ca.gov)

California Department of Fish and Wildlife

Greg O'Connell, [gregory.oconnell@wildlife.ca.gov](mailto:gregory.oconnell@wildlife.ca.gov)



State of California  
**Well Completion Report**  
 Form DWR 188 Submitted 5/4/2020  
 WCR2020-005728

Owner's Well Number \_\_\_\_\_ Date Work Began 04/27/2020 Date Work Ended 04/29/2020  
 Local Permit Agency Humboldt County Department of Health & Human Services - Land Use Program  
 Secondary Permit Agency \_\_\_\_\_ Permit Number 19/20-0503 Permit Date 12/26/2019

Well Owner (must remain confidential pursuant to Water Code 13752)				Planned Use and Activity	
Name <u>John Mahony</u>				Activity <u>New Well</u>	
Mailing Address <u>P.O. Box 166</u>				Planned Use <u>Water Supply Irrigation - Agriculture</u>	
City <u>Redway</u>		State <u>CA</u>		Zip <u>95560</u>	

Well Location					
Address <u>2343 Laufer RD</u>			APN <u>216-107-007</u>		
City <u>Garberville</u>		Zip <u>95542</u>		County <u>Humboldt</u>	
Latitude <u>40</u> <u>4</u> <u>7.9356</u> N		Longitude <u>-123</u> <u>33</u> <u>26.0244</u> W		Township <u>04 S</u>	
Deg. Min. Sec.		Deg. Min. Sec.		Range <u>05 E</u>	
Dec. Lat. <u>40.068871</u>		Dec. Long. <u>-123.557229</u>		Section <u>36</u>	
Vertical Datum _____		Horizontal Datum <u>WGS84</u>		Baseline Meridian <u>Humboldt</u>	
Location Accuracy _____		Location Determination Method _____		Ground Surface Elevation _____	
				Elevation Accuracy _____	
				Elevation Determination Method _____	

Borehole Information			Water Level and Yield of Completed Well		
Orientation <u>Vertical</u> Specify _____			Depth to first water <u>132</u> (Feet below surface)		
Drilling Method <u>Other - Under-Ream Down Hole Hammer</u> Drilling Fluid <u>Air</u>			Depth to Static _____		
Total Depth of Boring <u>240</u> Feet			Water Level <u>115</u> (Feet) Date Measured <u>04/29/2020</u>		
Total Depth of Completed Well <u>240</u> Feet			Estimated Yield* <u>30</u> (GPM) Test Type <u>Air Lift</u>		
			Test Length <u>4</u> (Hours) Total Drawdown <u>108</u> (feet)		
			*May not be representative of a well's long term yield.		

Geologic Log - Free Form		
Depth from Surface Feet to Feet		Description
0	4	top soil
4	15	brown sandstone
15	32	soft shale
32	117	sandstone shale mix
117	168	blue sandstone
168	184	shale
184	219	blue sandstone
219	240	soft shale



Casings									
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Annular Material		
------------------	--	--

Depth from Surface	Fill	Fill Type Details	Filter	Notes
--------------------	------	-------------------	--------	-------

Other Observations:
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### Borehole Specifications

Downloaded from <http://ajphaphysocpharm.sagepub.com/> at 11:00 11 November 2014

<b>Certification Statement</b>
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Name FISCH DRILLING

Person, Firm or Corporation

3150 JOHNSON ROAD HYDESVILLE CA 95517

Address	City	State	Zip
5100 JOHNSON ROAD	HYDESVILLE	GA	95547

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Signed *electronic signature received* 05/04/2020 683865

C-57 Licensed Water Well Contractor      Date Signed      C-57 License Number

DWB 11 01

**DWR Use Only**

CSG #	State Well Number	Site Code	Local Well Number
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[illegible]

						N									W
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Attachments
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scan.pdf - Location Map

**DWR Use Only**

[illegible]

Latitude Deg/Min/Sec                      Longitude Deg/Min/Sec

TBS:

1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 26

APN: \_\_\_\_\_

\_\_\_\_\_



The John & Jacqueline Living Trust 2343 Jauffer Rd  
Garberville CA AC# 216 107 007 76 acres  
Humboldt County

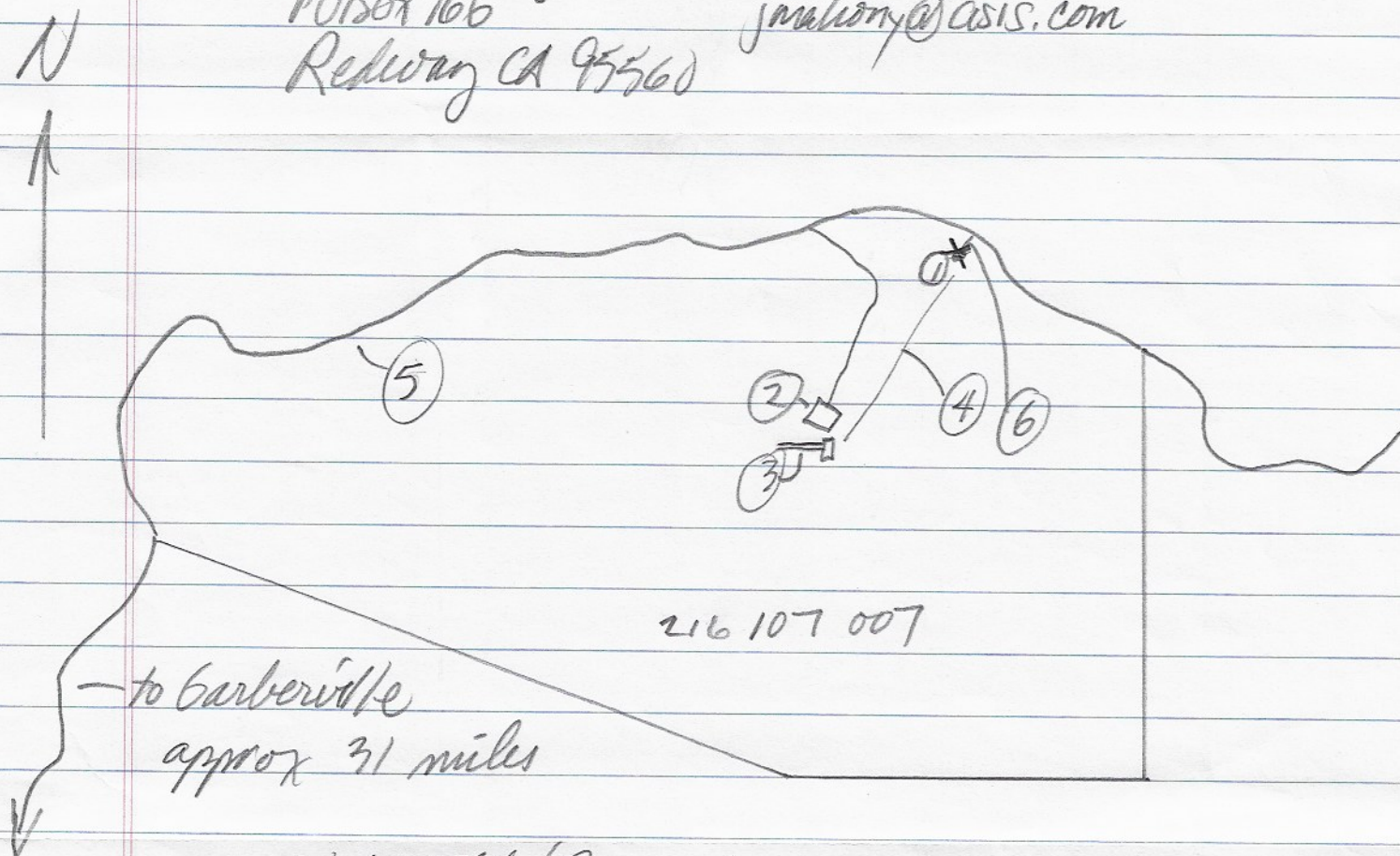
John Mahony

707 498 8095

PO Box 166

jmahony@asis.com

Redway CA 95560



1. Well Site/Proposed
2. House Site
3. Septic lines & Tank
4. Distance from Septic to proposed well site: 600'
5. Jauffer Road / County Road
6. Distance from proposed well to county road / property line: 30'



**From:** Fisch Drilling <chris@fischdrilling.com>  
**Sent:** Monday, May 4, 2020 12:37 PM  
**To:** lacy@fischdrilling.com  
**Subject:** FW: OSWCR: Thank you for submitting Well Completion Report WCR2020-005728

---

**From:** OSWCR-NoReply@water.ca.gov <OSWCR-NoReply@water.ca.gov>  
**Sent:** Monday, May 4, 2020 10:14 AM  
**To:** chris@fischdrilling.com  
**Subject:** OSWCR: Thank you for submitting Well Completion Report WCR2020-005728

**\*\*\*\*\*Please do not reply to this e-mail message\*\*\*\*\***

Thank you for submitting your Well Completion Report - A New Production or Monitoring Well, **WCR2020-005728**, using the Online System for Well Completion Reports (OSWCR). The Department of Water Resources will review it for completeness. You will be notified if additional information is required. If you have any questions, please call your local DWR Region Office WCR contact.

DWR Northern Region Office  
April Scholzen  
(530)529-7368  
April.Scholzen@water.ca.gov

To view this record, log in to OSWCR, or use the following link:  
[https://civicnet.resources.ca.gov/DWR\\_WELLS/urlrouting.ashx?type=1000&Module=WellCompletion&capID1=20CAP&capID2=00000&capID3=004SE&agencyCode=DWR\\_WELLS](https://civicnet.resources.ca.gov/DWR_WELLS/urlrouting.ashx?type=1000&Module=WellCompletion&capID1=20CAP&capID2=00000&capID3=004SE&agencyCode=DWR_WELLS)

Licensed Contractor: FISCH DRILLING License Number: 683865  
Well Owner: John Mahony  
Well Owner Address: P.O. Box 166 Redway CA 95560

Well Address: 2343 Lauffer RD, Garberville, CA 95542 County: Humboldt Parcel: 216-107-007  
Latitude/Longitude: 40.068871°N, -123.557229°W  
Submitted: 05/04/2020  
Record Status: Submitted



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT

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

Applicant Name: JOHN MAHONY

APN: 216-107-007

RECEIVED

APR - 4 2018

Humboldt County  
Planning Division

Planning & Building Department Case/File No.: APPS: 13137

Road Name: ISLAND MTN ROAD (complete a separate form for each road)

From Road (Cross street): BELL SPRINGS RD

To Road (Cross street): ROAD C

Length of road segment: 3.1 miles Date Inspected: 4/3/18

Road is maintained by: ☐ County ☒ Other

(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

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

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

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

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

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

Signature

John Mahony

Date

4/3/18

Name Printed

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



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT

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

Applicant Name: JOHN MAHONY APN: 216-107-006

Planning & Building Department Case/File No.: APPS - 13143

Road Name: ROAD C (complete a separate form for each road)

From Road (Cross street): ISLAND MTN RD.

To Road (Cross street): LAUFFER RD

Length of road segment: 1.4 miles Date Inspected: 4/3/18

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

Check one of the following:

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

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

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

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

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

Signature

Date

Name Printed

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



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT

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

Applicant Name: JOHN MAHONY APN: 216-107-007

Planning & Building Department Case/File No.: APPS: 13137

Road Name: LAUFFER ROAD (complete a separate form for each road)

From Road (Cross street): ROAD C

To Road (Cross street): SUBJECT PARCEL

Length of road segment: 1.2 miles Date Inspected: 9/3/18

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

Check one of the following:

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

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

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

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

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

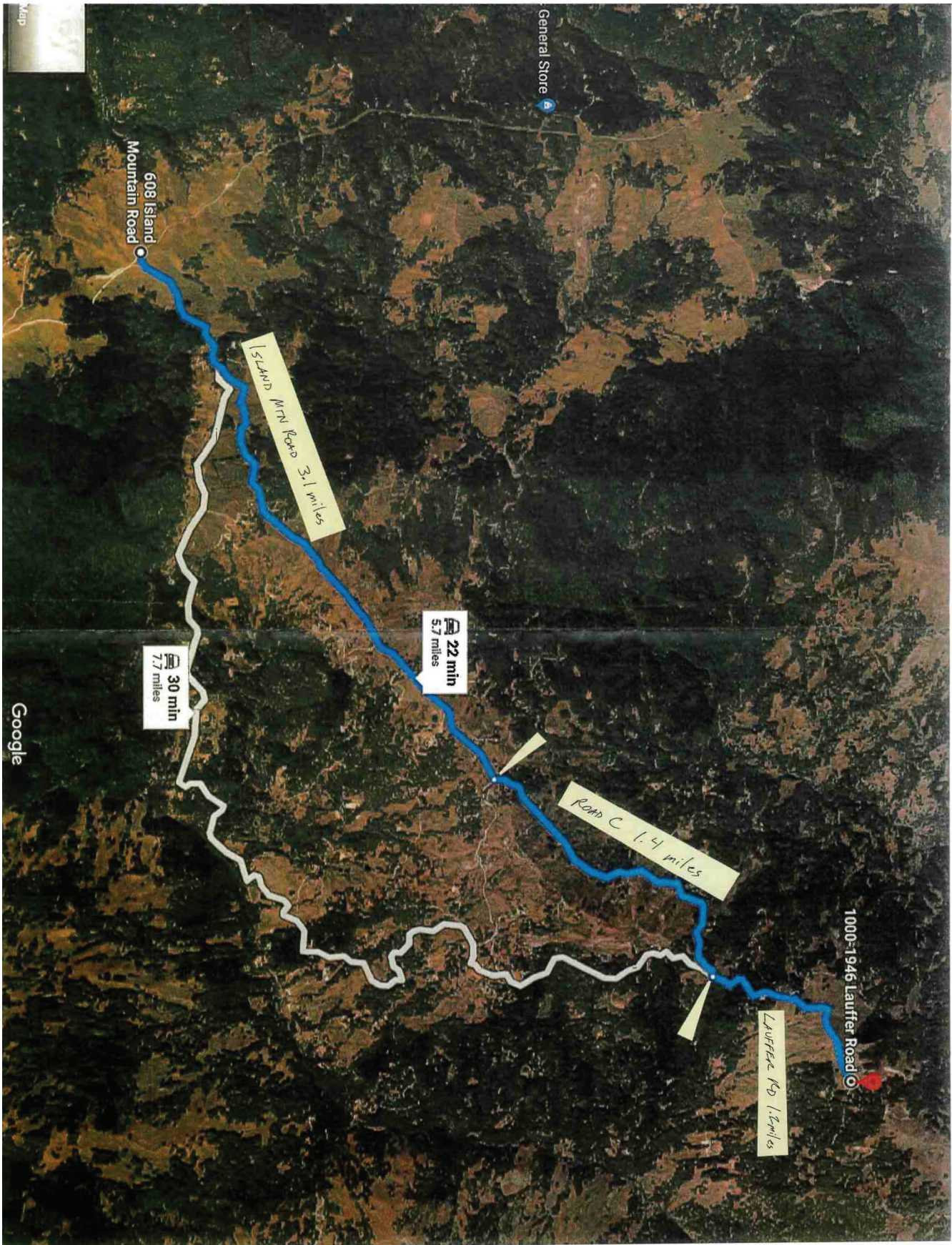
Signature

Date

Name Printed

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



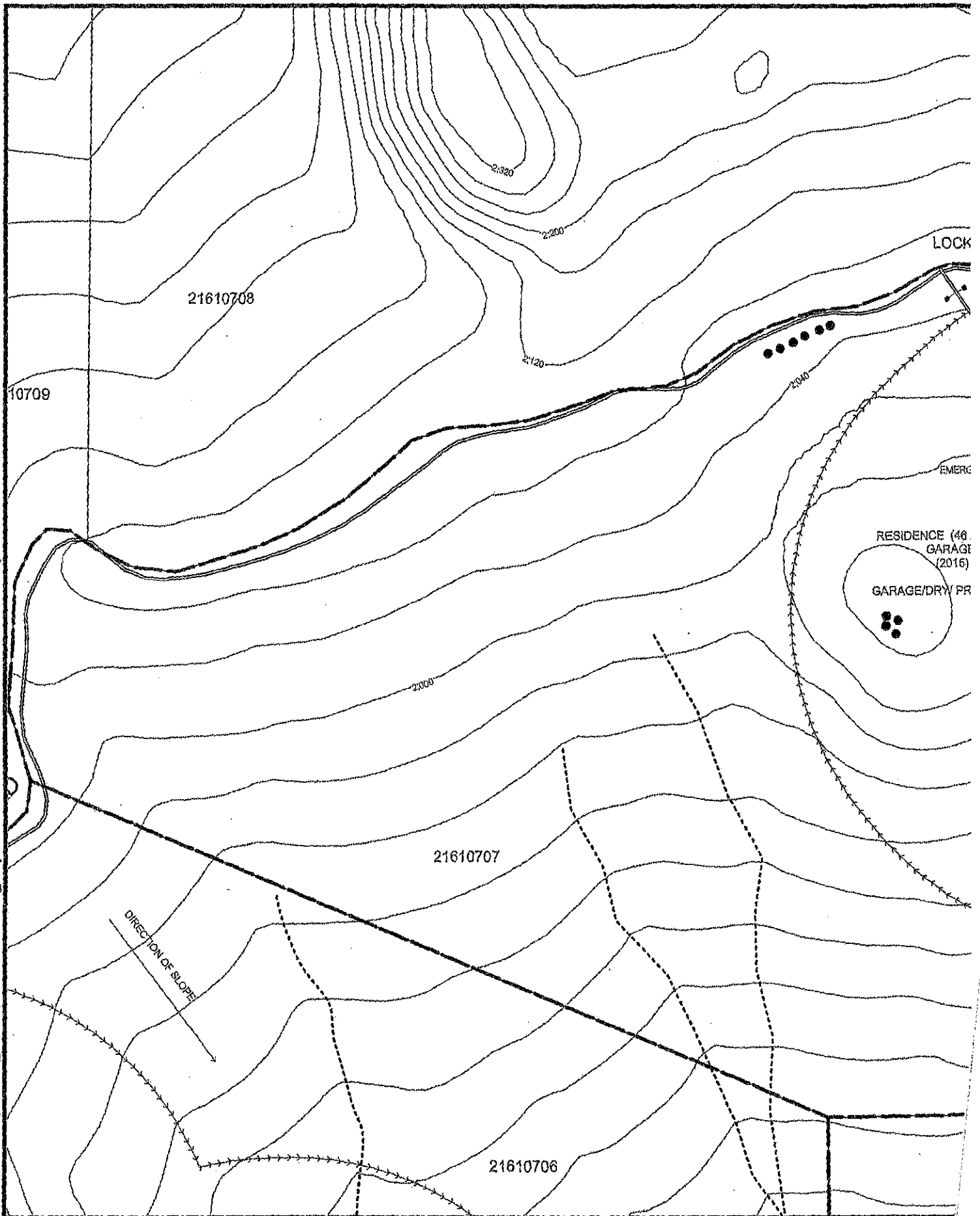


APPS-13137  
APN-24-101-008  
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# Site Management Plan

(Tier 1, Low Risk)

**WDID - 1\_12CC415251**

**Humboldt County**

**APN: 216-107-006, 216-107-007**

*Prepared by:*



165 South Fortuna Boulevard, Fortuna, CA 95540

707-725-1897 • fax 707-725-0972

[trc@timberlandresource.com](mailto:trc@timberlandresource.com)

02/28/2020

**TRC 217**



## **Arrangement of Document Contents**

- **Purpose**
- **Tier Designation**
- **Scope of Report**
- **Methods**
- **Property Description**
- **General Location Map**
- **Project Description**
- **Additional Project Permitting**
- **General Compliance Guide for Cannabis Cultivators**
  - Land Development and Maintenance, Erosion Control, and Drainage Features
  - Cleanup, Restoration, and Mitigation
  - Stream Crossing Installation and Maintenance
  - Soil Disposal and Spoils Management
  - Riparian and Wetland Protection and Management
  - Water Storage and Use
  - Fertilizers, Pesticides, and Petroleum Products
  - Cultivation Related Waste
  - Refuse and Domestic Waste
  - Annual Winterization Measures
- **Statement of Limitations**
- **Site Maps**
- **Implementation Schedule**
- **Mitigation Report tables**
- **Applicable BPTC's (BMP's)**
- **Monitoring Plan**
- **Attachments**
- **Applicable Technical Documents**
  - Site Management Plan (SMP)
- **Pictures**



### Purpose

This Site Management Plan (SMP) has been prepared on behalf of the cannabis cultivator for the Humboldt County property identified as assessor parcel numbers 216-107-006, 216-107-007, by agreement and in response to the State Water Resources Control Board Cannabis Cultivation Policy (Cannabis Policy), in congruence with Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (General Order). The General Order implements the Cannabis Policy requirements, specifically those requirements that address waste discharges associated with cannabis cultivation activities. Cannabis cultivators covered under the General Order are subject to the requirements of the Cannabis Policy in its entirety. The Cannabis Policy provides a statewide tiered approach for permitting discharges and threatened discharges of waste from cannabis cultivation and associated activities, establishes a personal use exemption standard, and provides conditional exemption criteria for activities with a low threat to water quality.

### Tier Designation

Tiers are defined by the amount of disturbed area. Tier 1 outdoor commercial cultivation activities disturb an area equal to or greater than 2,000 square feet and less than 1 acre (43,560 square feet). Tier 2 outdoor commercial cultivation activities disturb an area equal to or greater than 1 acre. Risk designation for Tier 1 and Tier 2 enrollees under the Cannabis Policy is based on the slope of disturbed areas and the proximity to a surface water body. Characterization is based on the risk designation summarized in Table 1 below.

**Table 1: Summary of Risk Designation**

Low Risk	Moderate Risk	High Risk
<ul style="list-style-type: none"> <li>No portion of the disturbed area is located on a slope greater than 30 percent, and</li> <li>All of the disturbed area complies with the setback requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Any portion of the disturbed area is located on a slope greater than 30 percent, and</li> <li>All of the disturbed area complies with the setback requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Any portion of the disturbed area is located within the setback requirements.</li> </ul>

Thorough assessment of the project area including roads, disturbed areas, legacy features, and cultivation areas classify this enrollment into the **Tier 1, Low Risk** designation.



### **Scope of Report**

Tier 1 and Tier 2 cannabis cultivators are required to submit and implement a Site Management Plan that describes how they are complying with the Requirements listed in Attachment A. The description shall describe how all applicable Best Practicable Treatment or Control (BPTC) measures are implemented. Cannabis cultivators within the North Coast Regional Water Quality Control Board jurisdiction are required to submit and implement Site Management Plans that describe how the Requirements are implemented property-wide, to include legacy activities. The SMP includes an Implementation Schedule to achieve compliance, but all work must be completed by the onset of the Winter Period each year. Projects designated as Moderate Risk are also required to have a Site Erosion and Sediment Control (plan) to achieve the goal of minimizing the discharge of sediment off-site. Projects designated as High Risk are also required to have a Disturbed Area Stabilization Plan to achieve the goal of stabilizing the disturbed area to minimize the discharge of sediment off-site and comply with the setback requirements. The cannabis cultivator shall ensure that all site operating personnel are familiar with the contents of the General Order and all technical reports prepared for the property. Projects which have over one acre of cannabis cultivation (total canopy area) are also required to have a Nitrogen Management Plan to describe how nitrogen is stored, used, and applied to crops in a way that is protective of water quality. A copy of the General Order, and technical reports required by the General Order, shall be kept at the cultivation site. Electronic copies of these documents are acceptable. Either format of maintained documents kept on site must be immediately presentable upon request.

### **Methods**

The methods used to develop this SMP include both field and office components. The office component consisted of aerial photography review and interpretation, existing USGS quad map review, GIS mapping of field data, review of on-site photography points, streamflow calculations, general planning, and information gathered from the cannabis cultivator and/or landowner. The field component included mapping of all access roads, vehicle parking areas, Waters of the State, stream crossings, drainage features, cultivation sites, buildings, disturbed areas, and all other relevant site features within the project area and surrounding areas (as feasible). Cultivation areas, associated facilities, roads, and other developed and/or disturbed areas were assessed for discharges and related controllable water quality factors from the activities listed in the General Order. The field assessment also included an evaluation and determination of compliance with all applicable BPTC's per Section 2 of the General Order.

### **Property Description**

The property assessed consists of two contiguous parcels totaling approximately 156 acres located approximately 5 miles east of Harris, California, at an elevation of approximately 2,000 feet above mean sea level. The property is located in Section 36, T4S-R5E, HB&M, in Humboldt County, on the Jewett Rock USGS 7.5' Quad. Map. Unnamed Class II and III tributaries to Chamise Creek are located on the parcel. Chamise Creek is tributary to the Eel River.



# Site Management Plan

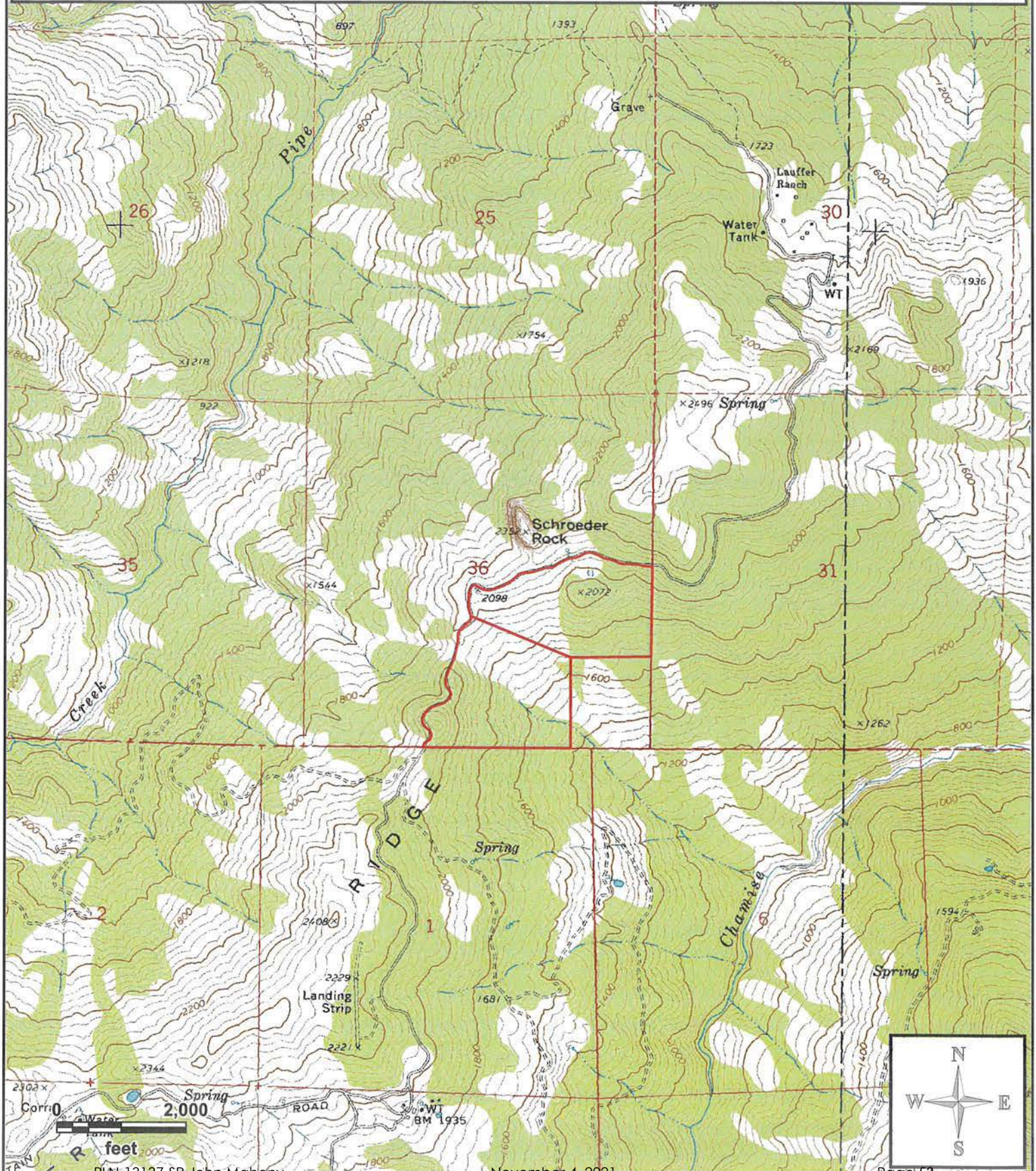
## General Location Map WDID - 1\_12CC415251



 Property Boundary

Located in Section 36, T4S-R5E, H.B.M.; Humboldt County; Jewett Rock 7.5' USGS Quad Map

TRC - 217





## Project Description

Cannabis cultivation on the parcels consists of two separate Cultivation Areas of outdoor cultivation. Cultivation Area A has three separate gardens that total approximately 8,000 ft<sup>2</sup>. Cultivation Area B has one garden area that totals approximately 6,300 ft<sup>2</sup>. In total the general cultivation area<sup>1</sup> totals approximately 14,300 ft<sup>2</sup>. The cultivation areas are located within 30,800 ft<sup>2</sup> of disturbed areas. Disturbed areas are located near ridgetops and below along areas of gentle side slopes. The disturbed areas are located at least 50' from surface waters. This project is being permitted by Humboldt County to cultivate cannabis. This project was previously enrolled in the North Coast Regional Water Quality Control Board Order No. R1-2015-0023 under WDID-1B16772CHUM and has since enrolled with the State Water Resources Control Board as WDID-1\_12CC415251. This project is being classified as Tier 1, Low Risk.

Table 1: Cultivation Site Parameters.

Cultivation Area	Land Disturbance Area (ft <sup>2</sup> )	General Cultivation Area <sup>1</sup> (ft <sup>2</sup> )	Adjoining Hillslopes (% Grade)
A	22,400	8,000	0 - 30
B	8,400	6,300	0 - 25
Totals:	30,800	14,300	

<sup>1</sup> Area refers to the total land disturbance area. The total cannabis canopy area may vary considerably than the disturbance area.

Table 2: Project Permitting

Additional Required Permits Related to Project, Type, and Status	
SIUR	Not Required
LSAA/1600	Lake and Streambed Alteration Agreement from CDFW – Notification No. 1600-2019-0331-R1



### **Baseline Assessment of Requirements Related to Water Diversions and Waste Discharge for Cannabis Cultivation**

This project was previously enrolled in the North Coast Regional Water Quality Control Board Order No. 2015-0023. A Water Resource Protection Plan (WRPP) was prepared by Timberland Resource Consultants. Some mitigations prescribed in the WRPP have since been completed. A re-assessment of the project was conducted and will be used as the baseline assessment for the preparation of this document.

This project is newly enrolled in the State Water Quality Control Board Order No. WQ 2019-0001-DWQ.

### **Land Development and Maintenance, Erosion Control, and Drainage Features**

Project Compliance Y ☐/N ☒

Roads are being classified as “permanent” (roads appurtenant to the project being used year-round), and “seasonal” (roads appurtenant to the project being used primarily during summer months).

Permanent roads within the project area appear to be adequately rocked. Seasonal roads are also moderately surfaced with native rock. Based on observations of surface erosion relative to current surface drainage break frequency, roads are being classified as having a low erodibility. This classification will be utilized to determine surface/ditch-line drainage break frequency based on Table 19 of the Handbook for Forest Ranch and Rural Roads, 2014.

**TABLE 19. Recommended maximum rolling dip and ditch relief culvert spacing, in feet, based on road gradient and soil erodibility <sup>1,2</sup>**

Soil erodibility	Road gradient (%) and drainage structure spacing (feet)				
	0-3	4-6	7-9	10-12	>12
High to moderate	250	160	130	115	100
Low	400	300	250	200	160

Currently, all permanent roads on the property are rocked and do not require any more rock surfacing at the present time. Roads being classified as permanent shall be kept appropriately surfaced as necessary (crushed rock, lignin treatments, pavement, or chip-seal) to increase durability during winter use as necessary. The majority of access roads, permanent and seasonal, are out-sloped with gentle gradients and adequately drained. No wheel ruts were observed on the majority of access roads on the date of the site visit. Along the seasonal road at Site 04 concentrated surface flow had caused a minor channel on the surface. The mitigation report recommends draining installation of a waterbreak.

#### **Cultivation Areas:**

No erosion with discharge to a watercourse was observed at the cultivation areas. At Site 05, Cultivation was previously located partially within the 50-foot riparian setback for a Class III watercourse. This area was identified in 2017 in preparation of the Water Resource Protection Plan



(WRPP). The WRPP directed the Cannabis Cultivator to remove cultivation and associated materials from the riparian setback and exclude future cultivation operations from the identified setback area. In preparation of the Site Management Plan in 2020, the 50-foot riparian setback was reflagged, there was no cultivation or related materials present, and the area within the setback was revegetated with grass. At this site the Cannabis Cultivator should continue to exclude future cultivation and associated disturbance from the identified riparian setback.

Controllable sediment discharge sources (CSDS) means sites or locations, both existing and those created by proposed cannabis activities, within the project ownership that meet all the following conditions:

1. is discharging or has the potential to discharge sediment to waters of the state in violation of applicable water quality requirements or other provisions of these General WDRs.
  2. was caused or affected by human activity, and
  3. may feasibly and reasonably respond to prevention and minimization management measures.
- See the Mitigation Report, Treatment Implementation Schedule, and Site Map to follow for site specific details and treatments.

No controllable sediment discharge sources (CSDS) were located on the property.

Cleanup, Restoration, and Mitigation:

Project Compliance Y ☒/N ☐

No revegetation besides seeding and mulching of future disturbed areas is being prescribed.

Stream Crossing Installation and Maintenance:

Project Compliance Y ☒/N ☐

There are no stream crossings on the private access roads on this property.

Soil Disposal and Spoils Management:

Project Compliance Y ☒/N ☐

Currently, no construction spoils are present on the property. Any spoils generated through future development or maintenance of roads, driveways, earthen fill pads, or other cleared or filled areas shall not be sidecast where they can enter or be transported to surface waters. Any future spoils generated as a result of any future construction projects that are to be stored on the property shall be done so in accordance with Attachment A of the Cannabis Cultivation Policy.



Cultivation soil storage areas were noted at two sites. See Site 03 and 14 on the attached maps for the locations and the mitigation report for the proposed treatment. Cannabis cultivators shall store erodible soil, soil amendments, and spoil piles to prevent sediment discharges in storm water (see Term 59 in Section 2, Attachment A of the Cannabis Cultivation Policy).

Riparian and Wetland Protection and Management:

Project Compliance Y ☒/N ☐

No disturbed areas were identified as being within riparian areas. However, at Site 05, Cultivation was previously located partially within the 50-foot riparian setback for a Class III watercourse. The Cannabis Cultivator has since removed the cultivation and materials from the setback, and plans to continue to exclude future cultivation and associated disturbance from the identified riparian setback.

*Table 4: Riparian and Wetland Protection and Management*

Disturbed Area	Disturbance Area Distances and Riparian Setbacks <sup>2</sup>				
	Class I [Setback: 100'] <sup>2</sup>	Class II [Setback: 100']	Class III [Setback: 50']	Perennial Spring or Wetland [Setback: 50'] <sup>2</sup>	Disturbed Area Within Setbacks [ft <sup>2</sup> ]
Cultivation Area A	>200'	120'	50'	>200'	0
Cultivation Area B	>200'	>200'	>200'	>200'	0
Total =					5,400

<sup>2</sup>This enrollment was previously enrolled in RWQCB Order No 2015-0023 and as such may retain reduced setbacks that were applicable under the previous Order.

Water Storage and Use:

Project Compliance Y ☐/N ☒

All water on the property is derived from two groundwater wells. The wells along with existing storage meet and exceed the required water demands for both domestic and agricultural use on these parcels. Water use estimates provided by the Cannabis Cultivator are shown below. Per Cannabis Cultivation Policy, Att. A, Sec. 2, Term 98 - Cannabis cultivators shall maintain daily records of all water used for irrigation of cannabis. Daily records may be calculated by the use of a measuring device or, if known, by calculating the irrigation system rates and duration of time watered. Cannabis cultivators shall retain, for a minimum of five years, irrigation records at the cultivation site and shall make all irrigation records available for review by the Water Boards and or CDFW. Monthly water usage shall be recorded for annual reporting purposes.



There is approximately 50,000 gallons of water storage tanks on the two parcels. Water tanks are located on stable. At Site 07, six, 2,500 gallon water storage tanks plumbed together. One of the tanks was leaking where the plumbing had become disconnected. Also, the three eastern most tanks are located within the 50-foot riparian setback for a Class III watercourse. Per the Cannabis Cultivation Policy, Att. A, Sec. 2, Cannabis Cultivators shall on a monthly basis, at a minimum, inspect their entire water delivery system for leaks and immediately repair any leaky faucets, pipes, connectors, or other leaks. The Cannabis Cultivation Policy, Att. A, Sec. 2, Term 89 and 99 also pertain to overflows and leaks. Prior to 10/15/2021, the Cannabis Cultivator shall remove the water tanks located within the 50-foot riparian setback for the Class III watercourse. Term 90 states - Water storage tanks, bladders, and other off-stream water storage facilities that are closed to the environment shall not be located in a riparian setback or next to equipment that generates heat. Cannabis cultivators shall place water storage tanks, bladders, and other off-stream water storage facilities that are closed to the environment in areas that allow for ease of installation, access, maintenance, and minimize road development.

There are two bladder sites located on the parcels at Site 01 and 13. Cannabis cultivators should be advised that transition to the state General Order will require additional infrastructure to use bladders for water storage. Per Cannabis Cultivation Policy: Attachment A, Section 2, No. 88 & 89 for cannabis cultivators, bladders shall be safely contained within a secondary containment system with sufficient capacity to capture 110 percent of a bladders maximum volume in the event of bladder failure and if open to rainfall, and/or (whichever is larger) capable to accommodate precipitation and storm water inputs from 24 hours of a 25-year storm event. Secondary containment is recommended in the form of a dirt berm, containment pit, combination of both, or impermeable material with skeletal support.

In previous years, prior to the wells on the parcels, surface water diversions were used. The Cannabis Cultivator shall remove the old infrastructure (e.g. waterlines, pumps, transfer tanks) associated with past surface water diversions on the parcels. Alternatively, the Cannabis Cultivator shall acquire approved permits from CDFW and SWRCB (e.g. LSAA, SIUR, SDUR, ISWDU), and follow the requirements of the permits and the terms of the SWRCB WQ 2019-0001-DWQ (Cannabis General Order). Cannabis Cultivation Policy, Att. A, Sec. 2, states that cannabis cultivators shall not divert surface water unless it is diverted in accordance with an existing water right, with documentation of the water right available for review and inspection by the Water Boards, CDFW, and any other authorized representatives. Cannabis cultivators shall not obstruct, alter, dam, or divert any portion of a natural watercourse prior to obtaining all applicable permits and approvals. Permits may include a valid water right, 404/401 CWA permits, a CDFW LSA Agreement, coverage under the Cannabis Cultivation General Order water quality certification, or site-specific WDRs issued by the Regional Water Board. Cannabis cultivators shall plug, block, cap, disconnect, or remove the diversion intake or otherwise bypass flow or render the diversion intake incapable of diverting water for cannabis cultivation activities during the surface water forbearance period. Cannabis cultivators shall install and maintain measuring devices for surface water or subterranean stream diversions, and maintain daily diversion records for water diverted for cannabis cultivation. Records shall be kept that document the amount of water used for cannabis cultivation separated out from the amount of water used for other irrigation purposes and other



beneficial uses of water. Cannabis cultivators shall maintain daily diversion records at the cultivation site and shall make the records available for review per request by the Water Boards or CDFW, and daily diversion records shall be retained for a minimum of five years. Refer to Cannabis Cultivation Policy, Att. A, Sec. 2, Term 69, 76, 77, and 82 for the full text of requirements.

*Table 5: Estimated Annual Irrigation Water Use*

Source	Jan.	Feb.	Mar	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Wells	0	0	1,500	2,100	6,400	18,500	21,000	24,850	24,850	18,500	0	0

During visits to the property, no irrigation runoff, or evidence of such runoff, was observed at any of the cultivation areas.

#### Fertilizers, Soils, Pesticides, and Petroleum Products:

Project Compliance Y ☒/N ☐

Fertilizers, pesticides, and soil amendments are currently stored in structures on the property in a manner in which they cannot enter or be transported into surface waters. Per Section 2, Term No. 105, all storage areas shall have appropriate secondary containment structures, as necessary, to protect water quality and prevent spillage, mixing, discharge, or seepage. Potting soils, compost, and other used soils are currently stored outside near cultivation areas on flat, stable locations in a manner in which they will not enter or be transported into surface waters. Site 03 and 14 are soil piles being stored for eventual reuse. The pile at Site 03 was uncovered at the time of our assessment. Piles shall be kept under coverage of a tarp during periods of prolonged rainfall. Cultivation areas shall be maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.

Fertilizers and soil amendments shall be applied and used per the manufacturer's guidelines. The use of pesticide products shall be consistent with product labeling and all products on the property are to be stored in closed structures to ensure that they do not enter or are released into surface or ground waters.

Electricity to the parcels is provided by PG&E and also by small gas generators if needed. Currently, no bulk fuel storage tanks are located on the parcels. Site 15 is a fully enclosed, secure shed with a wood floor, dedicated to storage of petroleum products. Products include cases of motor oil and heavy equipment lubricants stored in their original plastic containers, five gallon buckets with lids, and small quantities of gas and diesel in portable containers. Cannabis Cultivation Policy, Att. A, Sec. 2, Term 104 states - Cannabis cultivators shall keep and use absorbent materials designated for spill containment and spill cleanup equipment on-site for use in an accidental spill of fertilizers, petroleum products, hazardous materials, and other substances which may degrade waters of the state... Term 105 states - ...All storage areas shall have appropriate secondary containment structures, as necessary, to protect water quality and prevent spillage, mixing, discharge, or seepage. Term 108 states - ...Cannabis cultivators shall provide secondary containment for hazardous materials to prevent possible exposure to the environment... Term 117



states - Cannabis cultivators shall store petroleum, petroleum products, and similar fluids in a manner that provides chemical compatibility, provides secondary containment, and protection from accidental ignition, the sun, wind, and rain. To comply with these requirements the Cannabis Cultivator shall install an impermeable barrier or structure to keep petroleum products contained to the storage shed at Site 15 in case of accidental spillage. Refer to Cannabis Cultivation Policy, Att. A, Sec. 2, Term 104, 105, 108, and 117 for the full text of requirements.

Cultivation-Related Wastes:

Project Compliance Y ☒/N ☐

Cultivation-related wastes, including, but not limited to, used soil bags, fertilizer bags and containers, empty plant pots or containers, and spent growth medium, are stored in enclosed garages or cans with lids until transported off site to a waste disposal facility. The parcels were clean and free of litter. The cannabis cultivator shall continue to gather and properly dispose of cultivation-related wastes and ensure that wastes are adequately contained from scavenging wildlife, and cannot be transported away from storage areas by wind or surface runoff.

To minimize risk of ensnaring wildlife, all used monofilament netting or fencing (e.g. plastic trellis, netting and fencing) that cannot be re-used shall be immediately collected, wound up, and secured with other refuse, and disposed of properly at a waste disposal facility. In addition, cannabis cultivators shall not use synthetic (e.g., plastic or nylon) monofilament netting materials for erosion control for any cannabis cultivation activities. This prohibition includes photo- or bio-degradable plastic netting.

Organic cultivation-related wastes are collected from the cultivation areas and either disposed of properly with general waste, or composted or burned. The cannabis cultivator shall ensure that the locations where organic wastes are stored, composted, or burned are minimized in number and are sited outside of watercourse riparian areas and away from any form of surface runoff. At Site 11 is a pile of cultivation plant waste intermixed with plastic plant fasteners. The Cannabis Cultivator shall remove plastics from the organic plant waste pile and dispose of it properly. In the future, dead or harvested plant material should be free of inorganic waste prior to piling for compost or decomposition.

Refuse and Domestic Waste:

Project Compliance Y ☒/N ☐

Garbage and refuse are stored on the property within lidded trash cans and garbage bags, are kept in garages on the parcels and are disposed of regularly at the nearest solid waste transfer station. The cannabis cultivator shall continue to gather and properly dispose of refuse and ensure that refuse is adequately contained from scavenging wildlife, and cannot be transported away from storage areas by wind or surface runoff.



Human waste is managed by a permitted septic system on at the houses on each parcel. It is the cannabis cultivator's responsibility to ensure compliance of such action with the Humboldt County Department of Environmental Health and Human Services.

#### Annual Winterization Measures

Winterization measures consist of general cleanup and winter-preparation activities that both prepare for, and utilize, anticipated, local winter weather.

- Any exposed soils resulting from winterization activities shall be seeded and straw mulched.
- Any/all areas of exposed soils in and around cultivation areas be seeded and either straw mulched with weed free straw or woodchips.
- All existing culvert inlets, interiors, and outlets shall be cleared of any existing or potential obstructions to include; debris upstream of the culvert such as sediment, loose, moveable rocks, and raftable, small, woody debris.
- Damage or wear resulting from vehicular use to road surfaces (such as rutting or wheel tracks) and/or road surfacing (such as rock) that would impair road surface drainage or drainage features (such as outsloping, waterbars, rolling dips, etc.) shall be repaired prior to the Winter Period.
- All existing surface drainage features and sediment capture features shall be maintained if needed to ensure continued function through the Winter Period.
- All fertilizers and petroleum products will be stored in an area located outside of riparian setbacks, completely sealed, placed in a secondary containment (liquids), and stored in a manner that prevents contact with precipitation and surface runoff.
- Water storage tank lids shall be appropriately closed to prevent the access of wildlife.
- All refuse/trash shall be removed and disposed of appropriately.
- All inorganic material capable of being transported by wind or rain shall be secured and stored appropriately.



# STATEMENT OF CONTINGENT AND LIMITING CONDITIONS CONCERNING THE PREPARATION AND USE OF REPORTS ADDRESSING GENERAL WASTE DISCHARGE REQUIREMENTS UNDER ORDER WQ 2019-0001-DWQ

## Prepared by Timberland Resource Consultants

1. This document has been prepared for the property within APN 216-107-006, 216-107-007, in Humboldt County, for enrollment in the General Waste Discharge Order WQ 2019-0001-DWQ.
2. Timberland Resource Consultants does not assume any liability for the use or misuse of the information in this document.
3. The information is based upon conditions apparent to Timberland Resource Consultants at the time inspection(s) were conducted. Changes due to land use activities or environmental factors occurring after inspection, have not been considered in this document.
4. The information regarding water use estimates and water sources is based upon figures provided in previous permitting documents and reports, and through communication with the Client at the time of the inspection.
5. Maps, photos, and any other graphical information presented in this report are for illustrative purposes. Their scales are approximate, and they are not to be used for locating and establishing boundary lines.
6. The conditions presented in this document may differ from those made by others or from changes on the property occurring after inspections were conducted. Timberland Resource Consultants does not guarantee this work against such differences.
7. Timberland Resource Consultants did not conduct an investigation on a legal survey of the property.
8. Persons using this document are advised to contact Timberland Resource Consultants prior to such use.
9. Timberland Resource Consultants will not discuss this document or reproduce it for anyone other than the Client for which this document was prepared without authorization from the Client.



Ron Pelletier

Timberland Resource Consultants

TRC 217



# Site Management Plan Site Map WDID - 1\_12CC415251



- Property Boundary

Cultivation Area

Disturbed Area

Roads

County

Permanent

Seasonal Access

Watercourses

Class II

Class III

Class II Wet Area / Pond

Site

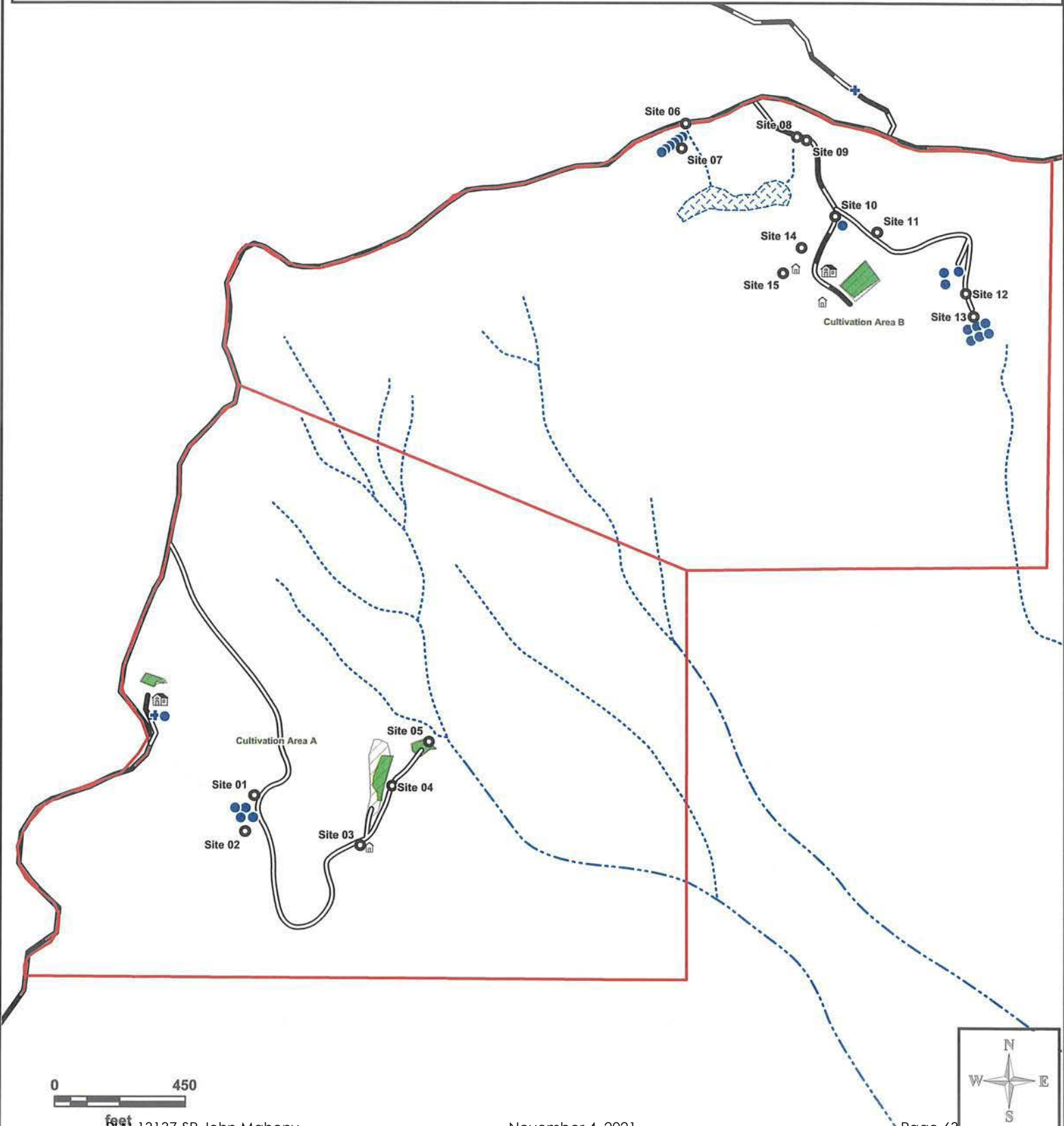
Tank

Well

House

Structure

TRC-217





# Site Management Plan

Site Map WDID - 1\_12CC415251

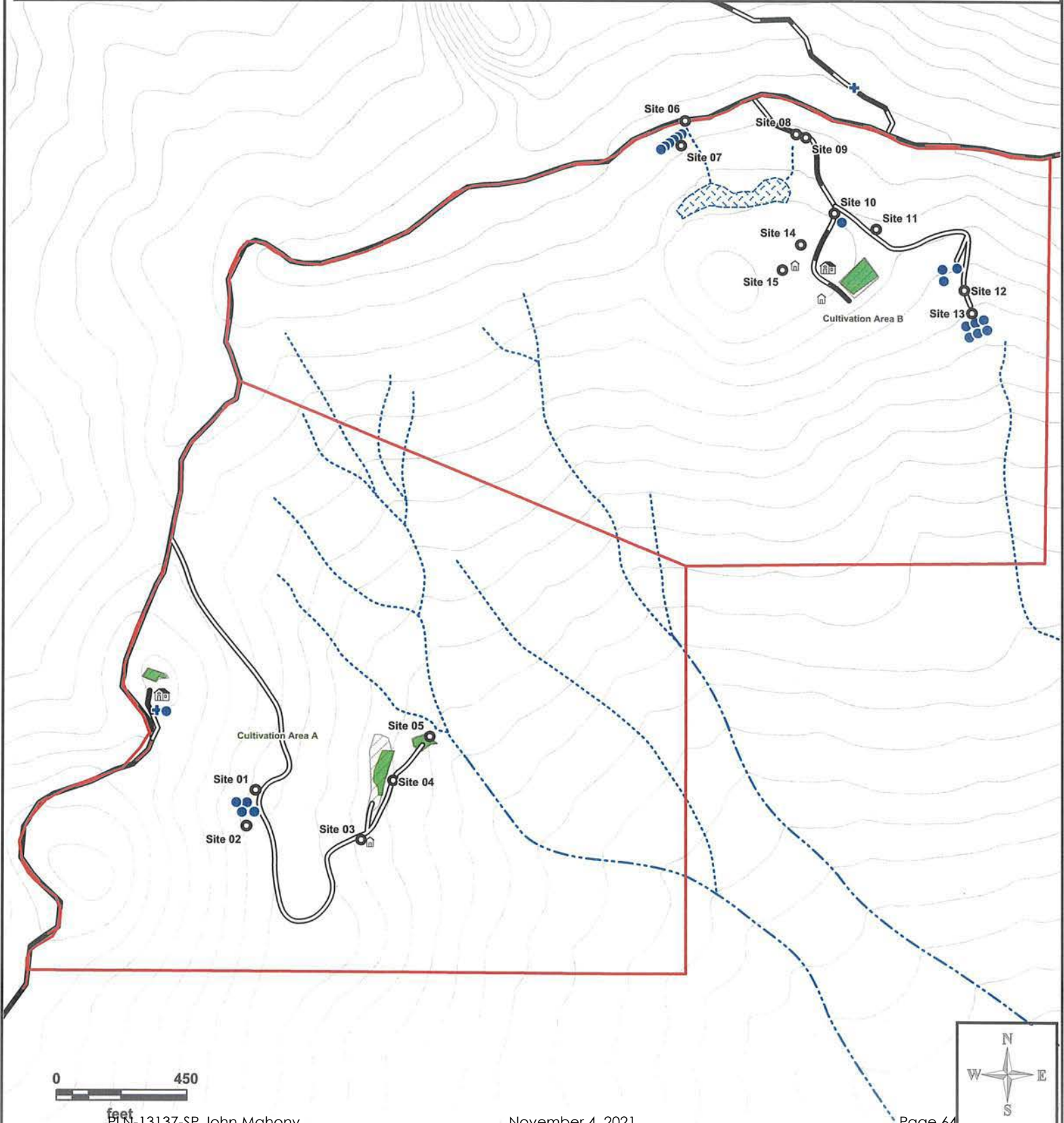


- Property Boundary
- Cultivation Area
- Disturbed Area

- Roads
- County
  - Permanent
  - Seasonal Access
- Watercourses
- Class II
  - Class III
  - Class II Wet Area / Pond

- Site
- Tank
- Well
- House
- Structure

TRC-217



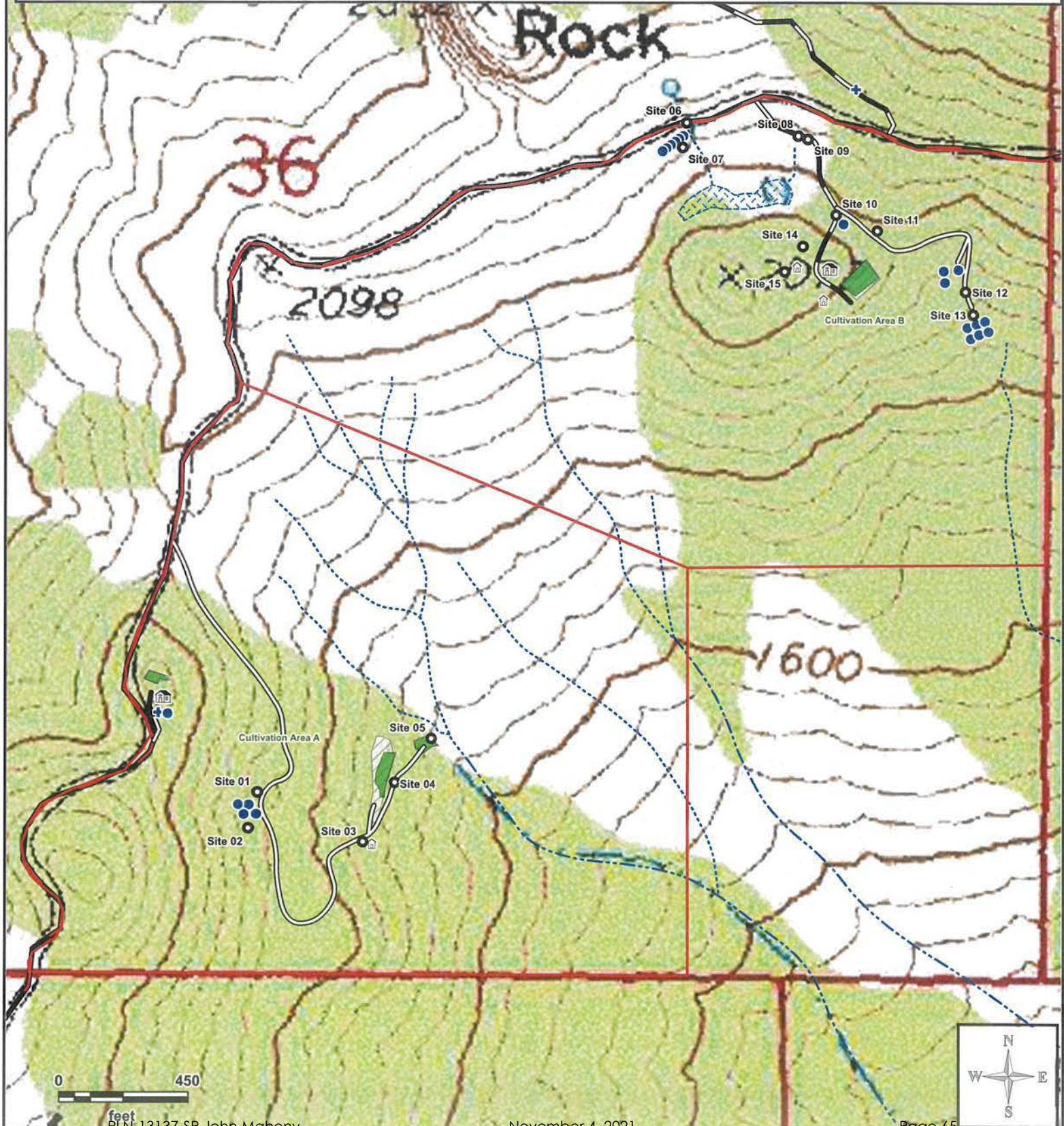


# Site Management Plan

## Site Map WDID - 1\_12CC415251



TRC-217



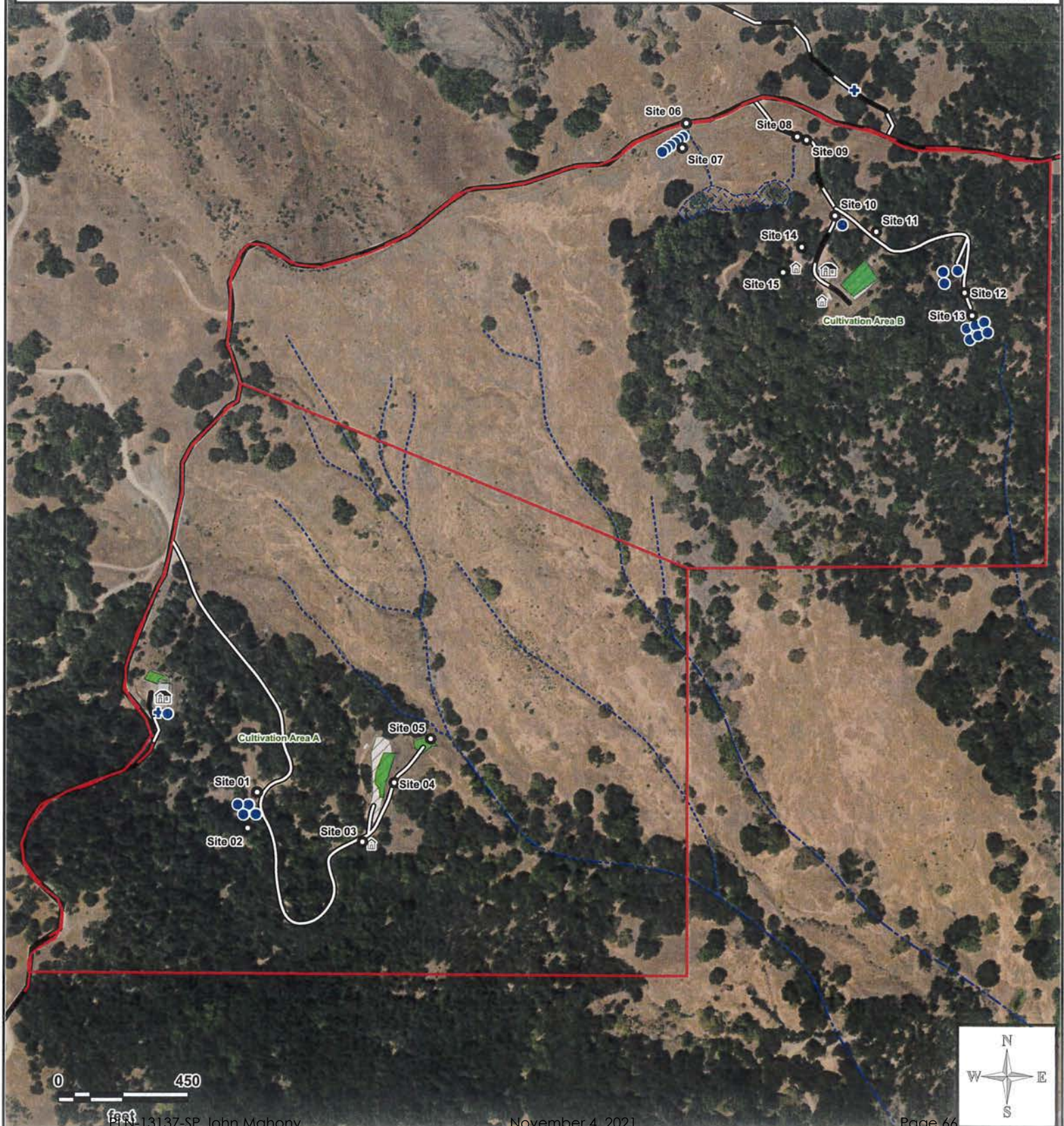


# Site Management Plan

Site Map WDID - 1\_12CC415251



TRC-217







## Treatment Implementation Schedule

Unique Point	Proposed Work Completion Date (Yellow = Immediately)
Site 01	As required
Site 02	As required
Site 03	As required
Site 04	Immediately
Site 05	As required
Site 06	-
Site 07	As required
Site 08	Immediately
Site 09	Immediately
Site 10	Immediately
Site 11	As soon as feasible, but no later than 10/15
Site 12	Immediately
Site 13	As required
Site 14	-
Site 15; and Liquid Petroleum Products Property Wide	Prior to 10/15/20
Well Water Use	As required
Past Surface Water Diversions	Immediately



## SMP - Mitigation Report

WDID# - 1\_12CC415251

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 01	-123.564698 40.062856	Seasonal	X	X	-	As required	
Current Condition: Bladder Site.						Prescribed Action: Cannabis Cultivation Policy, Att. A, Sec. 2, Term 87 states - Water storage bladders are not encouraged for long term use... Water bladders shall be properly disposed of or recycled and not resold when assurance of structural integrity is no longer guaranteed. Term 88 states - Cannabis cultivators shall not use water storage bladders unless the bladder is safely contained within a secondary containment system with sufficient capacity to capture 110 percent of a bladder's maximum possible contents in the event of bladder failure (i.e., 110 percent of bladder's capacity)... Refer to Cannabis Cultivation Policy, Att. A, Sec. 2, Term 87 and 88 for the full text of requirements.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 02	-123.564804 40.062516	Seasonal	X	X	-	As required	
Current Condition: Overflowing water tanks at Site 02. The Prescribed Action pertains to all water tanks on the property.						Prescribed Action: Cannabis Cultivation Policy, Att. A, Sec. 2, Term 89 states - Cannabis cultivators shall not cause or allow any overflow from off-stream water storage facilities that are closed to the environment (e.g., tanks and bladders) if the off-stream facilities are served by a diversion from surface water or groundwater. Cannabis cultivators shall on a monthly basis, at a minimum, inspect for and repair all leaks of the diversion and storage system. Written records describing the date, time, and nature of such inspections and repairs shall be kept on-site for a period of at least two years. Such written records shall be made available for review by Water Boards or CDFW, and any other authorized representatives of the Water Boards or CDFW. Term 92 states - To prevent rupture or overflow and runoff, cannabis cultivators shall only use water storage tanks and bladders equipped with a float valve, or equivalent device, to shut off diversion when storage systems are full. Cannabis cultivators shall install any other measures necessary to prevent overflow of storage systems to prevent runoff and the diversion of more water than can be used and/or stored.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 03	-123.563396 40.062393	Seasonal	X	X	-	As required	
Current Condition: Uncovered soil pile.						Prescribed Action: Cannabis Cultivators shall ensure that potting soil or soil amendments, when not in use, are placed and stored with covers, when needed, to protect from rainfall and erosion, to prevent discharge to waters of the state, and to minimize leaching or waste constituents into groundwater.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 04	-123.563007 40.062954	Seasonal	X	X	-	Immediately	
Current Condition: Surface runoff causing minor gully down the seasonal road surface.						Prescribed Action: Relieve surface flow by installing a waterbreak on the road surface.	



# SMP - Mitigation Report

WDID# - 1\_12CC415251

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 05	-123.562564 40.063372	Seasonal	-	X		As required	
<p>Current Condition: Cultivation previously located partially within the 50-foot riparian setback for a Class III watercourse. This area was identified in 2017 in preparation of the Water Resource Protection Plan (WRPP). The WRPP directed the Cannabis Cultivator to remove cultivation and associated materials from the riparian setback and exclude future cultivation operations from the identified setback area. In preparation of the Site Management Plan in 2020, the 50-foot riparian setback was reflagged, there was no cultivation or related materials present, and the area within the setback was revegetated with grass.</p>						<p>Prescribed Action: Continue to exclude future cultivation and associated disturbance from the identified riparian setback.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 06	-123.559478 40.069218	Public	-	-	-	-	
<p>Current Condition: Class III watercourse crossing (18-inch culvert) on Laufer Road (county road).</p>						<p>Prescribed Action: None. The crossing is not part of the project as the cultivator does not have a legal right to modify or maintain the drainage structure along the county road right-of-way.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 07	-123.559526 40.068986	Public	X	X	-	As required	
<p>Current Condition: Six, 2,500 gallon water storage tanks plumbed together. One of the tanks was leaking where the plumbing had become disconnected. Also, the three eastern most tanks are located within the 50-foot riparian setback for a Class III watercourse.</p>						<p>Prescribed Action: Cannabis Cultivation Policy, Att. A, Sec. 2, Term 95 states - Cannabis cultivators shall on a monthly basis, at a minimum, inspect their entire water delivery system for leaks and immediately repair any leaky faucets, pipes, connectors, or other leaks. Also refer to Cannabis Cultivation Policy, Att. A, Sec. 2, Term 89 and 99 that pertain to overflows and leaks. Prior to 10/15/2021 remove the water tanks located within the 50-foot riparian setback for the Class III watercourse. Term 90 states - Water storage tanks, bladders, and other off-stream water storage facilities that are closed to the environment shall not be located in a riparian setback or next to equipment that generates heat. Cannabis cultivators shall place water storage tanks, bladders, and other off-stream water storage facilities that are closed to the environment in areas that allow for ease of installation, access, maintenance, and minimize road development.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 08	-123.558104 40.0691	Permanent	-	X	-	Immediately	
<p>Current Condition: Existing ditch relief culvert.</p>						<p>Prescribed Action: Regularly inspect the ditch-relief culvert and clear it of any debris or sediment.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 09	-123.557987 40.06907	Permanent	-	X	-	Immediately	
<p>Current Condition: Existing ditch relief culvert.</p>						<p>Prescribed Action: Regularly inspect the ditch-relief culvert and clear it of any debris or sediment.</p>	



## SMP - Mitigation Report

WDID# - 1\_12CC415251

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 10	-123.557632 40.068355	Permanent	X	X	-	Immediately	
Current Condition: Existing cross drain culvert that would allow for pond overflow during very high water level conditions. The inlet was plugged.						Prescribed Action: Clear the plugged inlet. Regularly inspect the ditch-relief culvert and clear it of any debris or sediment.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 11	-123.557119 40.068208	Seasonal	X	-	-	As soon as feasible, but no later than 10/15	
Current Condition: Cultivation plant waste intermixed with plastic plant fasteners.						Prescribed Action: Remove plastics from the organic plant waste pile and dispose of. In the future, dead or harvested plant material should be free of inorganic waste prior to piling for compost or decomposition.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 12	-123.55603 40.06764	Seasonal	-	X	-	Immediately	
Current Condition: Existing ditch relief culvert.						Prescribed Action: Regularly inspect the ditch-relief culvert and clear it of any debris or sediment.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 13	-123.555935 40.067424	Seasonal	X	X	-	As required	
Current Condition: Bladder site.						Prescribed Action: Cannabis Cultivation Policy, Att. A, Sec. 2, Term 87 states - Water storage bladders are not encouraged for long term use... Water bladders shall be properly disposed of or recycled and not resold when assurance of structural integrity is no longer guaranteed. Term 88 states - Cannabis cultivators shall not use water storage bladders unless the bladder is safely contained within a secondary containment system with sufficient capacity to capture 110 percent of a bladder's maximum possible contents in the event of bladder failure (i.e., 110 percent of bladder's capacity)... Refer to Cannabis Cultivation Policy, Att. A, Sec. 2, Term 87 and 88 for the full text of requirements.	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 14	-123.558039 40.068056	Permanent	-	X	-	-	
Current Condition: Covered soil pile.						Prescribed Action: None. Continue the current practice of storing soil piles under coverage of secure tarps outside of riparian setbacks.	



## SMP - Mitigation Report

WDID# - 1\_12CC415251

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Site 15; and Liquid Petroleum Products Property Wide	-123.558264 40.067816	Permanent	X	X	-	Prior to 10/15/20	
<p>Current Condition: Site 15 is a fully enclosed, secure shed with a wood floor, dedicated to storage of petroleum products. Products include cases of motor oil and heavy equipment lubricants stored in their original plastic containers, five gallon buckets with lids, and portable gas and diesel containers.</p>						<p>Prescribed Action: Install an impermeable barrier or structure to keep petroleum products contained to the storage shed at Site 15 in case of accidental spillage. Cannabis Cultivation Policy, Att. A, Sec. 2, Term 104 states - Cannabis cultivators shall keep and use absorbent materials designated for spill containment and spill cleanup equipment on-site for use in an accidental spill of fertilizers, petroleum products, hazardous materials, and other substances which may degrade waters of the state... Term 105 states - ...All storage areas shall have appropriate secondary containment structures, as necessary, to protect water quality and prevent spillage, mixing, discharge, or seepage. Term 108 states - ...Cannabis cultivators shall provide secondary containment for hazardous materials to prevent possible exposure to the environment... Term 117 states - Cannabis cultivators shall store petroleum, petroleum products, and similar fluids in a manner that provides chemical compatibility, provides secondary containment, and protection from accidental ignition, the sun, wind, and rain. Refer to Cannabis Cultivation Policy, Att. A, Sec. 2, Term 104, 105, 108, and 117 for the full text of requirements.</p>	
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Well Water Use		Permanent	X	X	-	As required	
<p>Current Condition: Both wells on the parcels were equipped with water meters.</p>						<p>Prescribed Action: Cannabis Cultivation Policy, Att. A, Sec. 2, Term 98 states - Cannabis cultivators shall maintain daily records of all water used for irrigation of cannabis. Daily records may be calculated by the use of a measuring device or, if known, by calculating the irrigation system rates and duration of time watered (e.g., irrigating for one hour twice per day using 50 half-gallon irrigation emitters equates to 50 gallons per day (1 hour x 2 times per day x 50 irrigation emitters x 0.5 gallons per irrigation emitter per hour) of water used for irrigation). Cannabis cultivators shall retain, for a minimum of five years, irrigation records at the cannabis cultivation site and shall make all irrigation records available for review by the Water Boards, CDFW, and any other authorized representatives of the Water Boards or CDFW.</p>	



## SMP - Mitigation Report

WDID# - 1\_12CC415251

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Treatment Priority	Date Completed
Past Surface Water Diversions		-	X	-	-	Immediately	
<p>Current Condition: Past surface water diversions on the property have been discontinued.</p>						<p>Prescribed Action: Remove the infrastructure (e.g. waterlines, pumps, transfer tanks) associated with past surface water diversions on the parcels. Or alternatively, acquire approved permits from CDFW and SWRCB (e.g. LSAA, SIUR, SDUR, ISWDU), and follow the requirements of the permits and the terms of the SWRCB WQ 2019-0001-DWQ (Cannabis General Order). Cannabis Cultivation Policy, Att. A, Sec. 2, Term 69 states - Cannabis cultivators shall not divert surface water unless it is diverted in accordance with an existing water right... Documentation of the water right shall be available for review and inspection by the Water Boards, CDFW, and any other authorized representatives... Term 76 states - Cannabis cultivators shall not obstruct, alter, dam, or divert any portion of a natural watercourse prior to obtaining all applicable permits and approvals. Permits may include a valid water right, 404/401 CWA permits, a CDFW LSA Agreement, coverage under the Cannabis Cultivation General Order water quality certification, or site-specific WDRs issued by the Regional Water Board. Term 77 states - Cannabis cultivators shall plug, block, cap, disconnect, or remove the diversion intake or otherwise bypass flow or render the diversion intake incapable of diverting water for cannabis cultivation activities during the surface water forbearance period... Term 82 states - The cannabis cultivator shall install and maintain a measuring device(s) for surface water or subterranean stream diversions... The measuring device(s) shall be located as close to the point of diversion as reasonable. Cannabis cultivators shall maintain daily diversion records for water diverted for cannabis cultivation. Cannabis cultivators shall maintain separate records that document the amount of water used for cannabis cultivation separated out from the amount of water used for other irrigation purposes and other beneficial uses of water (e.g., domestic, fire protection, etc.). Cannabis cultivators shall maintain daily diversion records at the cultivation site and shall make the records available for review or by request by the Water Boards, CDFW, or any other authorized representatives of the Water Boards or CDFW. Daily diversion records shall be retained for a minimum of five years. Compliance with this term is required for any surface water diversion for cannabis cultivation... Refer to Cannabis Cultivation Policy, Att. A, Sec. 2, Term 69, 76, 77, and 82 for the full text of requirements.</p>	



# BMP's



## **BMP: Winterization and Interim Treatments for Erosion Control**

### **• Roads**

- Existing or newly installed road surface drainage structures such as water bars, rolling dips, ditch relief culverts, and intentionally in/out-sloped segments of road shall be maintained to ensure continued function of capturing and draining surface runoff.
- Hand tool kick-outs (lead out ditch) for existing wheel rut, surface run-off confinement.
- Temporary waterbar/cross-wattles installed on road/trail sections of concentrating surface runoff.
- Clean existing ditch relief culvert inlets, outlets, and contributing ditch lines of current and potential blockage debris by hand.
- Hand place energy dissipating rock/small woody debris at ditch relief culvert outlets where erosion is occurring.
- Wattles/straw bales placed at road runoff delivery sites.
- Touch-up with hand tools of existing surface drainage structures (kick-outs, rolling dips, and waterbars).
- Seed and straw un-used, or to be abandoned, road surfaces where erosion is occurring.
- Frequent use of un-surfaced roads should be avoided, particularly when road surfaces are soft/saturated.

### **• Crossings**

- Clean inlets, outlets, and channels above of current and potential blockage debris by hand.
- Hand place energy dissipating rock/small woody debris at ditch relief culvert outlets.
- Hand placement of rock armor around culvert inlets.
- Install staked wattles along the outboard road edge of out-sloped watercourse crossings where direct delivery of road surface runoff is occurring.
- Hand placement of rock on crossing fill faces where erosion is/may occur as a result of poor crossing construction.

### **• Cultivation Areas**

- Use hand tools to capture cultivation related soils that are not contained (soil from post-harvest plant removal, soil/planter removal, general spillage).
- Treat beds, pots, new soil storage piles, spent soil piles, and soil disposal piles with cover crops for soil stability and potentially nitrogen fixing/soil amendment.
- Bagged potting soil should be covered.
- Install staked wattles or an earthen berm around cultivation soils piles prior to the winter period, annually.
- Any soil amendment, fertilizer, herbicide, or pesticide that is not 100% sealed should be stored under cover.
- Cultivation sites with poor or concentrating drainage can have wattles or bales installed prior to winter to help prevent sediment and nutrients from leaving the site.
- Plastic netting shall be disposed of or stored where it is inaccessible to wildlife.
- Tarps/dep covers shall be stored so they cannot be blown away.
- General waste from growing season gathered up and disposed of.
- Exposed soil surfaces in the cultivation area, as well as graded fill slopes should be seeded, strawed, mulched, jute netted as needed.

### **• General Areas**

- Remove all refuse prior to leaving property for the season.
- Back fill pit toilets to be abandoned.



## **BMP: General Recommendations**

- **Fertilizers, soil amendments, and pesticides**
  - Fertilizer, soil amendments, and pesticide use it to be recorded in such a manner that cumulative annual totals are recorded for annual reporting.
  - Store in-use fertilizers in a securable storage container, such as a tote or deck box, adjacent to the mixing tanks.
- **Petroleum products and hazardous materials**
  - Utilize spill trays/containment structures and cover over the containment when using, fueling, changing oil on portable generators or petroleum powered water pumps to prevent the potential for leeching, seepage or spillage of petroleum products.
  - It is recommended that all petroleum products and other chemicals are registered with the California Environmental Reporting System (CERS) to satisfy future licensing requirements.
- **Water storage and Use**
  - Water use shall be designed and metered such that water used for the irrigation of cannabis will be recorded separately from domestic use. Water use for the irrigation of cannabis is to be recorded monthly for annual reporting.
  - Ensure lids are secured on all water storage tanks to prevent wildlife from becoming entrapped within the tank.
  - Install float valves, or implement another equivalent system, on all applicable water storage and transfer tanks to prevent unnecessary water diversion and the overflowing of water tanks.



## **BMP: General Operations BMPs**

- If operations require moving of equipment across a flowing stream, such operations shall be conducted without causing a prolonged visible increase in stream turbidity. For repeated crossings, the operator shall install a bridge, culvert, or rock-lined crossing.
- During construction in flowing water, which can transport sediment downstream, the flow shall be diverted around the work area by pipe, pumping, temporary diversion channel or other suitable means. When any dam or artificial obstruction is being constructed, maintained, or placed in operation, sufficient water shall at all times be allowed to pass downstream to maintain fish life below the dam. Equipment may be operated in the channel of flowing live streams only as necessary to construct the described construction.
- Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. The disturbed portion of any stream channel shall be restored to as near their original condition as possible. Restoration shall include the mulching of stripped or exposed dirt areas at crossing sites prior to the end of the work period.
- Structures and associated materials not designed to withstand high seasonal flow shall be removed to areas above the high-water mark before such flows occur.
- No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washing, oil or petroleum products, or other organic or earthen material from any logging, construction, or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high-water mark of any stream.



## **BMP: General Erosion Control**

- Timing for soil stabilization measures within the 100 feet of a watercourse or lake: For areas disturbed from May 1 through October 15, treatment shall be completed prior to the start of any rain that causes overland flow across or along the disturbed surface. For areas disturbed from October 16 through April 30, treatment shall be completed prior to any day for which a chance of rain of 30 percent or greater is forecast by the National Weather Service or within 10 days, whichever is earlier.
- Within 100 feet of a watercourse or lake, the traveled surface of logging roads shall be treated to prevent waterborne transport of sediment and concentration of runoff that results from operations. Treatment may consist of, but not limited to, rocking, out sloping, rolling dips, cross drains, water bars, slope stabilization measures, or other practices appropriate to site-specific conditions.
- The treatment for other disturbed areas within 100 feet of a watercourse or lake, including: (A) areas exceeding 100 contiguous square feet where operations have exposed bare soil, (B) approaches to road watercourse crossings out to 100 feet or the nearest drainage facility, whichever is farthest, (C) road cut banks and fills, and (D) any other area of disturbed soil that threatens to discharge sediment into waters in amounts deleterious to the quality and beneficial uses of water, shall be grass seeded and mulched with straw or fine slash. Grass seed shall be applied at a rate exceeding 100 pounds per acre. Straw mulch shall be applied in amounts sufficient to provide at least 2- 4-inch depth of straw with minimum 90% coverage. Slash may be substituted for straw mulch provided the depth, texture, and ground contact are equivalent to at least 2 – 4 inches of straw mulch. Any treated area that has been subject to reuse or has less than 90% surface cover shall be treated again prior to the end of operations.
- Within 100 feet of a watercourse or lake, where the undisturbed natural ground cover cannot effectively protect beneficial uses of water from operations, the ground shall be treated with slope stabilization measures described in #3 above per timing described in #1 above.
- Side cast or fill material extending more than 20 feet in slope distance from the outside edge of a landing which has access to a watercourse or lake shall be treated with slope stabilization measures described in #3 above. Timing shall occur per #1 above unless outside 100 feet of a watercourse or lake, in which completion date is October 15.
- All roads shall have drainage and/or drainage collection and storage facilities installed as soon as practical following operations and prior to either (1) the start of any rain which causes overland flow across or along the disturbed surface within 100 feet of a watercourse or lake protection, or (2) any day with a National Weather Service forecast of a chance of rain of 30 percent or more, a flash flood warning, or a flash flood watch.

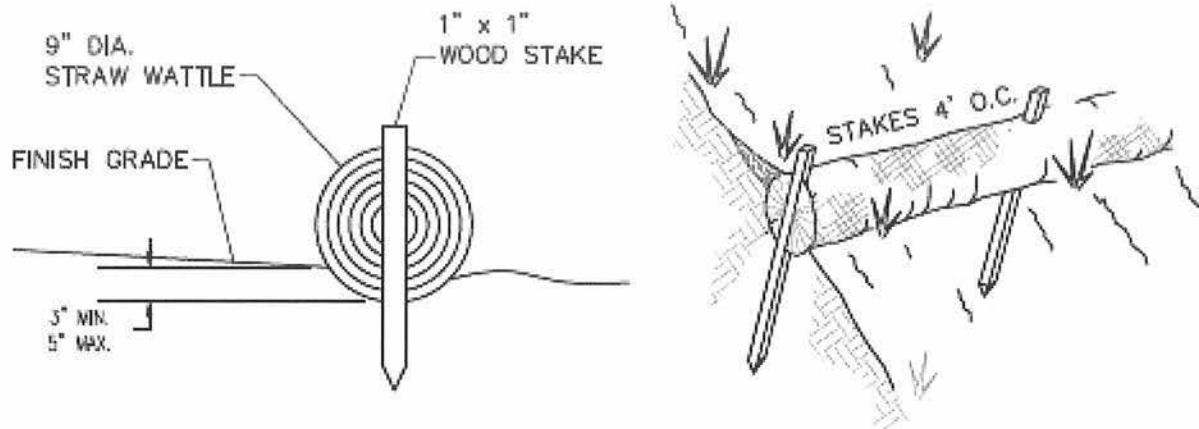


### **BMP: General Erosion Control (Cont.)**

- Erosion control and sediment detention devices and materials shall be incorporated into the cleanup/restoration work design and installed prior to the end of project work and before the beginning of the rainy season. Any continuing, approved project work conducted after October 15 shall have erosion control works completed up-to-date and daily.
- Erosion control materials shall be, at minimum, stored on-site at all times during approved project work between May 1 and October 15.
- Approved project work within the 5-year flood plain shall not begin until all temporary erosion controls (straw bales or silt fences that are effectively keyed-in) are installed downslope of cleanup/restoration activities.
- Non-invasive, non-persistent grass species (e.g., barley grass) may be used for their temporary erosion control benefits to stabilize disturbed slopes and prevent exposure of disturbed soils to rainfall.
- Upon work completion, all exposed soil present in and around the cleanup/restoration sites shall be stabilized within 7 days.
- Soils exposed by cleanup/restoration operations shall be seeded and mulched to prevent sediment runoff and transport.
- Straw Wattles (if used) shall be installed with 18 or 24-inch wood stakes at four feet on center. The ends of adjacent straw wattles shall be abutted to each other snugly or overlapped by six inches. Wattles shall be installed so that the wattle is in firm contact with the ground surface.



## BMP: General Erosion Control (Cont.)

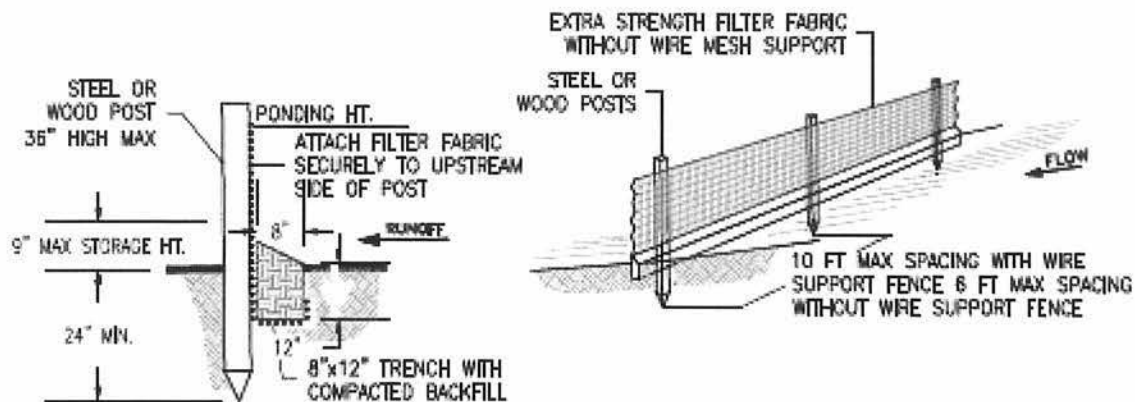


### STRAW WATTLE NOTES:

1. STRAW WATTLES SHALL BE INSTALLED WITH 18 OR 24 INCH WOOD STAKES AT FOUR FEET ON CENTER. THE ENDS OF ADJACENT STRAW WATTLES SHALL BE ABUTTED TO EACH OTHER SNUGLY OR OVERLAPPED BY SIX INCHES.
2. STRAW ROLL INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE ROLL IN A TRENCH, 3"-5" DEEP. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND THE ROLL.

### STRAW WATTLE INSTALLATION DETAIL

NTS



### SILT FENCE NOTES:

1. THE CONTRACTOR SHALL INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT.
2. CONTRACTOR SHALL REMOVE SEDIMENT AS NECESSARY. REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND IN AN AREA THAT CAN BE PERMANENTLY STABILIZED.
3. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.

### SILT FENCE DETAILS

NTS

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## **BMP: General Erosion Control (Cont.)**

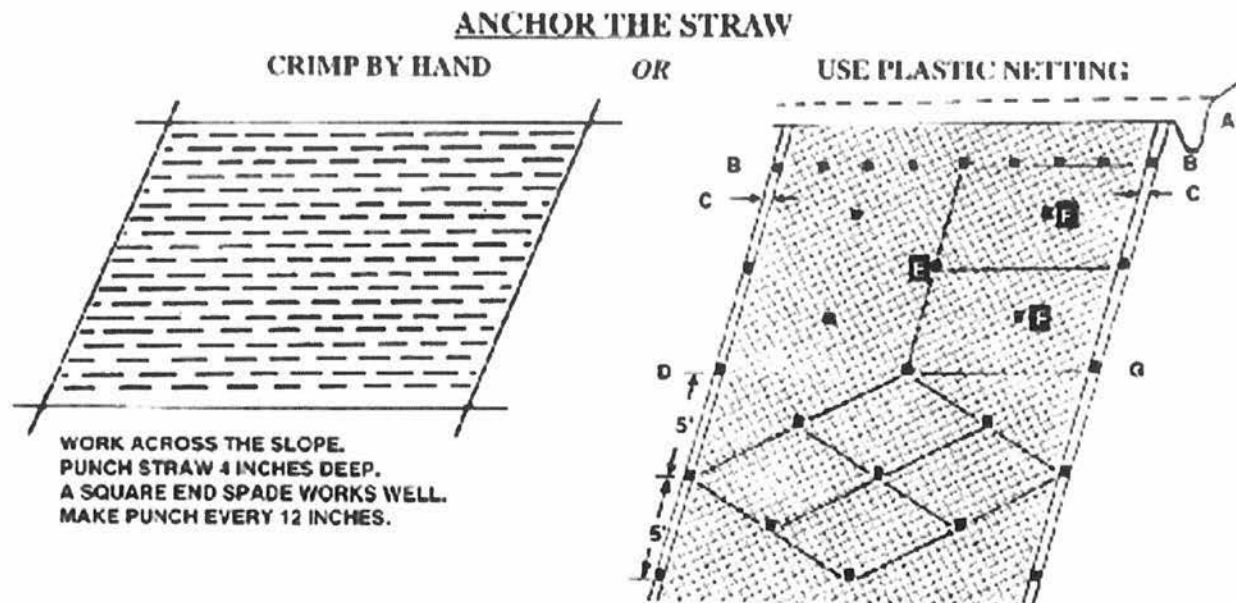
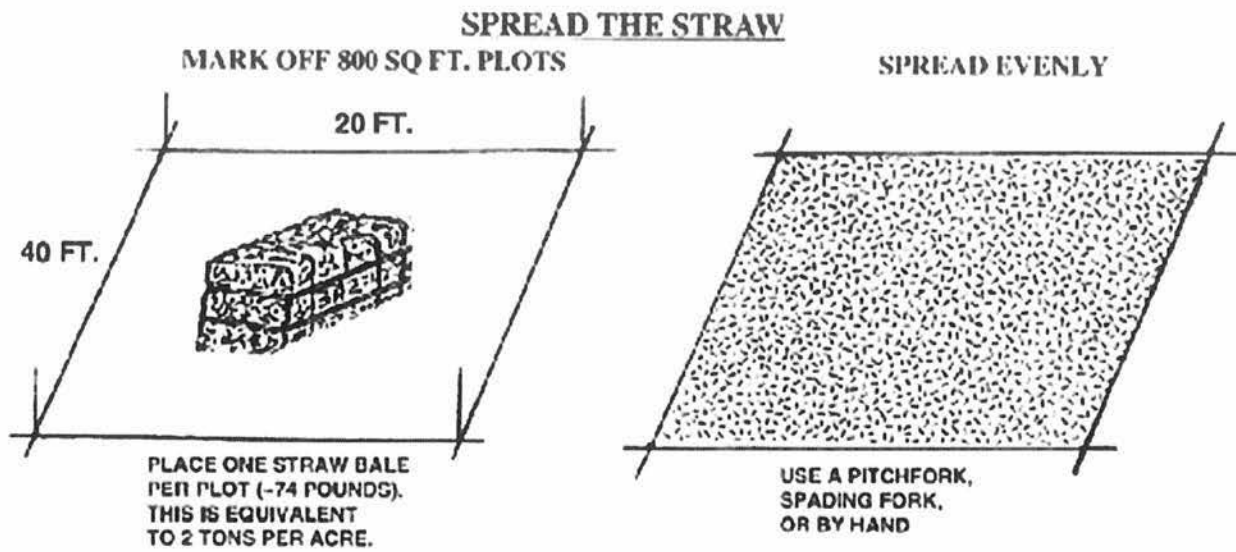


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## BMP: General Erosion Control (Cont.)



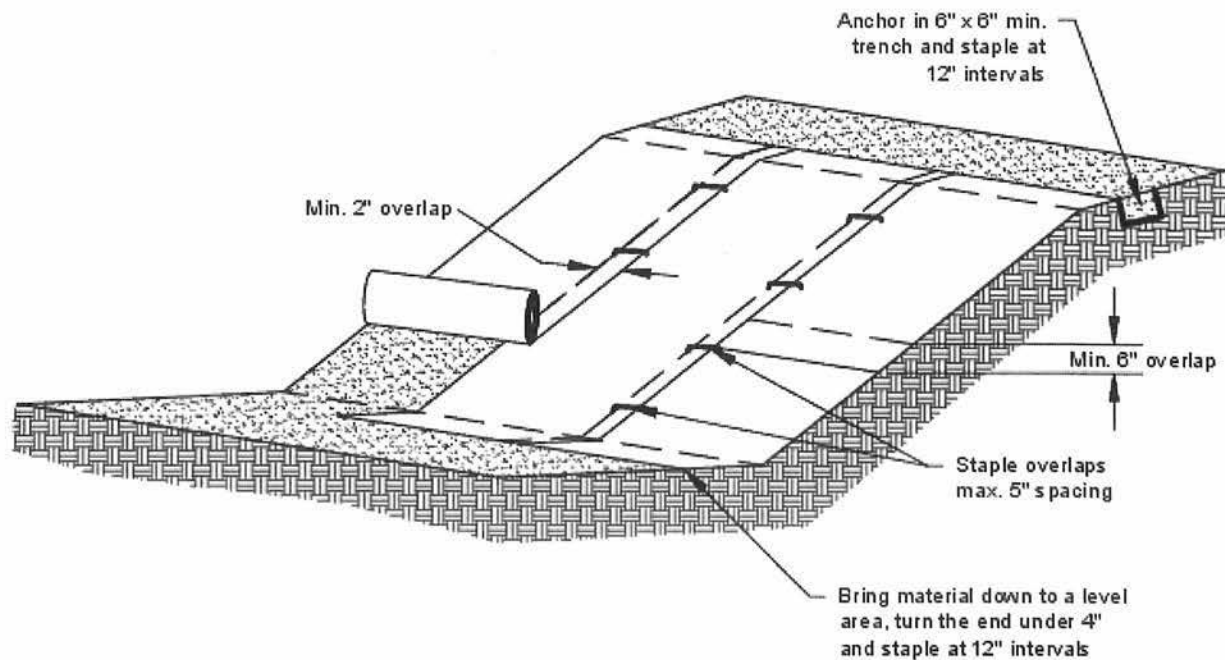
- A. LAY BIRD CONTROL NETTING OR SIMILAR MATTING IN STRIPS DOWN THE SLOPE OVER THE STRAW. BURY UPPER END IN 6-8 INCH DEEP AND WIDE TRENCH.. MOST NETTING COMES IN 14 TO 17 FT. WIDE ROLLS.
- B. SECURE THE UPPER END WITH STAKES EVERY 2 FEET.
- C. OVERLAP SEAMS ON EACH SIDE 4-5 INCHES.
- D. SECURE SEAMS WITH STAKES EVERY 5 FEET.
- E. STAKE DOWN THE CENTER EVERY 5 FEET.

- F. STAKE MIDDLES TO CREATE DIAMOND PATTERN THAT PROVIDES STAKES SPACED 4-5 FEET APART.

- G. USE POINTED 1X2 INCH STAKES 8 TO 9 INCHES LONG. LEAVE 1 TO 2 INCH TOP ABOVE NETTING, OR USE "U" SHAPED METAL PINS AT LEAST 9 INCHES LONG.

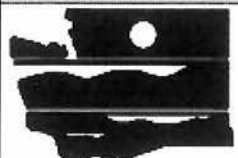
NOTE: WHEN JOINING TWO STRIPS, OVERLAP UPPER STRIP 3 FEET OVER LOWER STRIP AND SECURE WITH STAKES EVERY 2 FEET LIKE IN "B" ABOVE



**BMP: General Erosion Control (Cont.)****Notes:**

1. Slope surface shall be smooth before placement for proper soil contact.
2. Stapling pattern as per manufacturer's recommendations.
3. Do not stretch blankets/matting tight - allow the rolls to mold to any irregularities.
4. For slopes less than 3H:1V, rolls may be placed in horizontal strips.
5. If there is a berm at the top of the slope, anchor upslope of the berm.
6. Lime, fertilize, and seed before installation. Planting of shrubs, trees, etc. should occur after installation.

NOT TO SCALE



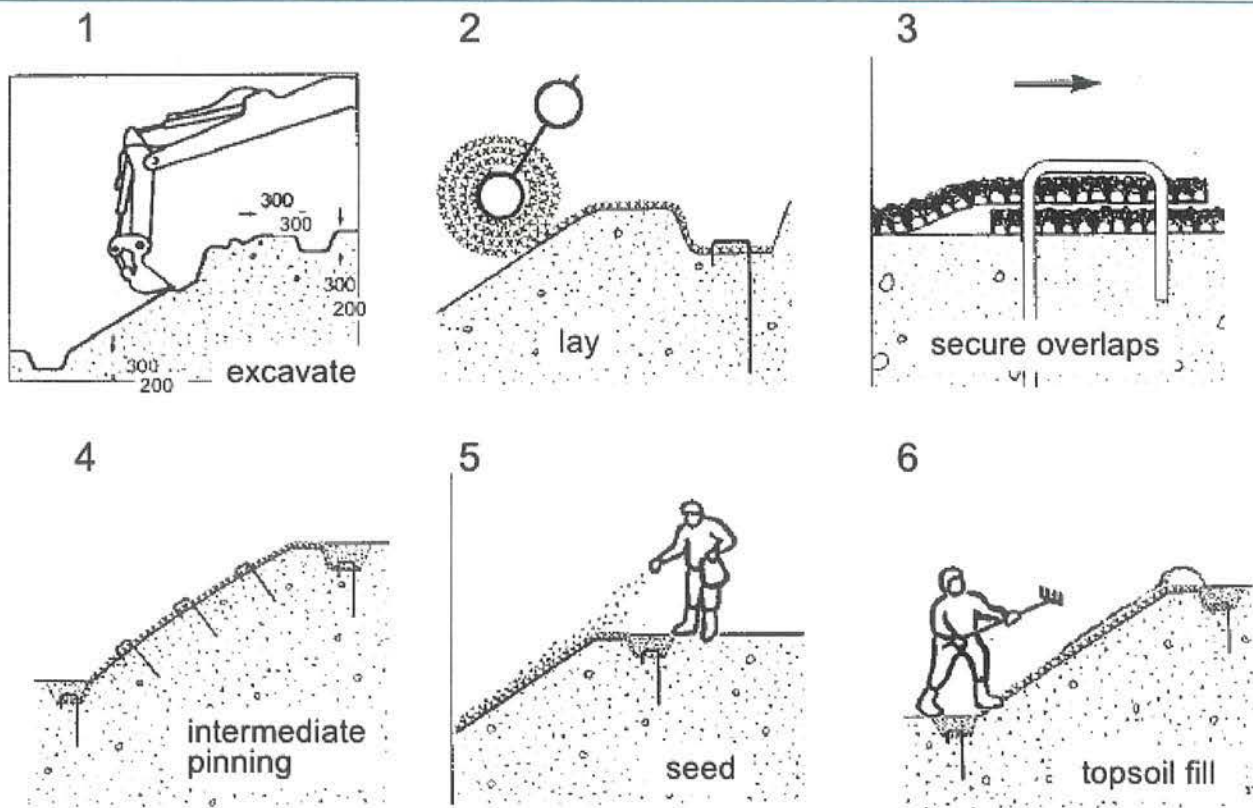
DEPARTMENT OF  
**ECOLOGY**  
State of Washington

**Slope Installation**

Revised June 2016

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**BMP: General Erosion Control (Cont.)****Installation of a geosynthetics mat - Enkamat**



## BMP: General Erosion Control (Cont.)

**TABLE 34.** Guidelines for erosion and sediment control application

Timing of application	Technique	Portion of road and construction area treated
Erosion control during construction	Hydromulching, hydroseeding	Road fill slopes, cut slopes, bare soil areas
	Dry seeding	Road fill slopes, cut slopes, bare soil areas
	Wood chip, straw, Excelsior or tackified mulch	Road fill slopes, cut slopes, bare soil areas
	Straw wattles	Road fill slopes and cut slopes
	Gravel surfacing	Road, landing and turnout surfaces
	Dust palliative	Road surfaces
	Minimize disturbance (soil and vegetation)	All areas peripheral to construction
Sediment control during construction	Sediment basin	Roadside ditches, turnouts and small stream crossings
	Sediment traps (e.g., silt fences, straw bales barriers, woody debris barriers)	Road fill slopes, cutbanks, bare soil areas and ditches
	Straw bale dams	Ditches and small streams
	Sumps and water pumps	Stream channels and stream crossings
	Streamflow diversions (e.g., temporary culverts, flex pipe, etc.)	Stream channels and stream crossings
	Surface diversion and dispersion devices (pipes, ditches, etc.)	All disturbed bare soil areas
	Road shaping	Road and landing surfaces
Permanent erosion control	Gravel surfacing	Road, landing and turnout surfaces
	Bituminous or asphalt surfacing	Road surface
	Rolling dips	Road surface
	Ditch relief culverts	Roadbed and road fill
	Downspouts and berm drains	Road fill slopes
	Waterbars	Road and landing surfaces
	Berms	Road surface and roadside areas
	Ditches	Road and landing surfaces
	Riprap	Road fill slopes, stream crossing fills, cutbanks, stream and lake banks
	Soil bioengineering	Road fill slopes, cut slopes, stream crossings, streambanks
	Tree planting	Road fill slopes, cutbanks, bare soil areas, stream crossings, streambanks

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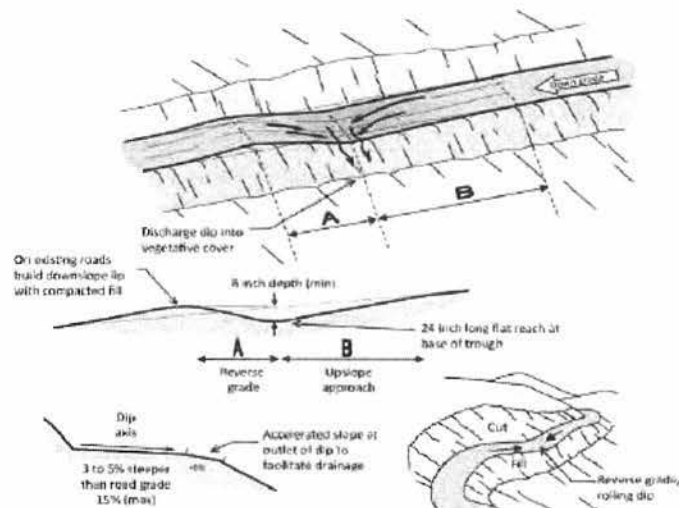


## **BMP: Rolling Dip Design and Placement**

- Rolling dips are drainage structures designed to force surface water to be drained from the road surface.
- The road shall dip into, and rise out of, the rolling dip to eliminate the potential of road surface runoff to run further down road way.
- The rolling dip shall be constructed with clean native materials or rock surfaced where specified.
- The rolling dips outlet may be armored to resist down-cutting and erosion of the outboard road fill.
- Do not discharge rolling dips into any areas that show signs of instability or active landsliding.
- If the rolling dip is designed to divert both road surface and ditch runoff, block the down-road ditch with compacted fill in order to force all ditch flows through the trough (low point) of the rolling dip.

## **BMP: Rocked Rolling Dip Design and Placement**

- Rocked rolling dips are drainage structures designed to carry known sources of surface water across road ways or from known persistently wet segments of road such as swales without defined watercourses or road segments with heavy bank/road seepage.
- The road shall dip into, and rise out of, the rocked rolling dip to minimize diversion potential.
- The rocked rolling dip shall be constructed with clean rock that is large enough to remain in place during peak flows. Rock size shall vary relative to the anticipated flow through the dip with larger rock used in location where greater flow is anticipated.
- The rocked rolling dips inlet and outlet shall be armored to resist down-cutting and erosion.
- The entire width of the rocked rolling dip shall be rock armored to a minimum of 5-feet from the centerline of the dipped portion of the rolling dip.
- If a keyway is necessary, the rocked rolling dip keyway at the base of the dip shall be of sufficient size, depth and length to support materials used in the rocked rolling dip construction back up to the road crossing interface.
- Do not discharge rolling dips into any areas that show signs of instability or active landsliding.
- If the rolling dip is designed to divert both road surface and ditch runoff, block the down-road ditch with compacted fill.
- The rolling dip should be designed as a broad feature ranging from 10-100 feet long so that it is drivable by most types of vehicular traffic and not significantly inhibit traffic and road use.



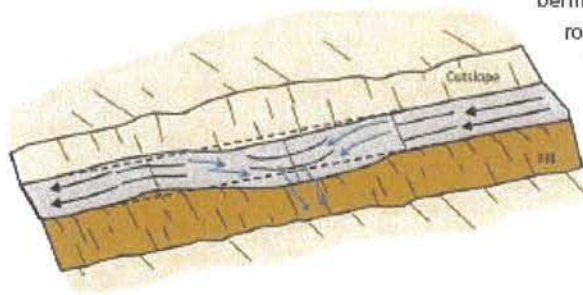
**FIGURE 34.** A classic Type I rolling dip, where the excavated up-road approach (B) to the rolling dip is several percent steeper than the approaching road and extends for 60 to 80 feet to the rolling dip. The lower side of the structure reverses grade (A) over approximately 15 feet or more, and then falls down to rejoin the original road grade. The dip must be deep enough that it is not obliterated by normal grading, but not so deep that it is difficult to negotiate or a hazard to normal traffic. The outward cross-slope of the dip axis should be 3% to 5% greater than the up-road grade (B) so it will drain properly. The dip axis should be out-sloped sufficiently to be self-cleaning, without triggering excessive downcutting or sediment deposition in the dip axis (Modified from: Best, 2013).

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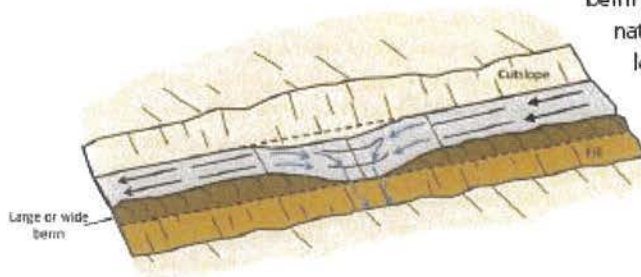
## **BMP: Rolling Dip Design and Placement (Types)**

### **Type 1 Rolling Dip (Standard)**



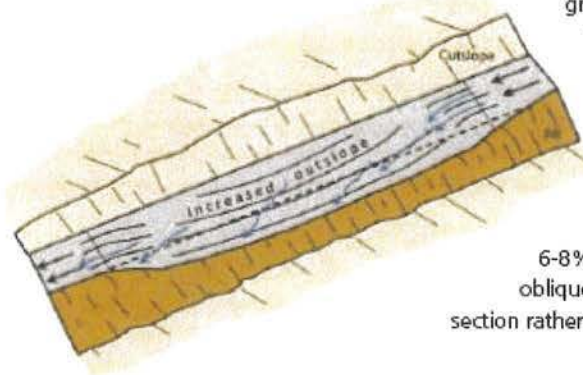
Type 1 rolling dips are used where road grades are less than about 12-14% and road runoff is not confined by a large through cut or berm. The axis of the dip should be perpendicular to the road alignment and sloped at 3-4% across the road tread. Steep roads will have longer and more abrupt dip dimensions to develop reverse grade through the dip axis. The road tread and/or the dip outlet can be rocked to protect against erosion, if needed.

### **Type 2 Rolling Dip (Through-cut or thick berm road reaches)**



Type 2 rolling dips are constructed on roads up to 12-14% grade where there is a through cut up to 3 feet tall, or a wide or tall berm that otherwise blocks road drainage. The berm or native through cut material should be removed for the length of the dip, or at least through the axis of the dip, to the extent needed to provide for uninterrupted drainage onto the adjacent slope. The berm and slope material can be excavated and endhailed, or the material can be sidecast onto native slopes up to 45%, provided it will not enter a stream.

### **Type 3 Rolling Dip (Steep road grade)**



Type 3 rolling dips are utilized where road grades are steeper than about 12% and it is not feasible to develop a reverse grade that will also allow passage of the design vehicle (steep road grades require more abrupt grade reversals that some vehicles may not be able to traverse without bottoming out).

Instead of relying on the dip's grade reversal to turn runoff off the roadbed, the road is built with an exaggerated outslope of 6-8% across the dip axis. Road runoff is deflected obliquely across the dip axis and is shed off the outsloped section rather than continuing down the steep road grade.

**FIGURE 36. Rolling dip types**

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## BMP: Rolling Dip Design and Placement

**FIGURE 33A.**

Rolling dip constructed on a rock surfaced rural road. The rolling dip represents a change-in-grade along the road alignment and acts to discharge water that has collected on, or is flowing down, the road surface. This road was recently converted from a high maintenance, insloped, ditched road to a low maintenance, outsloped road with rolling dips.



**FIGURE 33B.**

This side view of an outsloped road shows that the rolling dip does not have to be deep or abrupt to reverse road grade and effectively drain the road surface. This outsloped forest road has rolling dips that allow all traffic types to travel the route without changing speed.





## **BMP: Waterbar/Rolling Dip Combined with DRC**



**FIGURE 39.**

Waterbars are often used to drain surface runoff from seasonal, unsurfaced roads. Because they are easily broken down by vehicles, waterbars are only used on unsurfaced roads where there is little or no wet weather traffic. In this photo, a waterbar and ditch relief culvert are used to drain all road surface and ditch runoff from the insloped road prism.

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Diagram shows and discussed the use of a waterbar. However, a DRC combined with a rolling dip structure provides the same surface and ditch drainage for roads used year-round. Just as with the waterbar in the photo above, The DRC is installed just upslope from the rolling dip. This also creates a fail-safe should the DRC become plugged or overwhelmed.



**FIGURE 238.** Traffic and surface runoff from graveled roads often produces surface erosion, turbid runoff and fine sediment transport that can be delivered to streams. Where ditches can't be eliminated, sediment traps and roadside settling basins can be installed to capture and remove most of the eroded sediment. This settling basin has been constructed along the inside ditch just before a stream crossing culvert inlet (see arrow). Eroded sediment from the road and ditch are deposited in the basin before flow is released to the stream. Fine sediments have filled about 1/3 of this basin and vegetation is now growing. Sediment basins require periodic maintenance to maintain their storage capacity.

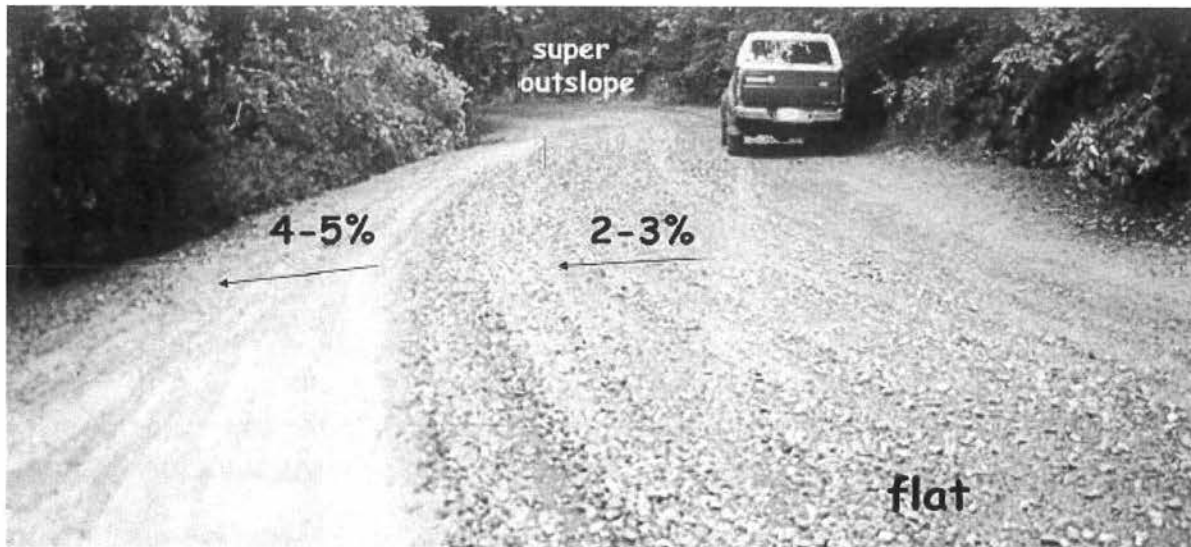
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## BMP: Road Outsloping



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**FIGURE 29.** Road shape changes as the road travels through the landscape. For example, an out-sloped road will have a steep or "banked" outslope through inside curves, a consistent outslope through straight reaches and a flat or slightly insloped shape as it goes through an outside curve. The road may have an outslope of 2-3% across the travel surface while the shoulder is more steeply outsloped to ensure runoff and sediment will leave the roadbed.



## BMP: Steep Road Drainage Structures



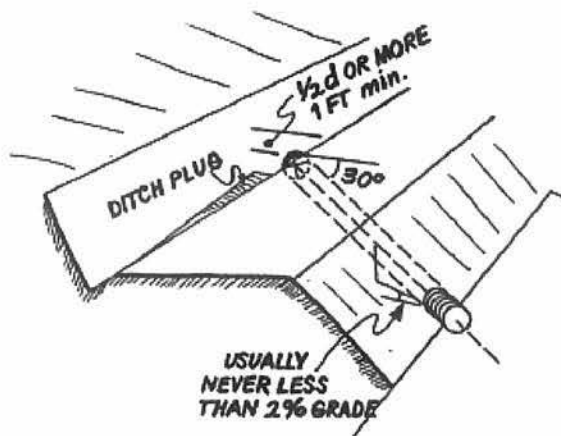
**FIGURE 55.** Steep roads that go straight up or down a hillside are very difficult to drain. This steep, fall line road developed a through cut cross section that was drained using lead out ditches to direct runoff off the road and onto the adjacent, vegetated hillside. The road was "outsloped" to drain runoff to the right side, and the lead out ditch was built slightly steeper than the road grade, to be self-cleaning. Four lead out ditches have been constructed at 100-foot intervals to the bottom of the hillside.

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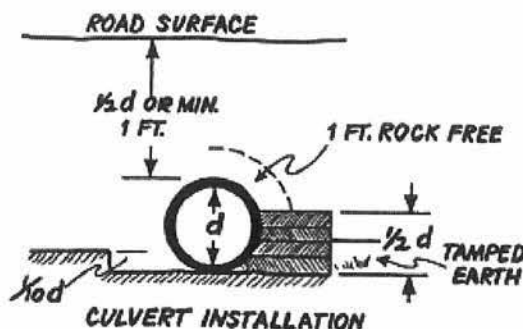


## BMP: Ditch Relief Culvert

- Install ditch relief culverts at an oblique (typically 30 degree) angle to the road so that ditch flow does not have to make a sharp angle turn to enter the pipe. On low gradient roads (<5%), where ditch flow is slow, ditch relief culverts can be installed at right angles to the road.
- Install ditch relief culverts (DRC) to outlet at, and drain to, the base of the fill
- If it cannot be installed at the base of the fill, install the DRC with a grade steeper than the inboard ditch draining to the culvert inlet, and then install a downspout on the outlet to carry the culverted flow to the base of the fillslope or energy dissipater material at outlet to prevent erosion or the outboard road fill.
- Downspouts longer than 20 feet should be secured to the hillslope for stability.
- Ditch relief culverts should not carry excessive flow such that gulying occurs below the culvert outlet or such that erosion and down-cutting of the inboard ditch is occurring.
- Do not discharge flows from ditch relief culverts onto unstable areas or highly erodible hillslopes.
- If the ditch is on an insloped or crowned road, consider reshaping road outsloping to drain the road surface. The ditch and the ditch relief culvert would then convey only spring flow from the cutbank and hillslope runoff, and not turbid runoff from the road surface.



**FIGURE 48.** The elements of a properly installed ditch relief culvert. The culvert is angled at about 30 degrees to the road alignment to help capture flow and prevent culvert plugging or erosion of the inlet area. It is set at the base of the fill (ideally) or with a grade slightly steeper than the grade of the contributing ditch (but never with a grade less than 2 percent) (USDA-SCS, 1983). At a minimum, the grade of the ditch relief culvert should be sufficient to prevent sediment accumulation at the inlet or deposition within the culvert itself (it should be self-cleaning) (USDA-SCS, 1983).



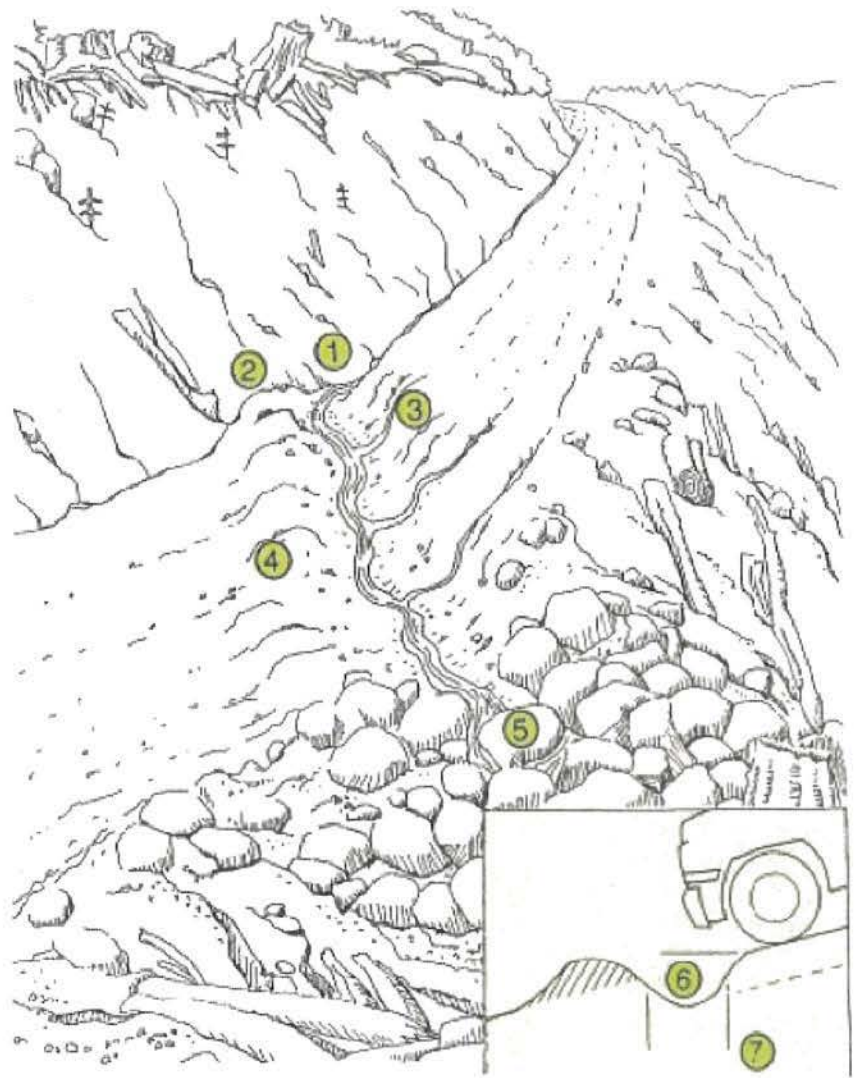
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## BMP: Waterbar Construction

**FIGURE 40.** Waterbars are constructed on unsurfaced forest and ranch roads that will have little or no traffic during the wet season. The waterbar should be extended to the cutbank to intercept all ditch flow (1) and extend beyond the shoulder of the road. A berm (2) must block and prevent ditch flow from continuing down the road during flood flows. The excavated waterbar (3) should be constructed to be self-cleaning, typically with a 30° skew to the road alignment with the excavated material bermed on the downhill grade of the road (4). Water should always be discharged onto the downhill side on a stable slope protected by vegetation. Rock (shown in the figure) should not be necessary if waterbars are spaced close enough to prevent serious erosion. (5) The cross ditch depth (6) and width (7) must allow vehicle cross-over without destroying the function of the drain. Several alternate types of waterbars are possible, including one that drains only the road surface (not the ditch), and one that drains the road surface into the inside ditch (BCMF, 1991).

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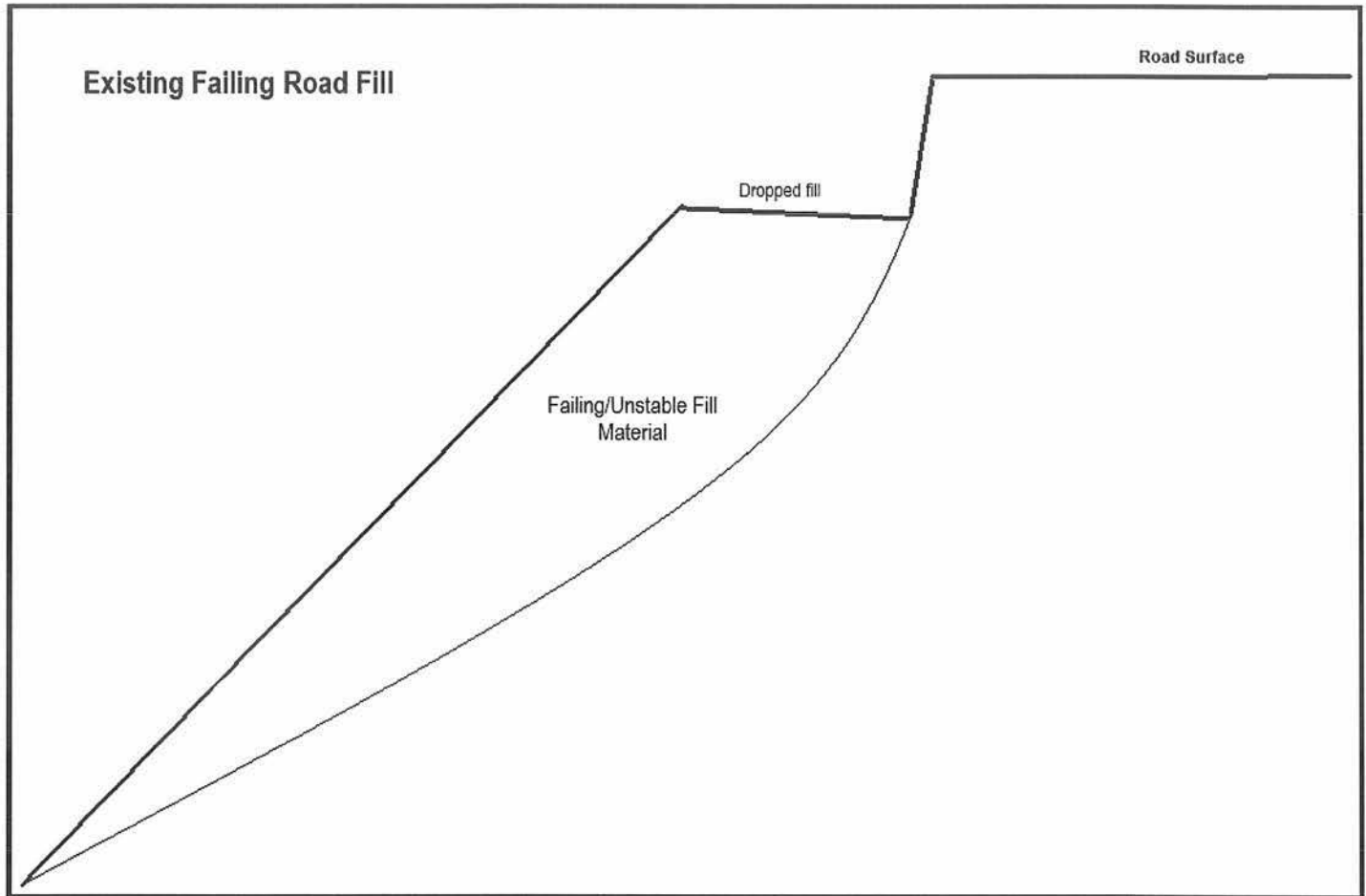
## **BMP: Unstable Fill Removal and Treatment**



**FIGURE 230.** *The most cost-effective treatment for unstable fills along the outside of a forest, ranch or rural road is simply the direct excavation of the unstable material. If road width is too narrow, additional width can often be derived from cutting into the bank. The excavation should encompass the unstable fill materials, beginning at the inside crack or scarp, and extending out and down the fill slope as far as possible. For proper surface drainage, and to retrieve most of the unstable fill, the excavation should have a concave profile when completed. Typically, the bulk of the fill is within 20 to 25 feet of the outside edge of the road and is easily reached by a midsized excavator. Any remaining fill is likely to be small enough that it will not fail or travel far enough to reach the stream.*



## BMP: Unstable Fill Removal and Treatment



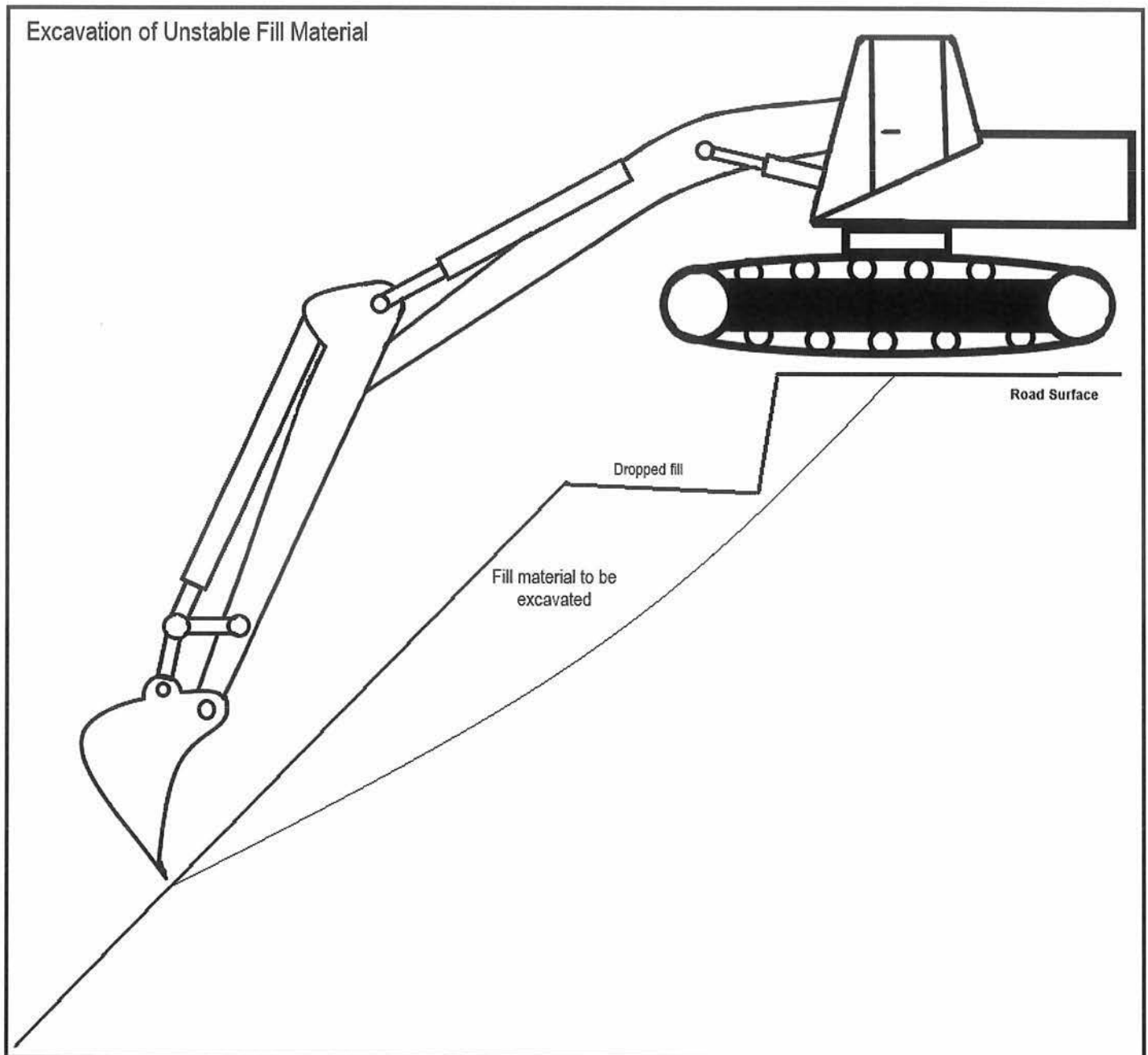
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## BMP: Unstable Fill Removal and Treatment

Excavation of Unstable Fill Material

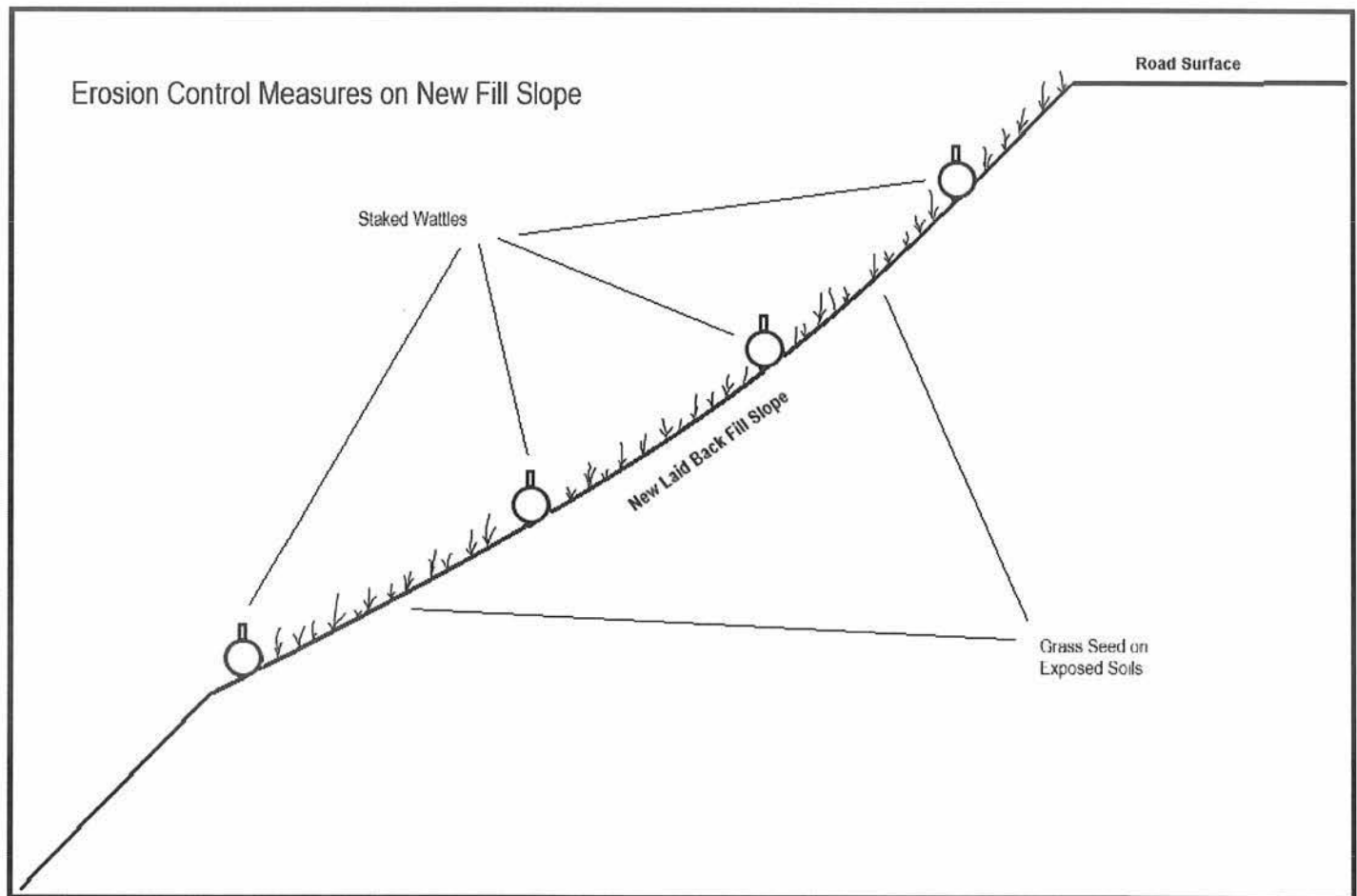


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## BMP: Unstable Fill Removal and Treatment



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## BMP: Rock Armor Cutbank



**FIGURE 52.** This wet and potentially unstable cut slope on a newly constructed road was stabilized using a buttress of large rock armor. To assure their effectiveness, rock buttresses and other retaining structures should be designed by a qualified engineer or engineering geologist.

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## BMP: Rip-Rap Size Class Table

**TABLE 25.** Standard classification and gradation of riprap by size of rock<sup>1</sup>

Riprap size class	Median particle weight <sup>2</sup>	Median particle diameter <sup>2</sup> (in)	Minimum and maximum allowable particle size (in) <sup>2</sup>							
			D <sub>15</sub>		D <sub>50</sub>		D <sub>85</sub>		D <sub>100</sub>	
			Min	Max	Min	Max	Min	Max	Min	Max
Class I	20 lb	6	3.7	5.2	5.7	6.9	7.8	9.2	12.0	
Class II	60 lb	9	5.5	7.8	8.5	10.5	11.5	14.0	18.0	
Class III	150 lb	12	7.3	10.5	11.5	14.0	15.5	18.5	24.0	
Class IV	300 lb	15	9.2	13.0	14.5	17.5	19.5	23.0	30.0	
Class V	¼ ton	18	11.0	15.5	17.0	20.5	23.5	27.5	36.0	
Class VI	3/8 ton	21	13.0	18.5	20.0	24.0	27.5	32.5	42.0	
Class VII	½ ton	24	14.5	21.0	23.0	27.5	31.0	37.0	48.0	
Class VIII	1 ton	30	18.5	26.0	28.5	34.5	39.0	46.0	60.0	
Class IX	2 ton	36	22.0	31.5	34.0	41.5	47.0	55.5	72.0	
Class X	3 ton	42	25.5	36.5	40.0	48.5	54.5	64.5	84.0	

<sup>1</sup>Lagasse et al. (2006)

<sup>2</sup>Equivalent to spherical diameter



## **BMP: Storage Bladders**

- Storage bladders shall be located and designed to minimize the potential for impacts due to rolling and/or failure. Storage bladders should be stored on flat slopes where stability will not be affected.
- Storage bladders shall be located to minimize the potential for water to flow into a watercourse in the event of a catastrophic failure.
- Bladders shall not be used unless the bladder is safely contained within a secondary containment system with sufficient capacity to capture 110 percent of a bladders maximum volume in the vent of bladder failure.
- Secondary containment is recommended in the form of a dirt berm, containment pit, combination of both, or impermeable material with skeletal support. The containment should be capable of holding 110 percent of the bladders volume.
- Secondary containment systems shall be of sufficient strength and stability to withstand the forces of released contents in the event of catastrophic bladder failure.
- Secondary containment systems that are exposed to precipitation shall be designed and maintained with sufficient capacity to accommodate precipitation and storm water inputs from a 25-year, 24-hour storm event.
- Bladders and containment systems shall be periodically inspected to ensure integrity.



*This is an example of a containment pit which will assist in mitigating the impacts if this storage bladder failed.*



## **BMP: Cultivation Site Restoration**

- Remove all cultivation and associated materials from designated cultivation site.
  - This includes plant mass, root balls, potting containers, cultivation medium and any materials associated with the preparation, cultivation, and harvest of commercial cannabis.
  - Cultivation medium removed from the site shall be stored/disposed of in compliance with Order conditions related to spoils management.
- All disturbed and/or unstable slopes shall be stabilized and returned to pre-project conditions.
  - Slopes shall be contoured as close as feasible to natural grade and aspect.
  - Temporary erosion control shall be applied to prevent sediment run-off.
- Soil exposed as a result of project work, soil above rock riprap, and interstitial spaces between rocks shall be revegetated with native species by live planting, seed casting, or hydroseeding prior to the rainy season of the year work is completed.
  - Native plants characteristic of the local habitat shall be used for revegetation when implementing and maintaining cleanup/restoration work in riparian and other sensitive areas.
  - Native forbes and graminoids shall be planted to replace sediment stabilization, sediment filtration and nutrient filtration
  - Native trees and shrubs shall be planted to replace bank stabilization, inputs of large woody debris and temperature control within riparian areas.
  - Restoration of the quality/health of the riparian stand shall promote: 1) shade and microclimate controls; 2) delivery of wood to channels, 3) slope stability and erosion control, 4) ground cover, and 5) removal of excess nutrients.



## **BMP: Generator, Fuel, and Oil Management**

All bulk fuel storage or petroleum products, any/all future petroleum products and other liquid chemicals, including but not limited to diesel, biodiesel, gasoline, and oils shall be stored so as to prevent their spillage, discharge, or seepage into receiving waters. Storage tanks and containers shall be of suitable material and construction to be compatible with the substance(s) stored and conditions of storage such as pressure and temperature. Above ground storage tanks and containers shall be provided with a secondary means of containment for the entire capacity of the largest single container and sufficient cover shall be provided to prevent any/all precipitation from entering said secondary containment vessel.

If the volume of a fuel container is greater than 1,320 gallons, a Spill Prevention, Control, and Countermeasures (SPCC) plan will be required for the use the fuel tank.

On-site storage of petroleum products, or other fuels used for commercial activities may require registration as hazardous materials through the California Environmental Reporting System (CERS). Additionally, the waste oil generated from commercial activities (generators) and their used oil filters are considered hazardous waste and requires additional reporting. The discharger is advised to contact local agencies to find out if such reporting is applicable to current operations.

Used motor oil is recommended to be stored in sealed containers that the oil was originally packaged in, e.g. sealed buckets/quart or gallon jugs, or other sealed containers designed to store motor oil. Stored used oil is recommended to be regularly disposed of at hazardous waste disposal sites. Used oil filters are also recommended to be stored in sealed containers, e.g. sealed plastic totes/buckets, for later disposal at a hazardous waste disposal site. These storage containers are recommended to be stored in structures where they are protected from precipitation.

Further information regarding the State of California's requirements for the managing of Used Oil and Oil Filters can be found by entering the links below or searching the corresponding titles to the links.

### **California Department of Toxic Substances Control - Used Oil Generator Requirements**

- <https://www.dtsc.ca.gov/InformationResources/upload/RAG-UsedOilforGenerators.pdf>

### **Department of Toxic Substances Control - Managing Used Oil Filters for Generator**

- [https://www.dtsc.ca.gov/InformationResources/upload/RAG\\_Used-Oil-Filters\\_Generators1.pdf](https://www.dtsc.ca.gov/InformationResources/upload/RAG_Used-Oil-Filters_Generators1.pdf)



## **BMP: Generator, Fuel, and Oil Management**

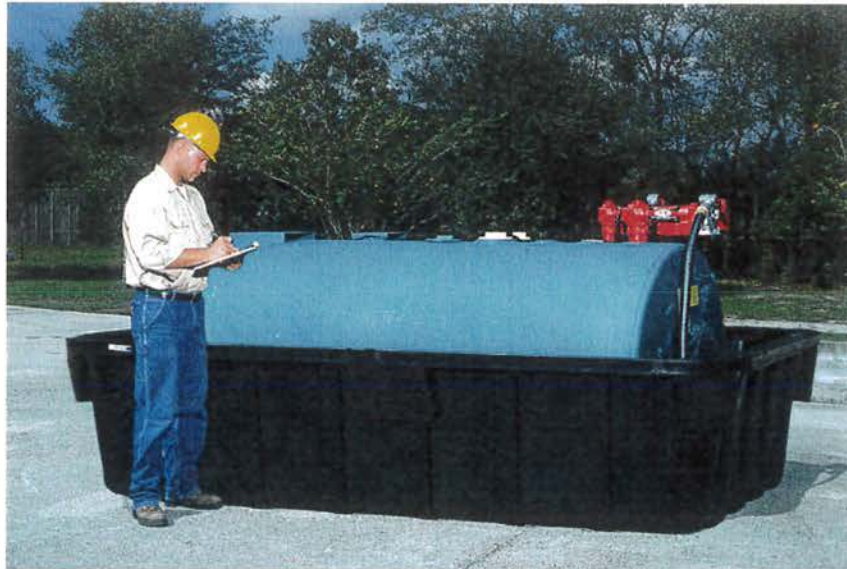


**Example of a small, portable, and compact containment berm.**



**Example of a portable utility spill tray.**



**BMP: Generator, Fuel, and Oil Management**

Example of secondary containment for a fuel tank. This container requires cover from precipitation.



Example of spill pallets for unused or used oil drums and other petroleum products.



### Monitoring Plan

Cannabis cultivators shall regularly inspect and maintain the condition of access roads, access road drainage features, and watercourse crossings. At a minimum, cannabis cultivators shall perform inspections prior to the onset of fall and winter precipitation and following storm events that produce at least 0.5 in/day or 1.0 inch/7 days of precipitation. See Required Monitoring tables below for site specific monitoring and reporting requirements. Cannabis cultivators are required to perform all of the following maintenance:

- Remove any wood debris that may restrict flow in a culvert.
- Remove sediment that impacts access road or drainage feature performance.
- Place any removed sediment in a location outside the riparian setbacks and stabilize the sediment.
- Maintain records of access road and drainage feature maintenance for annual reporting.

Cannabis cultivators that are operating in areas that are, or may become, inaccessible during winter months due to extreme weather such as snow, road closures, seasonal access roads to the property, or any other such conditions shall make additional efforts to enhance winterization measures in the absence of monitoring during storm events.

### Monitoring Requirements

(Tier 1, Low Risk, < 1 acre of cultivation)

Monitoring Requirement	Description
Winterization Measures Implemented	Report winterization procedures implemented, any outstanding measures, and the schedule for completion.
Tier Status Confirmation	Report any changes in the tier status.
Third Party Identification	Report any change in third party status as appropriate.

### Annual Reporting

Annual Reports shall be submitted to the North Coast Regional Water Quality Control Board by March 1<sup>st</sup> following the year being monitored. The first Annual Report for this enrollment shall be submitted by March 1<sup>st</sup>, 2020 and report on monitoring done during the 2019 calendar year. Annual reporting is required each subsequent year of enrollment.



# Attachments



## Implementation of Applicable BPTC Measures

Assessment of applicable BPTC measures consisted of a field examination on January 31, 2020. Anywhere applicable BPTC measures are not met on the property, descriptions of the assessments and the prescribed treatments are outlined following each associated section below.

### Summary of BPTC Measures Compliance

1. Sediment Discharge BPTC Measures Y☐/N☒
2. Fertilizer, Pesticide, Herbicide, and Rodenticide BPTC Measures Y☒/N☐
3. Petroleum Product BPTC Measures Y☐/N☒
4. Trash/Refuse, and Domestic Wastewater BPTC Measures Y☒/N☐
5. Winterization BPTC Measures Y☐/N☒

### 1. Sediment Discharge BPTC Measures

#### 1.1. Site Characteristics

- 1.1.1. Provide a map showing access roads, vehicle parking areas, streams, stream crossings, cultivation site(s), disturbed areas, buildings, and other relevant site features.

**See attached Site Map.**

- 1.1.2. Describe the access road conditions including estimating vehicle traffic, road surface (e.g., paved, rocked, or bare ground), and maintenance activities. Describe how storm water is drained from the access road (e.g., crowned, out slope, armored ditch, culverts, rolling dips, etc.).

**See sections “Land Development and Maintenance, Erosion Control, and Drainage Features” above, and the attached Mitigation Report, Site Maps, and Treatment Implementation Schedule for site specific descriptions, treatments, and the implementation schedule.**

- 1.1.3. Describe any vehicle stream crossing including the type of crossing (e.g., bridge, culvert, low water, etc.).

**No watercourse crossings are located on these parcels.**

- 1.1.3.1. For Region 1 Dischargers, identify, discuss, and locate on the site map any legacy waste discharge issues that exist on the property.

**Not applicable.**



- 1.2. Sediment Erosion Prevention and Sediment Capture (Moderate risk Tier 1 or Tier 2 Dischargers are required to submit a Site Erosion and Sediment Control Plan. Those Dischargers may refer to that plan rather than repeat it here)

#### 1.2.1. Erosion Prevention BPTC Measures

- 1.2.1.1. Describe the BPTC measures that have been, or will be implemented to prevent or limit erosion. Provide an implementation schedule for BPTC measures that have not yet been implemented. Identify the erosion prevention BPTC measures on a site map.

**See sections “Land Development and Maintenance, Erosion Control, and Drainage Features” and “Riparian and Wetland Protection and Management” above, and attached Mitigation Report, Site Maps, and Treatment Implementation Schedule for site specific descriptions of physical BPTC measures being prescribed.**

- 1.2.1.1.1. The description shall address physical BPTC measures, (e.g., placement of straw mulch, plastic covers, slope stabilization, soil binders, culvert outfall armoring, etc.) and biological BPTC measures (vegetation preservation/replacement, hydro seeding, etc.).

**See sections “Land Development and Maintenance, Erosion Control, and Drainage Features” and “Riparian and Wetland Protection and Management” above, and the attached Mitigation Report and BMPs for descriptions of physical and biological BPTC measures being prescribed.**

#### 1.2.2. Sediment Control BPTC Measures

- 1.2.2.1. Describe the BPTC measures that have been, or will be implemented to capture sediment that has been eroded. Provide an implementation schedule for BPTC measures that have not yet been implemented. Identify the sediment control BPTC measures on a site map.

**Not applicable. No BPTC measures have been, or will need to be, implemented to capture sediment that has been eroded.**

- 1.2.2.1.1. The description shall address physical BPTC measures, (e.g., placement of silt fences, fiber rolls, or settling ponds/areas, etc.) and biological BPTC measures (vegetated outfalls, hydro seeding, etc.).

**See sections “Land Development and Maintenance, Erosion Control, and Drainage Features”, “Riparian and Wetland Protection and Management”, and the attached Mitigation Report and BMPs for descriptions of physical and biological**



**BPTC measures being prescribed. There are no biological BPTC measures being prescribed.**

#### 1.2.3. Maintenance Activities - Erosion Prevention and Sediment Control

- 1.2.3.1. Describe how the erosion prevention and sediment control BPTC measures will be monitored and maintained to protect water quality.

**Erosion prevention BPTC measures and all corresponding work shall be inspected prior to and in conjunction with winter monitoring, as described above under the “Monitoring Plan” to ensure proper placement, installation, and function remain intact prior to and throughout the Winter Period.**

- 1.2.3.2. Describe how any captured sediment will be either stabilized in place, excavated and stabilized on-site, or removed from the site.

**Not applicable.**

- 1.2.4. Erosion control BPTC measures: Describe the interim soil stabilization, if applicable and long-term BPTC measures implemented to prevent sediment transport at each identified disturbed area(s) and improperly constructed features.

**Not applicable. There was no erosion observed at any of the disturbed areas and there are no improperly constructed features. Disturbed areas are located on gentle slopes surrounded by vegetation and grass buffers.**

## **2. Fertilizer, Pesticide, Herbicide, and Rodenticide BPTC Measures**

- 2.1. Provide a summary table that identifies the products used at the site, when they are delivered to the site, how they are stored, and used at the site. If products are not consumed during the growing season, describe how they are removed from the site or stored to prevent discharge over the winter season.

**See comprehensive table under 2.3**

- 2.2. Provide a site map that locates storage locations.

**See attached Site Map. Fertilizers and soil amendments are currently stored properly in structures near the cultivation areas.**



- 2.3. Describe how bulk fertilizers and chemical concentrates are stored, mixed, applied, and how empty containers are disposed.

#### **Fertilizer, Pesticides, and Herbicide Products used on Site**

<b>Product</b>	<b>Delivery and Storage</b>	<b>On-site usage</b>	<b>How removed or stored</b>
Sparetime: Bat Guano, Bonemeal, Green Sand, Fish emulsion	Brought to property as needed. Stored within covered storage sheds and structures outside of riparian setbacks.	Solids are mixed into soil as an amendment. Liquids and Solubles are mixed into tanks with water, then irrigated to plants as needed.	Stored within covered storage sheds and structures outside of riparian setbacks. Empty containers are disposed of at an appropriate waste disposal facility on a regular basis.

- 2.4. Describe procedures for spill prevention and cleanup.

**Pesticides and liquid fertilizer containers are stored within covered sheds and structures, within their containers, with their lids secured after use. The cannabis cultivator shall keep and use absorbent materials designated for spill containment and clean-up for use in an accidental spill. Should a spill of these materials occur, absorbent materials will be applied and cleaned up immediately following the manufacturer's guidelines.**

### **3. Petroleum Product BPTC Measures**

- 3.1. Provide a summary table that identifies the products used at the site, when they are delivered to the site, how they are stored, and used at the site. If products are not consumed during the growing season, describe how they are removed from the site or stored to prevent discharge over the winter season.

**See comprehensive table under 3.3.**

- 3.2. Provide a site map that locates storage locations.

**See Site 15 on the attached Site Map.**



3.3. Describe how fuels, lubricants, and other petroleum products are stored, mixed, applied, and empty containers are disposed.

#### **Petroleum Products**

<b>Products used on site</b>	<b>When they are delivered to site</b>	<b>How they are stored and used</b>	<b>How removed or stored</b>
<b>Gasoline</b>	Brought to site when needed throughout the year.	Stored in standard 5-gallon gasoline canisters, kept in the dedicated storage shed at Site 15 and within garages attached to the houses on the parcels. Used to fuel equipment.	Stored in standard 5-gallon gasoline canisters inside of sheds until used up on the property.
<b>Diesel</b>	Brought to site when needed throughout the year.	Stored in standard 5-gallon portable canisters, kept in the shed at Site 15 and within garages attached to the houses on the parcels. Used to fuel equipment.	Stored in standard 5-gallon gasoline canisters inside of sheds until used up on the property.
<b>Motor oil</b>	Brought to site when needed throughout the year.	Stored in their cartons, cases, and five-gallon buckets within the dedicated shed at Site 15. Used to lubricate internal combustion engines.	After oil changes, the used motor oil is stored in either the container it came in or in sealed 5-gallon buckets for later disposal at an appropriate waste disposal facility.

3.4. Describe procedures for spill prevention and cleanup.

**Any/all fuel canisters, motor oil containers, and small generators shall be stored in secondary containment (e.g. drip pans, plastic totes, or sealed metal boxes) while being stored long term or not in immediate use, wherever these materials are used anywhere on the property. Adequate quantities of absorbent materials shall be stored at all locations where these types of materials are used, stored, or mixed. Should a spill of these materials occur, absorbent materials will be applied immediately and allowed enough time to absorb as much material as possible. Following treatment, absorbent materials applied as well as any contaminated soil will be removed and disposed of appropriately for the spilled material.**

#### **4. Trash/Refuse, and Domestic Wastewater BPTC Measures**

4.1. Describe the types of trash/refuse that will be generated at the site. Describe how the material is contained and properly disposed of.

**Domestic and commercial cannabis refuse will be generated at the site. The refuse is securely stored in trash bags or cans with lids, inside of garages attached to the houses near the cultivation areas, prior to disposal at an appropriate waste disposal facility.**



4.1.1. Provide a site map that locates the trash/refuse storage locations.

**Refuse is stored in trash bags or cans with lids at the garages attached to the houses. See attached Site Map.**

4.2. Describe the number of employees, visitors, or residents at the site.

**There are two regular employees who are at the site during the cultivation season. Additional employees are sometimes needed for short periods of time to complete projects requiring additional employees. Visitors are rare and include delivery, consultants, and regulatory agencies.**

4.2.1. Describe the types of domestic wastewater generated at the site (e.g., household generated wastewater or chemical toilet).

**Domestic sewage and wastewater (greywater) are generated on site.**

4.2.2. Describe how the domestic wastewater is disposed.

4.2.2.1. Permitted onsite wastewater treatment system (e.g., septic tank and leach lines).

**Domestic sewage is disposed via permitted septic systems.**

4.2.2.2. Chemical toilets or holding tank. If so, provide the name of the servicing company and the frequency of service.

**Not applicable.**

4.2.2.3. Outhouse, pit privy, or similar. Use of this alternative requires approval from the Regional Water Board Executive Officer; include the approval from the Executive Officer and any conditions imposed for use of this alternative.

**Not applicable.**

4.2.2.3.1. Provide a site map that locates any domestic wastewater treatment, storage, or disposal area.

**See attached Site Map for locations of the houses with attached septic systems.**



## **5. Winterization BPTC Measures**

- 5.1. Describe activities that will be performed to winterize the site and prevent discharges of waste. The description should address all the issues listed above.

**See Mitigation Report and Annual Winterization Measures for prescribed general winterization measures that will be performed prior to each Winter Period, and site-specific interim measures that will be performed prior to the Winter Period until permanent, prescribed treatments can be executed.**

- 5.2. Describe maintenance of all drainage or sediment capture features (e.g., drainage culverts, drainage trenches, settling ponds, etc.) to remove debris, soil blockages, and ensure adequate capacity exists.

**Existing drainage structures will be maintained or repaired as feasible and necessary with hand tools during annual winterization and winter monitoring. Prescribed repair and maintenance will be executed in accordance with the Mitigation Report and Treatment Implementation Schedules.**

- 5.3. Describe any revegetation activities that will occur either at the beginning or end of the precipitation season.

**Not applicable.**

- 5.4. If any BPTC measure cannot be completed before the onset of Winter Period, contact the Regional Water Board to establish a compliance schedule.

**See the attached Mitigation Report and Treatment Implementation Schedule for site descriptions, treatments, and the implementation schedule.**

- 5.5. For Region 1 Dischargers, describe any activities that will be performed to address legacy waste discharge issues. Region 6 Dischargers should consult with Regional Water Board staff to confirm if any other activities in addition to BPTCs are necessary to address legacy waste discharge issues.

**Not applicable. No legacy waste discharge issues were identified during the assessment of the property.**



**Photographs**

*Photo Date: January 31, 2020*



*Overflowing water tanks at Site 02. Cannabis Cultivators are required inspect water storage infrastructure regularly and immediately repair leaks and overflowing conditions. See the Mitigation Report for the full prescribed corrective action to be taken at the site.*



**Photographs**

*Photo Date: January 31, 2020*



*Uncovered soil pile at Site 03. Cannabis Cultivators shall ensure that potting soil or soil amendments, when not in use, are placed and stored with covers, when needed, to protect from rainfall and erosion, to prevent discharge to waters of the state, and to minimize leaching or waste constituents into groundwater.*



**Photographs**

*Photo Date: January 31, 2020*



*Six, 2,500 gallon water storage tanks plumbed together at Site 07. One of the tanks was leaking where the plumbing had become disconnected. Also, the three nearest tanks in the photo are located within the 50-foot riparian setback for a Class III watercourse. Cannabis Cultivators are required inspect water storage infrastructure regularly and immediately repair leaks and overflowing conditions. Prior to 10/15/2021 the Cannabis Cultivator shall remove the water tanks located within the 50-foot riparian setback for the Class III watercourse. See the Mitigation Report for the full prescribed corrective action to be taken at the site.*



## 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.

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>Location</b>
Division Environmental Health	✓	Approved	<b>Attached</b>
Public Works, Land Use Division	✓	Conditional Approval	<b>Attached</b>
Cal Fire	✓	No comments	<b>Attached</b>
Northwest Information Center	✓	Further Study	On file and confidential
Humboldt County Sheriff	✓	Comments	On file
Building Inspection Division	✓	Comments	<b>Attached</b>
California Department of Fish & Wildlife	✓	Comments	<b>Attached</b>
Southern Humboldt Joint School District		No response	
Humboldt County Agricultural Commissioner		No response	
Humboldt County District Attorney		No response	
North Coast Unified Air Quality Management District		No response	
North Coast Regional Water Quality Control Board		No response	
State Water Resources Control Board – Division of Water Rights		No response	





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

PROJECT REFERRAL TO: Health and Human Services Environmental  
Health Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, SWRCB Division of Water Rights, Palo Verde VFC Fire Protection District, Southern Humboldt Joint School District, Sheriff

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Applicant Name John Mahony Key Parcel Number 216-107-007-000

Application (APPS#) 13137 Assigned Planner Keenan Hilton (707) 268-3722 Case Number(s) SP16-784

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

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

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

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

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

---

We have reviewed the above application and recommend the following:

Approval

Comments:

Response Date: 11/30/2018 Recommendation By: Benjamin Dolf





DEPARTMENT OF PUBLIC WORKS  
**COUNTY OF HUMBOLDT**

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

ARCATA-EUREKA AIRPORT TERMINAL  
McKINLEYVILLE  
FAX 839-3596

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

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

AVIATION

839-5401

ADMINISTRATION  
BUSINESS  
ENGINEERING  
FACILITY MAINTENANCE

445-7491  
445-7652  
445-7377  
445-7493

NATURAL RESOURCES  
NATURAL RESOURCES PLANNING  
PARKS  
ROADS & EQUIPMENT MAINTENANCE

445-7741  
267-9540  
445-7651  
445-7421

LAND USE 445-7205

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

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

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 9-25-2018

RE:

Applicant Name	John Mahony
APN	216-107-007
APPS#	13137
CASE#	SP16-784

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

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

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

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// END //



Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 13137

- ☒ **COUNTY ROADS- FENCES & ENCROACHMENTS:**  
All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way.  
  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☐ **COUNTY ROADS- DRIVEWAY (PART 1):**  
The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and or Department of Public Works policies. Notes:
- ☒ **COUNTY ROADS- DRIVEWAY (PART 2):**  
Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches.
  - If the County road has a paved surface at the location of the driveway, the driveway apron shall be paved for a minimum width of 18 feet and a length of 50 feet.
  - If the County road has a gravel surface at the location of the driveway, the driveway apron shall be rocked for a minimum width of 18 feet and a length of 50 feet.
  - If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.  
The exact location and quantity of driveways shall be approved by the Department at the time the applicant applies to the Department of Public Works for an Encroachment Permit.  
  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☐ **COUNTY ROADS- DRIVEWAY (PART 3):**  
The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.
- ☐ **COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**  
Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.  
  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☐ **COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:**  
All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).  
  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☐ **COUNTY ROADS- PRIVATE ROAD INTERSECTION:**  
Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.
  - If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.
  - If the County road has a gravel surface at the location of the access road, the access road shall be rocked for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☐ **COUNTY ROADS- ROAD EVALUATION REPORT(S):**  
All recommendations in the Road Evaluation Report(s) for County maintained road(s) shall be constructed/implemented to the satisfaction of the Public Works Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

// END //





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

6/15/2018

PROJECT REFERRAL TO: CalFire

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, SWRCB Division of Water Rights, Palo Verde VFC Fire Protection District, Southern Humboldt Joint School District, Sheriff

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Applicant Name     John Mahony   Key Parcel Number   216-107-007-000

Application (APPS#)   13137   Assigned Planner   Cannabis Planner (CPOD) (707) 445-7541   Case Number(s)   SP16-784

---

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   6/30/2018   Planning Commission Clerk  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501  
E-mail: [PlanningClerk@co.humboldt.ca.us](mailto:PlanningClerk@co.humboldt.ca.us)   Fax: (707) 268-3792

---

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

- ☐ Recommend Approval. The Department has no comment at this time.
  - ☐ Recommend Conditional Approval. Suggested Conditions Attached.
  - ☐ Applicant needs to submit additional information. List of items attached.
  - ☐ Recommend Denial. Attach reasons for recommended denial.
  - ☐ Other Comments: \_\_\_\_\_
- 

DATE: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_



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

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

**Forester Comments:**

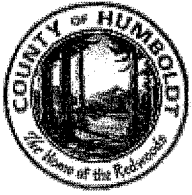
Date:

Name:

**Battalion Chief Comments:**

**Summary:**





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

**6/15/2018**

**PROJECT REFERRAL TO: Building Inspection Division**

**Project Referred To The Following Agencies:**

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, SWRCB Division of Water Rights, Palo Verde VFC Fire Protection District, Southern Humboldt Joint School District, Sheriff

**Applicant Name** John Mahony **Key Parcel Number** 216-107-007-000

**Application (APPS#)** 13137 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** SP16-784

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 6/30/2018**

Planning Commission Clerk  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501

**E-mail:** PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

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

- ☐ Recommend Approval. The Department has no comment at this time.
- ☐ Recommend Conditional Approval. Suggested Conditions Attached.
- ☒ Applicant needs to submit additional information. List of items attached.
- ☐ Recommend Denial. Attach reasons for recommended denial.
- ☐ Other Comments: \_\_\_\_\_

DATE: 8/28/18

PRINT NAME: Rudy Mavenghi

216-107-007





**COUNTY OF HUMBOLDT**  
PLANNING AND BUILDING DEPARTMENT  
BUILDING DIVISION

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

## Building Division's Referral Comments for Cannabis Operations:

Application No.: 47149/13137  
Parcel No.: 216-107-007  
Case No.: SP16-784

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

- ☐ Site/plot plan appears to be accurate.
- ☒ Submit revised site/plot plan showing all of the following items: all grading including ponds and roads, location of any water course including springs, all structure including size and use and all setbacks from the above stated to each other and property lines.
- ☐ Existing operation appears to have expanded, see comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ Existing structures used in the cannabis operation shall not to be used/occupied until all required permits have been obtained.
- ☐ Proposed new operation has already started.
- ☒ Recommend approval based on the condition that all required grading, building, plumbing electrical and mechanical permits and or Agricultural Exemption are obtained.
- ☒ Other Comments: Revise plot plan to show soft of amendments  
shed and bladder as to be decommissioned. Update plan of  
operation to show no new proposed well.  
\_\_\_\_\_  
\_\_\_\_\_

Name: Rudy Marengi

Date: 8/28/18

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





Applicant: John Mahony		Date: 4/30/19	
APPS No.: 13137	APN: 216-107-007-000	DFW CEQA No.: 2018-0384	Case No.: SP16-784
<input checked="" type="checkbox"/> Existing	Proposed: <input checked="" type="checkbox"/> Outdoor (SF): 6,300		

Thank you for referring this application to the California Department of Fish and Wildlife (CDFW) for review and comment.

CDFW offers the following comments on the Project in our role as a Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code Section 21000 *et seq.*). These comments are intended to assist the Lead Agency in making informed decisions early in the planning process.

- ☐ Recommend Approval. The Department has no comment at this time.
- ☐ Recommend Conditional Approval. Suggested conditions below.
- ☐ Applicant needs to submit additional information. Please see the list of items below.
- ☐ Recommend Denial. See comments below.

**Please provide the following information prior to Project Approval:** *(All supplemental information requested shall be provided to the Department concurrently)*

- ☒ If the applicant has submitted a Notification of Lake or Streambed Alteration (LSA) to CDFW, include the LSA project number (e.g. 1600-2017-XXXX-R1) or a copy of the Notification.

**Please note the following information and/or requested standard conditions of Project approval:**

- ☒ Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
- ☒ Leave wildlife unharmed. If any wildlife is encountered during the Authorized Activity, Permittee shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed.
- ☒ The environmental impacts of improper waste disposal are significant and well documented. CDFW requests, as a condition of Project approval, that all refuse be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
- ☒ Human induced noise pollution may adversely affect wildlife species in several ways including abandonment of territory, loss of reproduction, auditory masking (inability to hear important cues and signals in the environment), hindrance to navigation, and physiological impacts such as stress, increased blood pressure, and respiration. To avoid disturbance, CDFW requests, as a condition of project approval, the construction of noise containment structures for all generators parcel; noise released shall be no more than 50 decibels measured from 100ft.
- ☒ This project has the potential to affect sensitive wildlife resources such as amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.



Thank you for the opportunity to comment on this Project. Please send all inquiries regarding these comments to [david.manthorne@wildlife.ca.gov](mailto:david.manthorne@wildlife.ca.gov) .

Sincerely,

California Department of Fish and Wildlife  
619 2nd Street  
Eureka, CA 95501