



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: March 24, 2022

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Hope Springs Farm Special Permit**
Record Number: PLN-12045-SP
Assessor's Parcel Number (APN): 210-043-003
Section 21 of Township 01, Range 04, H.B.&M., Dinsmore area

Table of Contents

Page

Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	7
Maps	
Topo Map	14
Zoning Map	15
Aerial Map	16
Site Plan	17
Attachments	
Attachment 1: Recommended Conditions of Approval	18
Attachment 2: CEQA Addendum	27
Attachment 3: Applicant's Evidence in Support of the Required Findings	31
a: Road Evaluation	Separate
Attachment 4: Referral Agency Comments and Recommendations	60

Please contact Megan Marruffo, Assigned Planner, at 707-443-5054 or by email at marruffom@lacoassociates.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
March 24, 2022	Special Permit	Megan Marruffo

Project Description: A Special Permit for existing 10,000 square feet (SF) of existing outdoor cannabis cultivation, including 600 SF of ancillary propagation. Irrigation water is currently sourced from a permitted groundwater well; however, the applicant is proposing to switch to rainwater catchment and add additional water storage onsite by the end of 2024. Existing available water storage is 115,000 gallons in a series of hard-sided tanks, with an additional 96,000 gallons proposed, for a total of 211,000 gallons of onsite water storage. Estimated annual water usage is 90,000 gallons. Processing occurs onsite. A maximum of eight (8) people will be on-site during peak operations. Power is provided by a generator and solar.

Project Location: The project is located in the Dinsmore area, on the west side of Highway 36, approximately 0.98 miles north from the intersection of Highway 36 and Larabee Valley Road down a private drive, on the property known to be in Section 21 of Township 01, Range 04, Humboldt Base and Meridian.

Present Plan Land Use Designations: Timberland (T) Density: 40-160 acres per dwelling unit, Slope Stability: High instability (3).

Present Zoning: Agriculture Exclusive (AE) and Timber Production Zone (TPZ)

Record Number: PLN-12045-SP

Assessor's Parcel Number: 210-043-003

Applicant

Hope Springs Farms
C/O Kasie Miller
P.O. Box 236
Garberville, CA 95542

Owner

Reuben Childs
P.O. Box 236
Garberville, CA 95542

Agent

N/A

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

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

Major Issues: None.

Hope Springs Farm
Record Number: PLN-12045-SP
Assessor's Parcel Number: 210-043-003

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 for the Commercial Medical Marijuana Land Use Ordinance (CCMLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving the Hope Springs Farm project as recommended by staff subject to the recommended conditions.

Executive Summary: Hope Springs Farm seeks a Special Permit to allow the continued cultivation of 10,000 square feet (SF) of outdoor cannabis, including 600 SF of ancillary propagation, in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The site is designated as Timberland (T) in the Humboldt County 2017 General Plan Update and zoned Agriculture Exclusive (AE) and Timber Production Zone (TPZ); however, the portion of the subject property where cultivation occurs is zoned TPZ. Outdoor cultivation occurs in the northwestern portion of the subject property, within six (6) greenhouses utilizing light deprivation techniques (8,780 SF) and one (1) area of full-sun outdoor cultivation (600 SF). Ancillary propagation occurs in a separate 600 SF greenhouse. One (1) harvest is anticipated annually for a growing season that extends from May through October.

Processing occurs within the northwestern portion of the property within an existing 1,200 SF, one-story shop building. A maximum of eight (8) people will be onsite during peak operations. Power is provided by a generator, as well as solar for the well pump only. Information provided by the applicant in February 2022 (Attachment 3) indicates very little power is required for the operation. Passive airflow is utilized and no fans are used. The generator is used only for drying and curing of the plants for one (1) month during the winter. A 400 SF residence is located near the cultivation area and houses one (1) onsite resident. The operation is secured behind a gated access, and security cameras and signage are also utilized. A neighborhood watch is also in place to identify and alert landowners of possible suspicious activity or vehicles.

The subject property is located adjacent to and near public lands, including several parcels (APNs 208-113-005, 208-121-003, 210-043-006, 210-044-007, and 210-062-001) owned and maintained by the U.S. Department of the Interior's Bureau of Land Management (BLM), the cultivation is located more than 600 feet from the public lands.

Timber Conversion

A Timberland Conversion Evaluation was prepared by Mark Distefano, Registered Professional Forester (RPF) #2781, in May 2018. The Report notes that the project site consists of second-growth tanoak and Douglas-fir, within a minor component of madrone. Review of historic aerial imagery dating back to 1947 revealed no signs of timber harvesting prior to 1968. Sometime between 1947 and 1968 the majority of the logging infrastructure (including roads and landings) were established. Post 1968, aerial imagery showed no signs of additional timber harvesting. Review of aerial imagery from 1947 to 2016 showed no signs of ground disturbance or changes in stand structure or composition, which suggests additional logging entries have not occurred since the original harvest (late 1950s to mid-1960s). Per the Report, the total area converted for cultivation use is 1.02 acres, which includes Cultivation Area #1 (0.81 acres), established in 2009, and the location of the previously proposed pond (0.21 acres). Additionally, conversion activities have not impacted water resources (located approximately 300+ feet from Cultivation Area #1). While the majority of the slash and woody debris has been chipped and the majority of logs processed into firewood, two (2) small log decks remain that require treatment. The onsite

conversion activities are noted to not comply with the California Forest Practice Act and the California Forest Practice Rules. The RFP recommends the following (3) recommendations occur:

1. Treat the log decks by cutting logs into firewood at lengths of 24 inches or less.
2. Pull back root wads and other debris from the location shown on map and utilize soil stabilization measures (i.e., seed and straw mulch).
3. Install 2 rolling dips and/or water bars at the flagged and mapped location of the segment of road between the pond site and the existing unstable area to ensure that concentrated run-off from the access road does not deliver to the existing unstable area.

No restocking is recommended in the Report. The project is conditioned to implement all remaining corrective actions detailed in the Report (**Condition of Approval #13**). No additional tree removal is proposed or authorized under this permit.

Water Resources

Estimated annual water usage is 90,000 gallons (9.0 gal/SF), with peak demand occurring in August at approximately 22,000 gallons, per the table below.

Table 1. Estimated Average Monthly Water Usage (in gallons)

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
0	0	0	0	8,000	12,000	18,000	22,000	20,000	10,000	0	0

Total: 90,000 gallons

Water for irrigation is currently provided by a permitted groundwater well (17/18-0904, per DEH referral response dated April 2018). However, the applicant is proposing to switch to rainwater catchment and add additional water storage tanks by the end of 2024, after the 2024 growing season. Existing available water storage is 115,000 gallons in nine (9) existing hard-sided tanks ranging in size from 2,500 gallons to 10,000 gallons, with an additional 96,000 gallons proposed in twenty (20) 4,800-gallon tanks, for a total of 211,000 gallons of onsite water storage. The additional tanks shall be located in a previously disturbed area and no trees shall be removed (**Condition of Approval #20**). Per information provided by the applicant, a 300,000-gallon rainwater catchment pond was proposed on the subject property, but was not approved by the County.

Per the Site Plan, the well is located north of the eastern cultivation area, approximately 476 feet west of an onsite Class II tributary and 10 feet lower in elevation. A condition of approval requires the onsite well to be registered with the California Department of Water Resources and submit the well log and/or and a Well Completion Report (WCR) to the Planning Department (**Condition of Approval #15**). If the well log and/or WCR shows the existing well is hydrologically connected to surface waters, sufficient water storage, equal to the amount of water utilized during the forbearance period of May 15 – October 31 (approximately 90,000 gallons), will be available onsite to meet forbearance requirements. Additionally, conditions of approval require the applicant to monitor water use from the well (until replaced with the proposed rainwater catchment system) and water storage tanks annually to demonstrate there is sufficient water available to meet operational needs (**Condition of Approval #23**).

A copy of the Notification of Lake or Streambed Alteration submitted to the California Department of Fish and Wildlife (CDFW) in November 2016 for use of an existing point of diversion (POD) for residential and irrigation use was provided by the applicant. Please note water from the POD is no longer utilized for the existing cultivation. The project is conditioned to require the applicant finalize the Notification with CDFW and comply with all conditions and terms of the Final Streambed Alteration Agreement (**Condition of Approval #14**).

Per review of the County's GIS and as depicted on the Site Plan, two (2) tributaries to Little Larabee Creek traverse the northwestern, central, eastern, and southwestern portions of the subject parcel. Although respective Streamside Management Area (SMA) buffers are not depicted on the Site Plan, the cultivation areas located outside of the SMA buffers, due to the setback distances from the watercourses shown on the Site Plan.

Additional conditions of approval require the applicant to submit copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Site Management Plan and Notice of Availability (**Condition of Approval #16**). Furthermore, conditions require the applicant adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order, the Site Management Plan, and the Notice of Applicability, which will minimize any potential impacts associated with the project and minimize runoff into nearby SMAs (**Condition of Approval #16**).

Biological Resources

Per review of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB) in September 2021, the subject parcel is located in close proximity to two (2) Northern Spotted Owl (NSO) activity centers, and is located within an area mapped for potential occurrence of a special status bird species, the American peregrine falcon (*Falco peregrinus anatum*). While the nearest Northern Spotted Owl (NSO) activity center is located approximately 0.51 miles from the nearest cultivation area, positive NSO sightings have been recorded as near as 0.18 miles from the nearest cultivation area. Power to the site is provided by a generator, as well as solar for the well pump. As described above, the generator is utilized for approximately one month during the year for drying and curing the plants. There is no use of artificial lighting authorized by this permit. While the project involves the installation of additional water storage tanks to switch from use of the well to rainwater catchment, conditions of approval require the additional tanks to be located within a previously disturbed area (**Condition of Approval #20**). Further, no additional tree removal is authorized by this permit.

The conditions of approval require the applicant to contain the generator and implement noise and light attenuation measures (**Conditions of Approval #18-19**), refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife (**Conditions of Approval #21-22**). As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively impact NSO or other sensitive species.

Access

Access to the site is via an unnamed private road off State Highway 36. Highway 36 is a State-maintained highway. The site is located at the end of the roadway. A Road Evaluation Report for the 4-mile segment of private road from Highway 36 to the property entrance was prepared by DTN Engineering and Consulting in May 2018 (Attachment 3), which indicates that the roadway is not developed to the equivalent of a Category 4 road standard. However, per Part B, completed by the registered professional engineer indicates the roadway is very low volume roadway and can accommodate the cumulative increase in traffic from this project and all known cannabis projects if the associated recommendations are addressed. A separate Roadway Evaluation Report was prepared by the engineer. This Report assessed both the access roads to the parcel from Highway 36 and on the subject property. On the subject site, the access road is approximately one mile in length, approximately 12 foot wide with 1-foot shoulders, and with grades up to 23 percent. This portion of the road has natural turnouts allowed by the terrain. The Report recommends the steep grades should be flattened to a 16 percent grade "if environmental impacts allows" and waterbars with rolling dips should be constructed.

For the portion of the access road from the property boundary to Highway 36, the roadway crosses three SMAs. A railroad car bridge, 8 feet in width, is located along the roadway. Most of the culverts observed were noted to be partially or fully clogged. The access road is noted to be gravel, 12 feet in width, with 1-2 foot shoulders. Most of the curves have turnouts at appropriate locations; however, there are two locations (at curves) where there are not currently appropriate turnouts, and are recommended. The roadway grade appears to vary, with a maximum of 25 percent. It is noted in the Report that "reducing the grade in this mountainous terrain with four SMAs is recommended so long as adverse environmental impact resulting from construction to environmentally sensitive areas does not occur." While this section of the roadway is not equivalent to a Category 4 roadway, completing the recommendations (i.e., adding two turnouts, unclogging culverts, removing trash, reestablishing roadside ditches, and grading the roadway) would address safety and drainage concerns, and improve the roadway's function so that the roadway could adequately accommodate the projected traffic associated with the project.

Per referral comments received from the Department of Public Works, Land Use Division, dated March 2018, all recommendations in the Road Evaluation Report shall be completed to the satisfaction of the Department. Additionally, the project was also referred to the California Department of Transportation (Caltrans), with comments received in June 2018. Per Caltrans' comments, the access road off Highway 36 does not currently meet standards for a commercial driveway, and shall be improved to Caltrans' commercial driveway standards. Additionally, Caltrans requests the sub-standard sight distance and non-standard geometry (skewed intersection angle) also be addressed. Conditions of approval require the applicant to make the required roadway improvements in accordance with Caltrans' comments (**Condition of Approval #12**) and implement all recommendations contained within DTN Engineering's Report (**Condition of Approval #11**).

Consistency with Humboldt County Board of Supervisors Resolution No. 18-43

Planning staff determined approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43, which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds. The project site is located in the Van Duzen Planning Watershed, which under Resolution 18-43 is limited to 425 permits and 146 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 112 permits and the total approved acres would be 39.16 acres of cultivation.

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 Mitigated Negative Declaration that was adopted for the Commercial Medical Marijuana Land Use Ordinance and has prepared an addendum to this document for consideration by the Zoning Administrator (See Attachment 2 for more information).

Staff recommends that the Zoning Administrator describe the application as a part of the consent agenda, survey the audience to see if any person would like to discuss the application and, if no one requests discussion, make all the required findings based on the evidence in the record and approve the application subject to the recommended conditions.

Alternatives: Several alternatives may be considered: 1) The Zoning Administrator could elect not to hear this item and put the decision making in front of the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Zoning Administrator could elect to add or delete conditions of approval; 3) The Zoning Administrator could deny approval of the requested permits if you are unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

- 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) The applicant provide a Notice of Intent and subsequent monitoring reports related to compliance with the North Coast Regional Water Quality Control Board's Cannabis Cultivation Discharge Program (R1-2015-0023). Conditions of approval require the applicant to submit copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Site Management Plan and Notice of Availability to show compliance with the State Water Board Cannabis General Order for Waste Discharge, as well as adhere to and implement the recommendations in the Site Management Plan and maintain enrollment in the State Cannabis Cultivation Policy for the life of the project.
- d) California Department of Fish and Wildlife Resource Maps indicate the subject site is located within an area mapped for potential occurrence of a special status bird species, the American peregrine falcon (*Falco peregrinus anatum*). A review of the California Natural Diversity Database (CNDDDB) Spotted Owl Observation Database in September 2021 showed that Northern Spotted Owl habitat exists in the vicinity and the nearest Northern Spotted Owl (NSO) activity center and positive NSO sightings are located approximately 0.51 and 0.18 miles from the nearest cultivation area, respectively. There is no use of artificial lighting authorized by this permit. Although a generator is utilized for the operation, conditions of approval will require noise to be at below 50 decibels at 100 feet which is below the guidance established by the California Department of Fish and Wildlife for protection of the species.
- e) A Timberland Conversion Evaluation was prepared by Mark Distefano, Registered Professional Forester (RPF) #2781, in May 2018. The Report notes review of aerial imagery from 1947 to 2016 showed no signs of ground disturbance or changes in stand structure or composition, which suggests additional logging entries have not occurred since the original harvest (late 1950s to mid-1960s). Per the Report, the total area converted for cultivation use is 1.02 acres, which includes Cultivation Area #1 (0.81 acres), established in 2009, and the location of a proposed pond (no longer proposed; 0.21 acres). Additionally, conversion activities have not impacted water resources (located approximately 300+ feet from Cultivation Area #1).

The Report further notes that two (2) small log decks remain that require treatment. The onsite conversion activities are noted to not comply with the California Forest Practice Act and the California Forest Practice Rules, and recommends the following occur to bring the conversion into compliance: treat the log decks, pull back root wads and other debris at the locations indicated on the map and utilize soil stabilization measures (i.e., seed and straw mulch); install 2 rolling dips and/or water bars at the flagged and mapped location of the segment of road between the pond site and the existing unstable area to ensure that concentrated run-off from the access road does not deliver to the existing unstable area. No additional tree removal is proposed or authorized by this permit. As no additional trees have been removed after the CCMLUO environmental baseline date, no restocking is required.

- f) A Cultural Resources Investigation was prepared by William Rich and Associates in August 2018. Per the Report, no archaeological resources were

discovered during the survey. Inadvertent discovery protocol is recommended in the Report, and was also recommended by the Bear River Band of the Rohnerville Rancheria in May 2019 as the area does not appear to be particularly sensitive, which is included as an ongoing condition of approval.

- g) A Road Evaluation Report for the 4-mile segment of private road from Highway 36 to the property entrance was prepared by DTN Engineering and Consulting in May 2018, which indicates that the roadway is not developed to the equivalent of a Category 4 road standard. However, per Part B, completed by the registered professional engineer indicates the roadway is very low volume roadway and can accommodate the cumulative increase in traffic from this project and all known cannabis projects if the associated recommendations are addressed. A separate Roadway Evaluation Report was prepared by the engineer. This Report assessed both the access roads to the parcel from Highway 36 and on the subject property. On the subject site, the access road is approximately one mile in length, approximately 12 foot wide with 1-foot shoulders, and with grades up to 23 percent. This portion of the road has natural turnouts allowed by the terrain. The Report recommends the steep grades should be flattened to a 16 percent grade "if environmental impacts allows" and waterbars with rolling dips should be constructed.

For the portion of the access road from the property boundary to Highway 36, the roadway grade appears to vary, with a maximum of 25 percent. While this section of the roadway is not equivalent to a Category 4 roadway, completing the recommendations (i.e., adding two turnouts, unclogging culverts, removing trash, reestablishing roadside ditches, and grading the roadway) would address safety and drainage concerns, and improve the roadway's function so that the roadway could adequately accommodate the projected traffic associated with the project.

Per referral comments received from the Department of Public Works, Land Use Division, dated March 2018, all recommendations in the Road Evaluation Report shall be completed to the satisfaction of the Department. Additionally, the project was also referred to Caltrans, with comments received in June 2018. Per Caltrans' comments, the access road off Highway 36 does not currently meet standards for a commercial driveway, and shall be improved to Caltrans' commercial driveway standards. Additionally, Caltrans requests the sub-standard sight distance and non-standard geometry (skewed intersection angle) also be addressed. Conditions of approval require the applicant to make the required roadway improvements in accordance with Caltrans' comments and implement all recommendations contained within DTN Engineering's Report, to ensure the roadways are suitable for safe access to and from the site.

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 Timberland (T) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for timberland (T) uses. The use of old logging flats for cannabis cultivation is consistent with the use of Open Space land for managed production of resources. 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 Timberland Production Zone (TPZ) zoning district in which the site is located.

EVIDENCE

- a) The Timberland Production Zone (TPZ) zoning district is intended to be applied to forested areas of the County in which primary uses include the growing and harvesting of timber and timber production facilities, including portable processing equipment. Compatible uses other than the direct growing, harvesting, and portable processing of timber include grazing and other agricultural uses. .
- b) All general agricultural uses are principally permitted in the TPZ zone.
- c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 10,000 square feet of existing outdoor cannabis and up to 10,000 square feet 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 10,000 square feet of outdoor cultivation with ancillary propagation and processing activities on a 168-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 Timberland Production Zone (TPZ) (HCC 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 patent (Patent No. 299453, recorded November 9, 1912), before the establishment of county and state subdivision regulations that would have applied to the creation of the parcel. The parcel was determined to be an intact legal patent parcel by County staff, as currently described in the patent.
- c) Water for irrigation is currently provided by a permitted groundwater well (17/18-0904). However, the applicant is proposing to switch to rainwater catchment and add an additional 96,000 gallons of water storage onsite by the end of 2024. Per the Site Plan, the well is located north of the eastern cultivation area, approximately 476 feet west of an onsite Class II tributary and 10 feet lower in elevation. A condition of approval requires the onsite well to be registered with the California Department of Water Resources and submit the well log and/or and a Well Completion Report (WCR) to the Planning Department. If the well log and/or WCR shows the existing well is hydrologically connected to surface waters, additional water storage equal to the amount of water utilized during the forbearance period of May 15 – October 31) will be required to meet forbearance requirements. Per information provided by the applicant, the additional water storage tanks are proposed to be located within a previously disturbed area and no tree removal will be required. Conditions of approval require the applicant to monitor water use from the well, rainwater catchment system (once developed), and water storage tanks annually to demonstrate there is sufficient water available to meet operational needs.
- d) A Road Evaluation Report for the 4-mile segment of private road from Highway 36 to the property entrance was prepared by DTN Engineering and Consulting in May 2018, which indicates that the roadway is not developed

to the equivalent of a Category 4 road standard. However, per Part B, completed by the registered professional engineer indicates the roadway is very low volume roadway and can accommodate the cumulative increase in traffic from this project and all known cannabis projects if the associated recommendations are addressed. Conditions of approval require the applicant to make the required roadway improvements in accordance with Caltrans' comments and implement all recommendations contained within DTN Engineering's Report (described above).

- e) According to the Humboldt County WebGIS, the slope of the land where cannabis will be cultivated ranges from less than 15% to 30%.
- f) A Timberland Conversion Evaluation was prepared by Mark Distefano, Registered Professional Forester (RPF) #2781, in May 2018. The Report notes review of aerial imagery from 1947 to 2016 showed no signs of ground disturbance or changes in stand structure or composition, which suggests additional logging entries have not occurred since the original harvest (late 1950s to mid-1960s). Per the Report, the total area converted for cultivation use is 1.02 acres, which includes Cultivation Area #1 (0.81 acres), established in 2009, and the location of a proposed pond (no longer proposed; 0.21 acres). Additionally, conversion activities have not impacted water resources (located approximately 300+ feet from Cultivation Area #1). The onsite conversion activities are noted to not comply with the California Forest Practice Act and the California Forest Practice Rules, and recommends the following occur to bring the conversion into compliance: treat the log decks, pull back root wads and other debris at the locations indicated on the map and utilize soil stabilization measures (i.e., seed and straw mulch); install 2 rolling dips and/or water bars at the flagged and mapped location of the segment of road between the pond site and the existing unstable area to ensure that concentrated run-off from the access road does not deliver to the existing unstable area. No additional tree removal is proposed or authorized by this permit. As no additional trees have been removed after the CCMLUO environmental baseline date, no restocking is required.
- 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, more than 300 feet from any off-site residence, more than 600 feet from any school, church, public park or Tribal Cultural Resource.

6. FINDING

The cultivation of 10,000 square feet 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 road that has been certified to safely accommodate the amount of traffic generated by the proposed cannabis cultivation, with implementation of the roadway improvements in accordance with Caltrans' comments and all recommendations contained within DTN Engineering's Report, which have been included as conditions of approval.
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The 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 sized in the

area. Although the subject site is adjacent to and near public lands, including several parcels (APNs 208-113-005, 208-121-003, 210-043-006, 210-044-007, and 210-062-001) owned and maintained by the U.S. Department of the Interior's Bureau of Land Management (BLM), the cultivation is located more than 600 feet from the public lands.

- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
- d) Irrigation water is currently sourced from a permitted groundwater well (17/18-0904); however, the applicant is proposing to switch to rainwater catchment and add additional water storage onsite by the end of 2024.
- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

7. FINDING

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

EVIDENCE

- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element, but does currently contain an existing residence, with an existing residence planned within the western portion of the site. The approval of cannabis cultivation on this parcel will not conflict with the ability for the existing residence to continue to be utilized or for an additional residence to be constructed on this parcel.

8. FINDING

Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds.

EVIDENCE

- a) The project site is located in the Van Duzen Planning Watershed, which under Resolution 18-43 is limited to 425 permits and 146 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 112 permits and the total approved acres would be 39.16 acres of cultivation.

DECISION

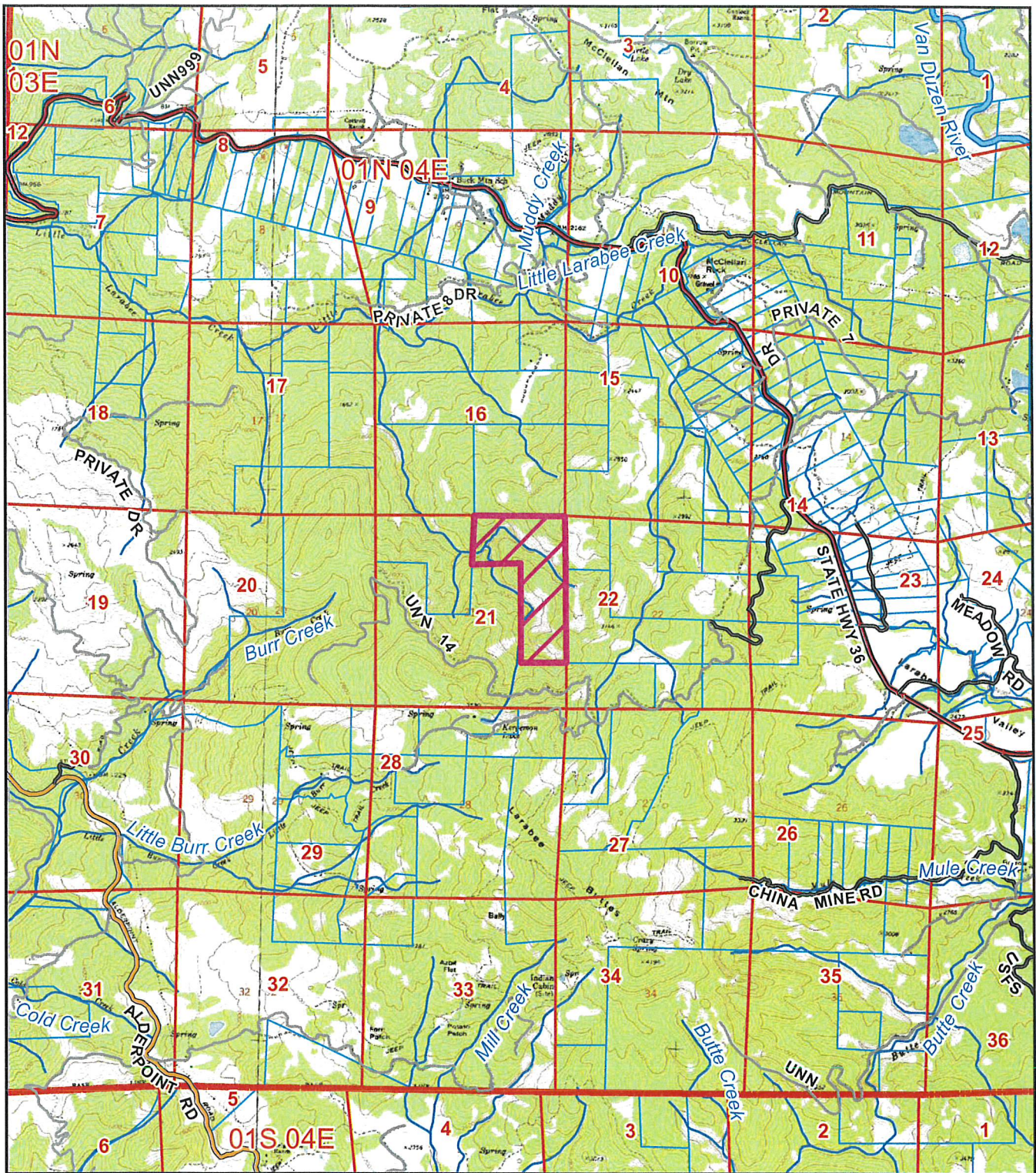
NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special Permit for Hope Springs Farm, 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 **March 24, 2022**.

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

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



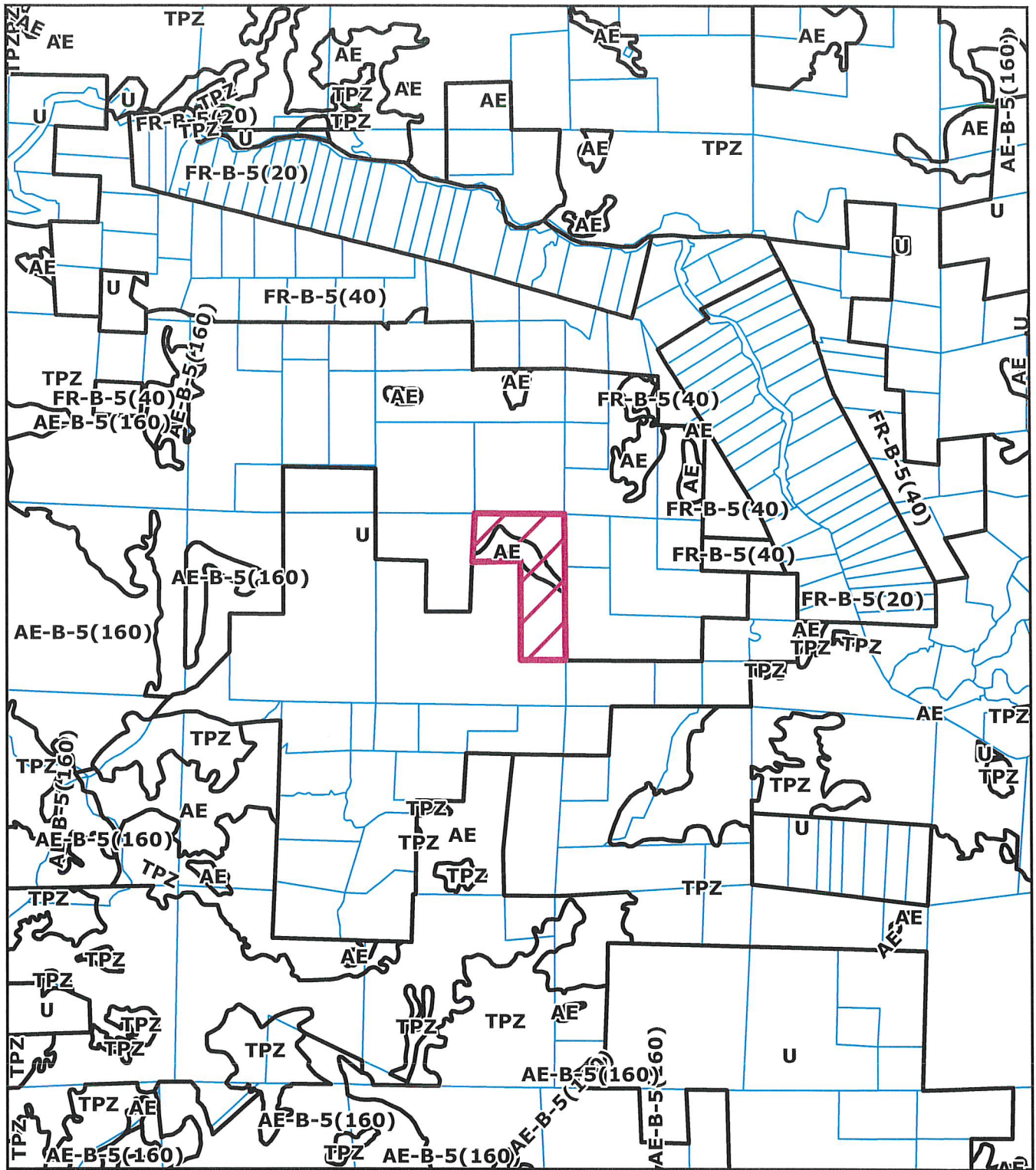
**TOPO MAP
PROPOSED HOPE SPRINGS FARM
DINSMORE AREA
SP-16-381
APN: 210-043-003
T01N R04E S21 HB&M (LARABEE VALLEY)**

Project Area =

N
↑
↓

0 0.4 0.8 1.6
Miles

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



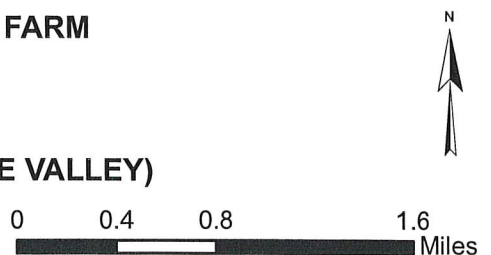
**ZONING MAP
 PROPOSED HOPE SPRINGS FARM
 DINSMORE AREA
 SP-16-381**

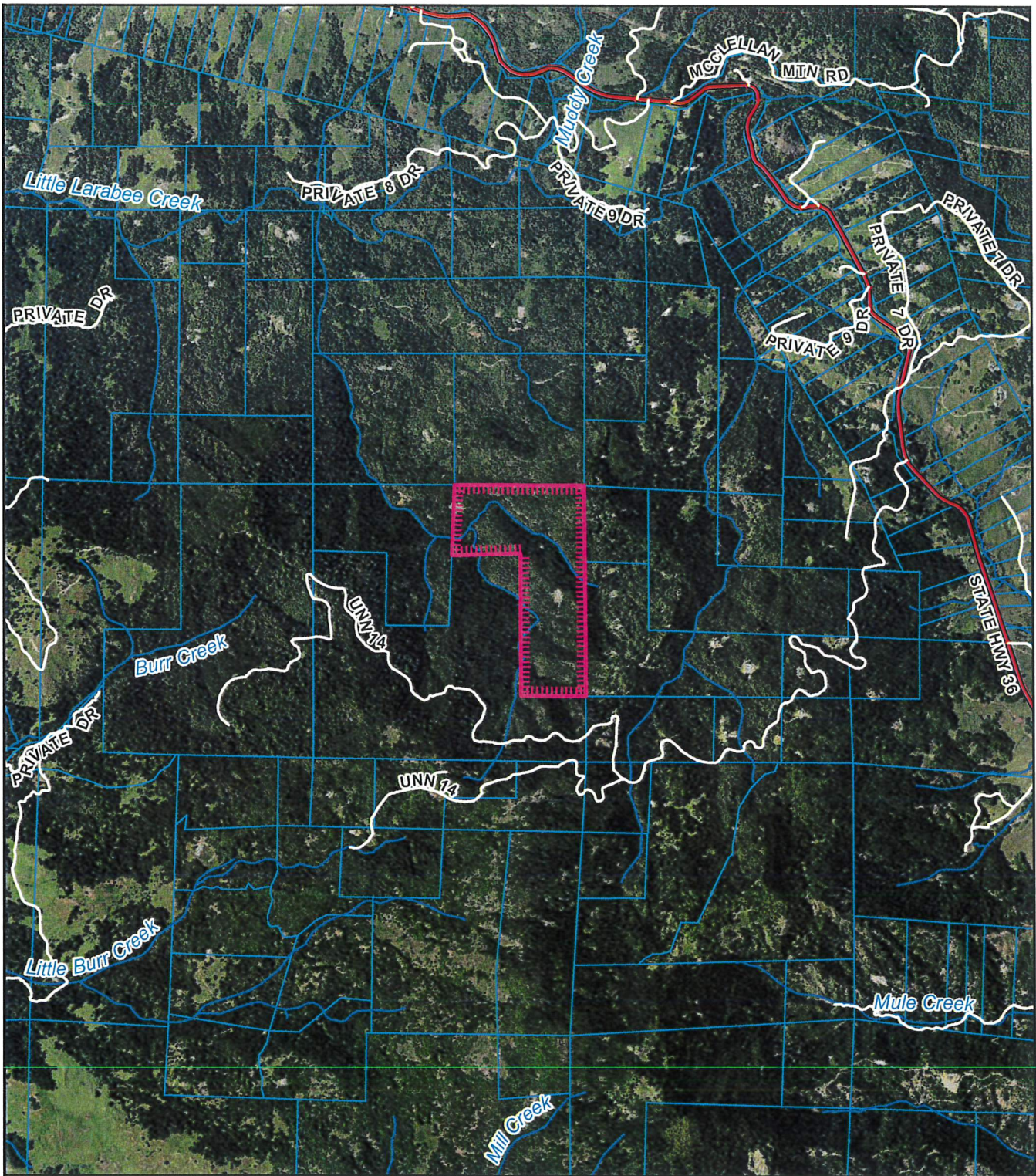
APN: 210-043-003

T01N R04E S21 HB&M (LARABEE VALLEY)

Project Area = 

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





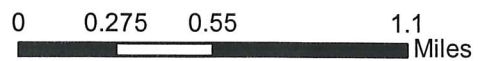
**AERIAL MAP
 PROPOSED HOPE SPRINGS FARM
 DINSMORE AREA
 SP-16-381**

**APN: 210-043-003
 T01N R04E S21 HB&M (LARABEE VALLEY)**

Project Area = 



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ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval or issuance of a building permit, whichever comes first, the applicant shall submit a revised plot plan showing the following, in addition to what is currently shown:
 - a. Proposed location of the proposed additional water storage tanks, to be located within a previously disturbed area onsite.
 - b. All site features, including but not limited to watercourses, springs, respective Streamside Management Area (SMA) buffers, and culverts.
 - c. All areas of ground disturbance, including but not limited to graded flats.
6. Within 60 days of the effective date of permit, the applicant shall submit a revised cultivation and operations plan detailing the following, in addition to what is currently described:
 - a. The switch to rainwater catchment, proposed to occur by the end of 2024.
 - b. Proposed addition of additional 96,000 gallons of onsite water storage, proposed in twenty (20) 4,800-gallon tanks, for a total of 211,000 gallons of onsite water storage.
 - c. Discussion of onsite processing activities.
 - d. Updated monthly and annual water use estimates.
 - e. Updated number of annual harvests.
7. 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 #8 through #19.

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.

8. The applicant shall secure building permits for all structures and grading related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, greenhouses, water tanks over 5,000 gallons, structures associated with drying, storage, processing, or any activity with a nexus to cannabis, graded flats, 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.
9. The applicant must demonstrate that a properly functioning onsite wastewater treatment system serves the operation prior to processing on-site. This can be accomplished by either installing a new, permitted septic system; or by providing the Department of Environmental Health (DEH) with an assessment of the existing system performed by a qualified professional engineer, geologist, soil scientist, or registered environmental health specialist (REHS) that certifies that the existing system complies with the State RWQCB definition of a Tier 0 system - not impairing groundwater or surface water resources. Portable toilet and handwashing facilities may be utilized during the construction of these improvements to support cultivation staff only. The applicant shall furnish receipts or other documentation to the DEH for the continual use of portable toilets for employees until a permanent septic system is installed to their satisfaction. A letter or similar communication from DEH verifying that all their requirements have been met will satisfy this condition.
10. Per comments received from DEH in April 2018, the applicant shall discontinue the use of and decommission the pit privy (outhouse). Disposal of the end product must be in accordance with HCC §615-10 – bury remaining night soil below 18 inches of compacted soil, above ground water, no closer than 50 feet to any ephemeral stream and no closer than 100 feet to any perennial stream. Alternatively, the applicant may obtain approval from DEH prior to operating the pit privy. A letter or similar communication from DEH verifying that all their requirements have been met will satisfy this condition.
11. All recommendations in the Road Evaluation Report for the unnamed access road serving the subject site, prepared by DTN Engineering and Consulting in May 2018, shall be implemented to the satisfaction of the Planning and Building Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. A letter or similar communication from the Department of Public Works will satisfy this condition.
12. Per comments received from the California Department of Transportation (Caltrans) in June 2018, the applicant shall improve the private access road off Highway 36 to Caltrans' commercial driveway standards and improve sight distance. The applicant shall obtain an encroachment permit from Caltrans prior to commencing any work. This condition shall be completed to the satisfaction of Caltrans prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license. A letter or similar communication from Caltrans will satisfy this condition.
13. The applicant shall implement all remaining corrective actions detailed in the Timberland Conversion Evaluation was prepared by Mark Distefano, Registered Professional Forester (RPF) #2781, in May 2018, including the following:
 - a. Treat the log decks by cutting logs into firewood at lengths of 24 inches or less.
 - b. Pull back root wads and other debris from the location shown on map and utilize soil stabilization measures (i.e., seed and straw mulch).
 - c. Install 2 rolling dips and/or water bars at the flagged and mapped location of the segment of road between the pond site and the existing unstable area to ensure that concentrated run-off from the access road does not deliver to the existing unstable area.

The applicant shall submit a letter or similar communication from a qualified professional stating the recommendations are completed as described by the report. Alternatively, the applicant may schedule a site inspection with the Planning Department to verify the improvements are completed as described. A sign-off from the Planning Department will satisfy this condition.

14. The applicant shall finalize the Notification of Lake or Streambed Alteration submitted to the California Department of Fish and Wildlife (CDFW) in November 2016, and adhere to and implement the Final Streambed Alteration Agreement issued by CDFW. Reporting requirements shall be submitted to the Planning Department and the California Department of Fish and Wildlife at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year.
15. The applicant shall register the onsite well with the California Department of Water Resources and submit the well log and/or and a Well Completion Report (WCR) to the Planning Department. If the well log and/or WCR shows the existing well is hydrologically connected to surface waters, additional water storage equal to the amount of water utilized during the forbearance period of May 15 – October 31) will be required to meet forbearance requirements.
16. The applicant shall submit copies of all documents filed with the State Water Resources Control Board, including but not limited to a Site Management Plan and Notice of Applicability. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order, the Site Management Plan, and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.
17. The applicant shall secure permits from the North Coast Unified Air Quality Management District, as applicable. A letter or similar communication from the North Coast Air Quality Management District verifying that all their requirements have been met and/or no additional permitting is required will satisfy this condition.
18. The applicant shall construct noise containment structures for all generators used on the parcel. The applicant shall obtain all required building permits for such structures. The applicant shall maintain generator, fan, and dehumidifier noise at or below 50 decibels at the edge of the clearing or 100 feet, whichever distance is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled murrelet. All generators must be located on stable surfaces with a minimum 200-foot buffer from Class I and Class II streams, per the requirements of CDFW. No generator use is authorized by this permit until the applicant can demonstrate to compliance with this standard.
19. All artificial lighting including security and propagation area lighting shall comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare (BUG). International Dark Sky Association standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. Within 30 days of the effective date of this permit, the applicant shall schedule a site inspection with the Humboldt County Planning Department to demonstrate the structures and greenhouses can be comply with this standard.
20. The proposed addition of 96,000 gallons of additional onsite water storage within twenty (20) 4,800-gallon tanks, for a total of 211,000 gallons of onsite water storage, shall be located within a previously disturbed area and no additional tree removal shall occur. The site plan shall be revised to show the location of the additional water storage and submitted to the Planning Department for review and approval. A sign-off from the Planning Department will satisfy this condition.

21. The applicant shall not use any erosion control measures that contain synthetic (e.g. plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting, on a regular and on-going basis. 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 weaves.
22. All refuse shall be contained in wildlife proof containers, at all times, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
23. The applicant shall install and utilize a water meter to demonstrate that there is sufficient water supply to meet the demands of the project. The water use for cultivation is limited to the use of the well (until end of 2024), rainwater catchment system (once operational), and amount of water available in storage tanks and shall be provided annually prior to or during the annual inspection.
24. 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.
25. 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.
26. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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 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. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.

4. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. 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.
9. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
12. 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.
13. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
14. 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).

15. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. Comply with the terms of the Final Lake and Streambed Alteration Agreement (EPIMS-HUM-09230-R1), as well as any subsequent amendments, obtained from the California Department of Fish and Wildlife (CDFW).
17. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
18. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
19. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
20. Pay all applicable application, review for conformance with conditions and annual inspection fees.
21. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. 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

24. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
25. 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).
26. 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.
27. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:

- a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (1) Emergency action response planning as necessary;
 - (2) Employee accident reporting and investigation policies;
 - (3) Fire prevention;
 - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (5) Materials handling policies;
 - (6) Job hazard analyses; and
 - (7) Personal protective equipment policies, including respiratory protection.
 - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts; and
 - (3) Poison control contacts.
 - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
28. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
 - b. Location where processing will occur
 - c. Number of employees, if any
 - d. Employee Safety Practices
 - e. Toilet and handwashing facilities
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
 - g. Drinking water for employees
 - h. Plan to minimize impact from increased road use resulting from processing
 - i. On-site housing, if any
29. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
30. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
31. 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.

32. 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.
33. 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.
34. 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 two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #6 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 Conditions of Approval #26 and 27 of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted

immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

4. The applicant shall be aware that the Federal Government considers the cultivation of cannabis to be an illegal activity. This project is accessed by using roads owned and maintained by the Federal Government (the U.S. Forest Service) and that pass-through lands owned by the Federal Government. The Federal Government may not allow the applicant to use these roads to transport cannabis. In such case, Humboldt County will not provide relief to the applicant. Approval of this permit does not authorize transportation of cannabis across Federal lands.

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 210-043-003; Section 21 of Township 01, Range 04, H.B.&M., Dinsmore area
County of Humboldt**

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

March 2022

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 in order 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.

The modified project involves a Special Permit for an existing 10,000 square foot (SF) outdoor cannabis cultivation, including 600 SF of ancillary propagation. Irrigation water is currently sourced from a permitted groundwater well; however, the applicant is proposing to switch to rainwater catchment and add additional water storage onsite by the end of 2024. Existing available water storage is 115,000 gallons in a series of hard-sided tanks, with an additional 96,000 gallons proposed, for a total of 211,000 gallons of onsite water storage. Estimated annual water usage is 90,000 gallons. Processing occurs onsite. A maximum of eight (8) people will be on-site during peak operations. Power is provided by a generator and solar.

Two (2) tributaries to Little Larabee Creek traverse the northwestern, central, eastern, and southwestern portions of the subject parcel. All approved cannabis cultivation activities would occur outside of required Streamside Management Area (SMA) buffers and on slopes less than 50%. The subject parcel is located in close proximity to two (2) Northern Spotted Owl (NSO) activity centers, and is located within an area mapped for potential occurrence of a special status bird species, the American peregrine falcon (*Falco peregrinus anatum*). While the nearest Northern Spotted Owl (NSO) activity center is located approximately 0.51 miles from the nearest cultivation area, positive NSO sightings have been recorded as near as 0.18 miles from the nearest cultivation area. Power is provided by a generator, as well as solar for the well pump only. Information provided by the applicant in February 2022 (Attachment 3) indicates very little power is required for the operation. Passive airflow is utilized and no fans are used. The generator is used only for drying and curing of the plants for one (1) month during the winter. Conditions of approval require the applicant use noise and light attenuation to ensure the project has a Less than Significant Impact on NSO. A condition of project approval is required to prepare a Site Management Plan and submit a Notice of Applicability demonstrating enrollment with the State Water Resources Control Board Cannabis Cultivation Policy. Additionally, a condition of project approval is inadvertent discovery protocols for cultural resources consistent with the recommendation of the Cultural Resources Investigation, prepared by William Rich and Associates in August 2018 and the Bear River Band of the Rohnerville Rancheria in May 2019.

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 supplemental lighting and security lighting adheres to Dark Sky Association standards and ensuring project related noise does not harass nearby wildlife which will limit impacts to biological resources as a result 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 Mitigated Negative Declaration (MND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency

determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous 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 mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 10,000 square feet of outdoor cultivation with ancillary propagation 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 (see Attachment 3 for a complete listing of document):

1. Site Plan prepared by Stillwater Sciences, received 12/14/21.
2. Cultivation and Operations Plan prepared by Stillwater Sciences, received 8/16/18, with additional project information provided by the applicant on 1/19/22.
3. Road Evaluation Report for Unnamed Road prepared by DTN Engineering and Consulting, dated 5/10/18.
4. Timberland Conversion Evaluation prepared by Mark Distefano, Registered Professional Forester #2781, dated 5/15/18.
5. Water Well Application (16/17-0270), dated 9/15/16.
6. Initial Statement of Water Diversion and Use submitted to the State Water Resources Control Board, received 6/30/17.
7. Notification of Lake or Streambed Alteration submitted to the California Department of Fish and Wildlife (CDFW), received 6/30/17.
8. Monitoring and Reporting Program for Waiver of Waste Discharge Requirements, Order No. R1-2015-0023, dated 6/29/17.
9. A Cultural Resources Investigation for Commercial Medical Cannabis Cultivation, APN 210-043-003, Humboldt County, California, prepared by William Rich, M.A., RPA, William Rich and Associates, Bayside, CA, dated August 2018.

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

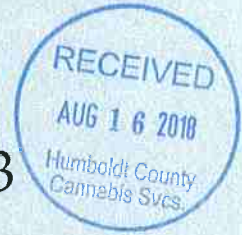
Attachment 3 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

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. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (**Attached** - Site Plan prepared by Stillwater Sciences, received 12/14/21)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (**Attached** - Cultivation and Operations Plan prepared by Stillwater Sciences, received 8/16/18, with additional project information provided by the applicant on 1/19/22)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above))
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (On file – Monitoring and Reporting Program for Waiver of Waste Discharge Requirements, Order No. R1-2015-0023, dated 6/29/17. Condition of approval – Site Management Plan and Notice of Applicability.)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (On file - Notification of Lake or Streambed Alteration submitted to the California Department of Fish and Wildlife (CDFW), received 6/30/17. Condition of approval to submit Final Streambed Alteration Permit.)

9. If the source of water is a well, a copy of the County well permit, if available. (On file - Water Well Application (16/17-0270), dated 9/15/16. Condition of approval to submit copy of County well permit.)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (On file - Timberland Conversion Evaluation prepared by Mark Distefano, Registered Professional Forester #2781, dated 5/15/18)
11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
14. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
15. Road Evaluation Report for Unnamed Road prepared by DTN Engineering and Consulting, dated 5/10/18. **(Attached)**
16. A Cultural Resources Investigation for Commercial Medical Cannabis Cultivation, APN 210-043-003, Humboldt County, California, prepared by William Rich, M.A., RPA, William Rich and Associates, Bayside, CA, dated August 2018. (On file and confidential)
17. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On file)

JUNE 2018

Cultivation and Operations Plan for Humboldt Future Farms, APN 210-043-003



P R E P A R E D F O R

Humboldt County
825 5th St.
Eureka, CA 95501

P R E P A R E D B Y

Stillwater Sciences
850 G Street, Suite K
Arcata, CA 95521

Suggested citation:
Stillwater Sciences. 2018. Cultivation and Operations Plan for Humboldt Future Farms, APN 210-043-003. Prepared by Stillwater Sciences, Arcata, California for Humboldt County, Eureka, California.

Table of Contents

1	PROJECT DESCRIPTION	1
2	DESCRIPTION OF CULTIVATION ACTIVITIES	1
2.1	Mixed Light Cultivation	1
3	SCHEDULE OF CULTIVATION ACTIVITIES BY MONTH	1
4	WATER SOURCE, STORAGE AND USE	2
5	PROCESSING PLAN	2
6	EMPLOYEE PRACTICES	2
6.1	On-site housing	2
6.2	Worker Safety Practices.....	3
7	WATERSHED & HABITAT PROTECTION/ SUSTAINABLE FARMING PRACTICES	3
7.1	Site Drainage, Runoff and Erosion Control Measures	4
7.2	Road Improvement and Use.....	4
8	chemical storage and use	4
8.1	Fertilizers, Amendments, and Other Agro-Chemicals.....	4
8.2	Fuels.....	4
9	DEPARTMENT OF ENVIRONMENTAL HEALTH INFORMATION	5
9.1	On-Site Wastewater Treatment.....	5
9.2	Water Production/Well Construction.....	5
9.3	Hazardous Material.....	5
9.4	Solid Waste/Recycling.....	5
10	DESCRIPTION OF GENERATOR USE, POWER SOURCE, AND STORAGE	6
11	SECURITY PLAN	6
12	EMERGENCY CONTACTS	7
	Appendix	Error! Bookmark not defined.

1 PROJECT DESCRIPTION

Humboldt Future Farms seeks to obtain land use approval to cultivate 10,000 square feet (sf) of cannabis. Operations will take place on Humboldt County Assessor's Parcel Number 210-043-003 located in the Little Larabee Creek Watershed. Operations will consist of full-sun outdoor and light deprivation cultivation methods. Post-harvest cannabis curing and processing will take place at an off-site location.

2 DESCRIPTION OF CULTIVATION ACTIVITIES

Cannabis Cultivation activities for this site consist of full sun outdoor cultivation with greenhouses used to protect plants during early and late season. Plants are grown in two cycles during the year, Light Deprivation and Full Term. Light Deprivation cultivation occurs from April through July of each year. Full Term cultivation occurs from May through October of each year. Processing of Cannabis is performed at an off-site location.

2.1 Mixed Light Cultivation

No artificial lighting will be used for cultivation.

3 SCHEDULE OF CULTIVATION ACTIVITIES BY MONTH

The operations schedule is based on previous years and may change with to new farming techniques and different weather considerations.

- 1) **January** – Infrastructure repair, site and road maintenance, water storage monitoring.
- 2) **February** – Infrastructure repair, site and road maintenance, water storage monitoring.
- 3) **March** – Garden preparation for grow season.
- 4) **April** – Garden area and water system preparations.
- 5) **May** – Planting of Deps and some full term plants. Monitoring and maintenance of gardens including fertilizer and pest treatments.
- 6) **June** – Planting of Deps and some full term plants. Monitoring and maintenance of gardens including fertilizer and pest treatments.
- 7) **July** – Planting and re-potting of full term plants. Monitoring and maintenance of gardens including organic fertilizer and pest treatments.
- 8) **August** – Monitoring and maintenance of gardens including organic fertilizer and pest treatments. Deps harvesting bringing unprocessed plant to processing facility.
- 9) **September** – Monitoring and maintenance of gardens including organic fertilizer and pest treatments. Full Term harvesting bringing unprocessed plant to processing facility.
- 10) **October** – Monitoring and maintenance of gardens including organic fertilizer and pest treatments. Full Term harvesting bringing unprocessed plant to processing facility.
- 11) **November** – Site and road maintenance, water storage monitoring.
- 12) **December** – Infrastructure repair, site and road maintenance, water storage monitoring.

4 WATER SOURCE, STORAGE AND USE

In past years, all water on the property was supplied by a spring (POD). However, a deep, permitted groundwater well was installed in 2017 and currently irrigation water is supplied by the well. Additionally, the landowner has applied for a grading permit to build a 300,000-gallon rainwater catchment pond, which will provide all irrigation water in the future. There is 12,500 gallons in tanks for irrigation supply, and 10,000 gallons of storage tanks for backup irrigation or domestic supply. Plants are watered using timed drip emitters. The table below outlines the estimated water diversion and use during a typical year. Irrigation water usage is dependent on weather conditions.

Table 1: Estimated Annual Water Diversion and Use

Total Surface Water Diversion By Month (gallons):													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Spring	4,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500	54,000

Water Input to Storage by Source (gallons):													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Well	7,500	7,500	5,000	2,500	-	-	-	-	-	-	-	-	22,500

Water Use by Source (gallons):													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Spring	4,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500	54,000
Well					10,000	20,000	25,000	30,000	25,000	5,000			115,000
Storage	-	-	-	-	-	-	5,000	5,000	2,500	-	-	-	12,500
Total	4,500	4,500	4,500	4,500	14,500	24,500	34,500	39,500	32,000	9,500	4,500	4,500	181,500

5 PROCESSING PLAN

Processing will occur at an offsite, secured, permitted, processing facility. The exact location is to be determined. Harvested plants will be transported to the processing facility from the cultivation location.

6 EMPLOYEE PRACTICES

Current estimated number of employees is two (2) however a total of up to eight (8) people including (non-profit members) may at times be working on the property during harvest. Adequate sanitary facilities are available for all workers. Additionally, the following practices will be implemented:

1. Humboldt Future Farms shall only employ persons for hire as allowable by law.
2. Humboldt Future Farms shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).

6.1 On-site housing

There is a 20'x20' cabin located near the lower garden area with a sleeping loft, kitchen and half bath for one resident on the property.

6.2 Worker Safety Practices

Safety protocols will be implemented to protect the health and safety of employees. All employees are trained in safety tasks relevant to their specific job responsibilities, which may include

- 1) Employee accident response
- 2) Employee accident reporting
- 3) Security breach
- 4) Fire prevention
- 5) Materials handling policies
- 6) Use of protective clothing such as long sleeve shirts, brimmed hats, and sunglasses.

Each garden site area shall have the following emergency equipment:

- 1) Personal protective equipment including gloves and respiratory protection are provided where necessary
- 2) Fire extinguisher
- 3) First Aid Kit

Emergency contact list is posted on site, which includes:

- 1) Operation manager contacts
- 2) Emergency responder contacts

Safe drinking water, toilets and hand washing facilities that comply with applicable federal, state and local laws and regulations are provided on site. Plumbed facilities and water source are capable of handling increased usage without adverse consequences to neighboring properties or the environment. An outhouse and sink are located at the lower cabin area. Safe drinking water is purchased from off-site.

7 WATERSHED & HABITAT PROTECTION/ SUSTAINABLE FARMING PRACTICES

A holistic land management strategy has been implemented to improve watershed and habitat conditions. The entirety of the property will be managed so that water quality is protected, effects to summer low-flow are minimized, fire hazard is reduced, wildlife habitat conditions are improved and carbon emissions are offset. Specific measures taken to improve watershed conditions and protect habitat include, but are not limited to the following:

1. The site has been assessed by Stillwater Sciences' engineer, and conditions are summarized in Appendix B (Monitoring and Reporting Program Details for the Regional Water Quality Control Board Waiver of Waste Discharge Order R1-2015-0023). A Water Resource Protection Plan is being developed.
2. With the goal of reducing environmental impacts, all cultivation has been relocated and consolidated to the cultivation area situated in the northwest portion of the property. This area has a much gentler slope and more stable terrain. Furthermore, this cultivation strategy will require significantly less travel along the gravel access road paralleling and crossing a tributary to Little Larabee Creek.
3. Rainwater catchment methods will be implemented with the construction of the pond, allowing rainwater to be used for irrigation in lieu of surface or ground water.

4. Additionally, surface water diversion will be limited once the groundwater well is drilled.
5. Soil management practices are transitioning toward development of regenerative, living soil to reduce offsite inputs and improve soil health.
6. Best practices have been employed to ensure minimal runoff from site.
7. The registrant is currently using organic pesticides. Items are typically brought onto the property on an as-needed basis. Any excess items are stored in the in the shop adjacent to the residence. All products are being used in methods consistent with the product labelling and shall be stored and used in ways which will not allow release into surface or groundwater.
8. There is one stream crossing on the property. The crossing was upgraded through a fisheries restoration project to a 6' diameter culvert. The landowner has obtained a Lake and Streambed Alteration Agreement with the California Department of Fish and Wildlife for the surface water diversion.

7.1 Site Drainage, Runoff and Erosion Control Measures

Site drainage is shown on the Plot Plan in Appendix A. Riparian areas are protected via established buffers of a minimum of 50 feet in width that are vegetated with native plant species. The site is monitored for erosion and pre-emptively maintained to prevent loss of topsoil and degradation of graded features. A Water Resource Protection Plan is being developed to strategize minimization of erosion on the property.

7.2 Road Improvement and Use

Based on initial site assessment, all roads on the property are in good condition. Some work is needed to surface roads with gravel and improve drainage. Workers are instructed to drive minimally and share vehicles when possible. Workers are encouraged to walk when possible to minimize environmental impact and improve personal health. Roads are used minimally during wet winter months. The roads on the property will be monitored to ensure that they are in safe working condition and maintenance and repair activities will be completed when threats to water quality or worker safety arise.

8 CHEMICAL STORAGE AND USE

8.1 Fertilizers, Amendments, and Other Agro-Chemicals

The registrant is currently using organic fertilizers and soil amendments. Items are typically brought onto the property on an as-needed basis. Any excess items are stored in the shop adjacent to the residence. Fertilizers and soil amendments are applied and used per packaging instructions at proper agronomic rates to prevent excess nutrients from entering waters of the state. A list of soil fertilizers and nutrients can be found in Appendix B (Monitoring and Reporting Program Details for the Regional Water Quality Control Board Waiver of Waste Discharge Order R1-2015-0023).

8.2 Fuels

Petroleum products are being stored in the shop adjacent to the residence. All petroleum products and liquid chemicals shall be stored in secondary containers that are sufficiently impervious and compatible with the substance being stored to prevent discharge or seepage. The registrant shall also implement spill prevention countermeasures and have spill kits with an ample supply of absorbent pads near storage and work areas.

9 DEPARTMENT OF ENVIRONMENTAL HEALTH INFORMATION

9.1 On-Site Wastewater Treatment

- Typically, two individuals would be working under CMM Permit during production April-October. During peak harvest periods as many as 8 individuals may be working on the property in September and October.
- Currently there is an outhouse but registrant plans to permit and construct a septic system within the next two years.
- Distance between restrooms and work areas:
 - Northwestern garden longest distance 200 feet.

9.2 Water Production/Well Construction

- Drinking water is bought and transported from off-site retailers.
- Daily water demand varies by season. The average domestic water use is about 150 gallons per day. At the peak of water use for cultivation, as much as 700 gallons per day is used for irrigation. For details on water diversion and use, please see Table 1.
- The landowner has installed a permitted groundwater well.
- The landowner is in the process of permitting a 300,000 gallon rainwater catchment pond.

9.3 Hazardous Material

- Gasoline and propane are stored on site for heating and power supply. All fuels are stored in approved storage containers that provide secondary containment in the event of a leak or spill. Diesel and gasoline are stored in containers in the shop near the residence.
- All fertilizers, soil amendments, and pesticides used on site are stored in the shop by the residence in approved containers. See Appendix B (Monitoring and Reporting Program Details for the Regional Water Quality Control Board Waiver of Waste Discharge Order R1-2015-0023) for complete list of agro-chemicals on-site. Safety Data Sheets (SDS) for commercial products attached.
- Bleach and alcohol are used on site to clean small hand tools. These products are brought to the site on an as-needed basis. These chemicals are stored in 1-gallon or less containers and no more than three gallons are stored on-site at any time. These chemicals are stored in the Other household sanitizers may be used in kitchen and bathrooms in minimal quantities.
- Small equipment and generator oil may be changed on site if so procedure will be completed over containment devices to prevent spillage. Major mechanical work on generators will be performed off-site.

9.4 Solid Waste/Recycling

- Garbage is stored in secure areas within shop by the residence. Covered recycling and refuse storage containers are located at each work area and are transported to the shop when filled.
- Garbage will be removed from property once a month and transported to Eel River Resource Recovery in Fortuna.
- Recycling will be removed from the property once a month and transported to Eel River Dispose and Resource in Fortuna.

- All spent growth medium will be burned or composted for future re-use in soil medium. Burn and compost piles will be in designated locations where material will not migrate to surface waters. Burning will only take place on designated burn days.

10 DESCRIPTION OF GENERATOR USE, POWER SOURCE, AND STORAGE

All generators used on will not exceed 60 decibels at the property line.

Generator Use					
Location	Brand	Wattage	dB(H)	Distance to Property Line	dB(H) at Property Line
Adjacent to lower garden	Honda EU 7000	7 KW	60 dB(A) at 9ft	200'	20 dB(H)

11 SECURITY PLAN

This security plan has been developed to incorporate best practices suggested by security industry professionals' and law enforcement personnel. The security plan will be continually updated and improved as further information is available. The following measures will help ensure the security of the medical marijuana and to safeguard against the diversion of medical marijuana for non-medical purposes or access by minors:

1. All employees will be educated of the overall security plan.
2. A limited number of people will have access to and be working at the property which will lower to probability of a breach in security.
3. This property lies at the end of a single lane private road, no one else gets access through the property.
4. A neighborhood watch is in place to identify and alert land owners of possible suspicious activity or vehicles.
5. A locked gate is in place on the access to the property. The combinations are changed frequently.
6. "No Trespassing" signs are posted on the single access road.
7. Curtilage of the house is fenced and posted with no trespassing signs.
8. Security cameras will be placed along access road, and "security cameras in use" signage will be posted.
9. Workers are to be briefed on an evacuation plan if security is breached.
10. No money or valuable items are to be left on the property at any time.
11. Workers are informed to call 911 and local responders in case of any emergency. They are also briefed on the address and access to the property in case of an emergency.
12. (Safeguard against the diversion of medical marijuana for non-medical purposes or access by minors) Transportation of harvested cannabis and final product will be handled by a contracted, licensed transporter/distributor in accordance with MMRSA. All merchantable product will only be distributed through licensed medical cannabis dispensaries.

12 EMERGENCY CONTACTS

Humboldt Future Farms shall visibly post and maintain an emergency contacts list which will include at a minimum:

1. Managerial and property owner contact(s):
 - a. Property Owner: Reuben Childs – (707) 498-9453
 - b. Manager: Kasie Miller – (707) 498-8501
2. Emergency responder contact(s):
 - a. EMERGENCY CALL 911
 - b. Nonemergency Sheriff: (707) 445-7251
 - c. Bridgeville Volunteer Fire Department: (707) 777-3424
3. Hazardous Material/Poison control contact(s):
 - a. EMERGENCY CALL 911
 - b. Poison Control Centers 1-800-222-1222
 - c. Humboldt County HazMat: (707)445-6215
 - d. Humboldt County Ag Dept: (707)441-5260

**Appendix A
Plot Plan**

PLOT PLAN APN 210-043-003 HUMBOLDT COUNTY, CA

OWNER:
REUBEN CHILDS
P.O. BOX 236
GARBERVILLE, CA 95542
707-496-9453
REUBENCHILDS@HOTMAIL.COM

PROJECT NOTES:

- *G- GREATER THAN 10,000 SF CULTIVATION AREA
- *P- 10,000 SF CULTIVATION AREA

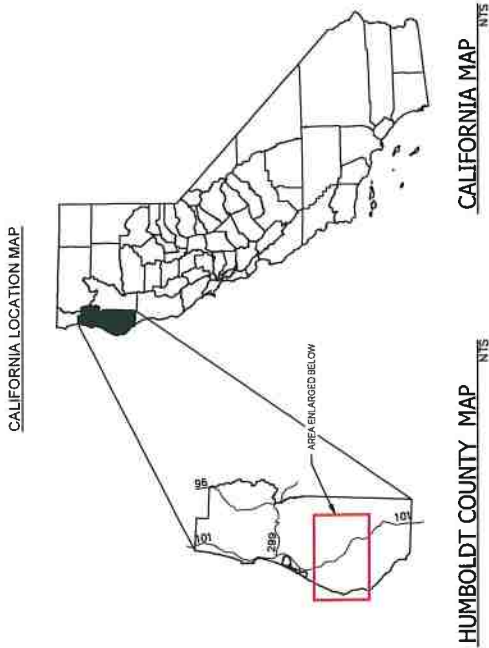
ADDITIONAL NOTES:

1. PARCEL EXTENT TAKEN FROM HUMBOLDT COUNTY GIS AND ASSESSORS PARCEL MAPS, MODIFIED BASED ON THE FOLLOWING:
2. SLOPE DIRECTION AND GRADIENT CAN BE DETERMINED USING SCALE BAR AND UNDERLYING USGS TOPO MAP (UP CONTOUR INTERVALS; SLOPES TYPICALLY RANGE FROM 0% TO 40% WITHIN 800' OF PROPERTY)
3. LOTS OF NEARBY PUBLIC PLOTS ON TRAIL, CULTURAL RESOURCES WITHIN 800' OF PROPERTY
4. ALL ROADS AND PARKING AREAS SURFACED WITH GRAVEL, MAIN COMMUNITY ROAD THROUGH PROPERTY IS UNPAVED
5. NO OFF SITE RESIDENCES WITHIN 300' UNLESS SHOWN ON THE SITE PLAN SHEET 2
6. BUILDINGS ARE NOT USED FOR CULTIVATION ACTIVITIES UNLESS OTHERWISE NOTED ON SHEET 2
7. BUILDINGS ARE CONSTRUCTED WITH WOOD UNLESS OTHERWISE NOTED ON SHEET 1

VICINITY LOCATION MAP:



REGIONAL LOCATION MAP:



POND VOLUMES:

- 39,000 GALLONS *P
- 1. WATER RESERVE TO ALL NEW POND, RAINWATER CATCHMENT
- 2. WATER USE FOR PROPOSED POND, IRRIGATION & PNE SUPPRESSION

City	Project
Town	Sub 15
Drawn	AS NOTED
Date	5/8/2018
Sheet	1 of 2

TITLE SHEET

Owner	JM
Drawn	CL
Checked	JM
Appr'd	



APN 210-043-003
PLOT PLAN
HUMBOLDT COUNTY

Appendix B
Regional Water Quality Control Board
Monitoring and Reporting Program Details

Monitoring and Reporting Program Details

This document is being filed to provide details of the Monitoring and Reporting Program for the subject property. The MRP is being filed as part of initial enrollment in the Waiver of Waste Discharge Order R1-2015-0023.

The subject property is Humboldt APN 210-043-003. A Water Resource Protection Plan is being developed to address water quality threats on the property (to be complete by December 15, 2017). The subject property is under review for land use permits under Humboldt County Ordinance No 2455, the *Commercial Medical Marijuana Land Use Ordinance (CMMLOU)*.

Standard Conditions

1. Site maintenance, erosion control, and drainage features

Based on initial site assessment, all roads on the property are in fair condition. Some work is needed to surface roads with gravel and improve drainage. Compliance will be achieved by October 2018.

2. Stream Crossing Maintenance

There is one stream crossing on the property. The crossings was upgraded through a fisheries restoration project to a 6' diameter culvert and does not require any work. In Compliance.

3. Riparian and wetland protection and management

There is no cultivation close to any riparian areas. In Compliance.

4. Spoils management

Existing cultivation operations include reuse of all soils, so there are no spoils on site. In Compliance.

5. Water storage and use

Currently, all water use is supplied by a spring (POD). There is approximately 5,000 gallons (domestic and irrigation) of water storage in tanks, and 20,000 gallons of irrigation storage in one bladder. The landowner has applied for a grading permit to build a 300,000-gallon rainwater catchment pond. Additionally, he will be boring a deep groundwater well to reduce reliance on the spring. Compliance will be achieved by October, 2019.

6. Irrigation runoff

Water conservation efforts have been implemented. Water applications are at agronomic rates and irrigation tailwater is not discharged to surface waters. In Compliance.

7. Fertilizers and soil amendments

The registrant is currently using organic fertilizers and soil amendments. Items are typically brought onto the property on an as-needed basis. Any excess items are stored in the shop adjacent to the residence. Fertilizers and soil amendments are applied and used per packaging instructions at proper agronomic rates to prevent excess nutrients from entering waters of the state. A list of soil fertilizers and nutrients is below. In Compliance.

8. Pesticides and herbicides

The registrant is currently using organic pesticides. Items are typically brought onto the property on an as-needed basis. Any excess items are stored in the in the shop adjacent to the residence. All products are being used in methods consistent with the product labelling and shall be stored and used in ways which will not allow release into surface or groundwater. In Compliance.

9. Petroleum products and other chemicals

Petroleum products are being stored in the shop adjacent to the residence. All petroleum products and liquid chemicals shall be stored in secondary containers that are sufficiently impervious and compatible with the substance being stored to prevent discharge or seepage. The registrant shall also implement spill prevention countermeasures and have spill kits with an ample supply of absorbent pads near storage and work areas. Location of storage, secondary containment, amount fuel stored, type of tank. Compliance will be achieved by October, 2018.

10. Cultivation-related wastes

Vegetation such as large branches, leaves, and roots are composted or burned in designated areas where residues do not migrate into surface waters. Burning is conducted on designated burn days. All soil is reused onsite. Cultivation related trash is disposed of at a waste management facility. In Compliance.

11. Refuse and human waste

All refuse is stored in trash containers. The refuse is appropriately disposed of at a waste management facility. There is currently an outhouse onsite, but the landowner plans build a permitted septic system. Compliance will be achieved by October 2020.

Total cultivation area (square feet): 10,000 square feet

Distance to surface waters (feet from nearest edge of each cultivation area or associated facility):

Cultivation by residence: ~350'

Average Slope:

Cultivation by residence: ~15%, cultivation occurring on generally flat terraces

Total number of road crossings of surface waters: 1

Annual soil amendment and chemical use (pounds or gallons):

Product (N-P-K if applicable)	Annual Total
Pro Tekt	24 Gallons
Age Old Grow	10 Gallons
Maxsea (16-16-16)	40lbs
Maxsea (3-20-20)	40lbs
Kool bloom powder	20lbs
Dr. Earth Flower Girl (4-10-7)	25 bags
Cutting Edge Mirco	20 Gallons
Cutting Edge Bloom	40 Gallons
Cutting Edge Hydroplex	20 Gallons

Total water storage capacity: 25,000 gallons

Mark Distefano
Registered Professional Forester #2781

May 15, 2018

Rueben Childs
P.O. Box 236
Garberville, CA 95542

To Mr. Rueben Childs,

The following is an evaluation of potential timberland conversion on cannabis cultivation sites and associated areas included in the Humboldt County Cannabis Permit Application (Apps #12045) for APN 210-043-003. Please accept this letter as the RPF's written report required by Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.10 (j), cited below.

"Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall provide CAL-FIRE written Notice of Availability of the RPF's report. If CAL-FIRE takes no action within ten (10) days of the notice of availability, the report recommendations shall become final."

Mark Distefano, RPF#2781 inspected and evaluated the cultivation site and associated areas contained within the application on June 3, 2018. The RPF exercised due diligence in reviewing all sites and available resources to fully assess potential timberland conversion and consequential impacts. This report evaluates the cultivation sites and associated areas for timber operations only. The scope of this report does not include: all other land alteration (such as grading, construction, and other permit-regulated activities), all property features and sites unrelated to cultivation activities, or any proposed, planned, or absent cultivation-related project sites. All findings are summarized in the report below.

Project Location

APN: 210-043-003

Acreage: 168 acres

Legal Description: W 1/2 of Section 21; Township 1 North, Range 4 East; Humboldt Base & Meridian, Humboldt County

Located on USGS 7.5' Quadrangle: Larabee Valley

Humboldt County Zoning: Timber Production Zone and Agriculture Exclusive

Site Address: None

Landowner/Timber Owner: Rueben Childs

The project is located in Humboldt County out State Highway 36. At approximate mile marker 31.5 on highway 36 an existing permanent road heads west for approximately 3 miles to the subject property. (see General Location Map).

Parcel Description & Timber Harvest History

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

The property consists of second growth tanoak and Douglas-fir with a minor component of madrone. Review of 1947 aerial imagery revealed no signs of timber harvesting. Review of 1968 aerial imagery revealed that logging roads and infrastructure have been established. As such, between 1947 and 1968 the majority of the logging infrastructure (i.e. roads and landings) was established and is still in use today as the main access for the property. Post 1968 aerial imagery showed no signs of additional timber harvesting. Based upon stand age, structure, and composition, the timber stands within the property and nearby areas were regenerated from the harvesting of old growth Douglas-fir in the late 1950s to mid-1960s.

Review of historic aerial imagery from 1947-2016 shows no signs of ground disturbance or changes in stand structure or composition suggesting additional logging entries have not occurred since the original harvest. Moreover, none have been recorded by Cal Fire (Watershed Mapper v2 http://egis.fire.ca.gov/watershed_mapper/).

Project Description

One cultivation sites that included a home site and shop were inspected during the field assessment within APN 210-043-003. Additionally, a pond site that is associated with the production of commercial cannabis was also inspected during the field assessment within APN 210-043-003. The following table lists the inspected sites and their acreages; see detailed site descriptions below.

Cultivation Site/Associated Area	Total Acreage	Converted?	Converted Acreage
Cultivation Site #1 including Home Site and Shop	1.4	Yes	0.81
Pond	0.21	Yes	0.21
TOTAL	1.61		1.02

Cultivation Site including Homesite and Shop – The total acreage associated with this cultivation site is approximately 1.4 acres. Within the 1.4 acres there are several greenhouses and areas of open grown cannabis whose foot print occupies a total of 0.27 acres. Additionally, within the total 1.4 acre site there is a 400 square foot (0.01 acres) residence and a 1,200 square foot (0.03 acres) shop. An additional 0.5 acre clearing southwest of the shop may be used in the future for cultivation activities. If cultivation activities are permitted in the future at this new location then it will impede the use of this space for current timber growth and harvesting. Consequently, this site is potentially a timberland conversion and is accounted for in the converted acreage total above. The total converted area associated with the Cultivation Site #1 including Home Site and Shop is 0.81 acres.

Review of aerial imagery reveals that the cultivation site was established around 2009 and included tree removal and grading within the site. Prior to the establishment of the cultivation site the area was used as a log landing in association with past timber harvesting. The preexisting log landing clearing and associated grading covered approximately 0.29 acres of the total 1.4 acre cultivation site. The remaining 1.21 acres were improved in association with establishment of the cultivation site in 2009 and includes 0.81 acres of timberland conversion and 0.69 acres that are still capable of meeting the definition of timberland. Review of aerial imagery and correspondence with the landowner reveals that the residence and shop were constructed in 2010. Defensible space was cleared around the homesite and shop concurrent with development of the site. This operation included the removal of both trees and stumps. An additional 0.5 acre clearing southwest of the shop may be used in the future for cultivation activities. Consequently, this evaluation shall include this area in the event that the County allows portions of the existing cultivation to be relocated to this location. If cultivation activities are permitted in the future at this location, then it will impede the use of this space for current timber growth and harvesting. Consequently, this site is potentially a timberland conversion.

Within the cultivation site most of the slash and woody debris have been treated, however two small log decks remain. The cultivation activities associated with the acreage of foot print occupied by greenhouses and areas of open grown cannabis, the homesite and shop, (0.81 acres) observed impede the use of these spaces for current timber growth and harvesting; in this way, the landowner has effectively converted the single use of these spaces from timber production to cannabis cultivation. The timberland conversion that occurred within the site is approximately 0.81 acres in size and 0.69 acres are still capable of meeting the definition timberland. In some portion of the cleared area stumps were removed and grading occurred, however, no large cut banks or fill slopes were observed which is evidence that only minimal grading occurred in this area and that the grading that did occur closely followed the natural contours of the land. In other portions of the cleared area only tree removal for solar gain and defensible space occurred and stumps were left in place and the ground was not graded. During the inspection the RPF observed areas where conifer and hardwood natural regeneration could recapture the portions of the site that are not covered by the foot print of greenhouses and other structures. If natural succession can take place this area is could meet the stocking standards of 14CCR 912.7 of the Forest Practice Rules within the next several years.

Pond

The pond site consists of an area where trees have been fallen in preparation for the construction of a pond. The dimensions of the pond are approximately 120 feet by 75 feet. The construction of the pond is being permitted by the Department of Fish and Wildlife 1600 program. The grading associated with the construction of the pond is being permitted by Humboldt County through grading permit process. The area that has been cleared in association with the construction of the pond is .21 acres. Only the area located under the foot print of the pond is considered a timberland conversion. The surrounding area will continue to meet the definition of timberland.

Timberland Conversion Summary

The RPF observed approximately 1.02 acres of unauthorized timberland conversion for cultivation-related purposes. This total does not exceed the three acre conversion exemption maximum.

Limitations and Considerations for Timberland Conversion Activities

Watercourses and Water Resources

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

No conversion areas exist within Watercourse and Lake Protection Zones (WLPZ) or Equipment Exclusion Zones (EEZs) on the property. The closest watercourse (Class III) is located approximately 300+ feet from the Cultivation Site including homesite and shop. Conversion activities have not impacted water resources.

Slash, Woody Debris, and Refuse Treatment

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

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

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

A majority of the slash and woody debris has been chipped. A majority of the logs have been processed into firewood. Two small log decks remain that require treatment as shown on the attached map. Treatment includes cutting logs into firewood at lengths 24 inches or less.

Biological Resources and Forest Stand Health

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

A query of the California Natural Diversity Database (CNDDDB) on July 16, 2018 revealed no observations of sensitive, rare, threatened, or endangered species or species of special concern within a 0.7-mile radius biological assessment area (BAA) surrounding the cultivation sites. No sensitive, rare, threatened, or endangered species or species of special concern were observed during the field assessment of the project area, though potential habitat may exist on the property.

The query of the CNDDDB revealed one known Northern Spotted Owl (NSO) Activity Centers. The activity center is located along the outer edge of the 0.7 mile BAA. NSO habitat within the property is a combination of Foraging, Roosting and Nesting. All of the habitat requirements of the "Northern Spotted Owl Take Avoidance Analysis and Guidance For California Coast Forest District ("Attachment A") are being met for the activity center.

No major forest health issues were observed during the field assessment. Though the property is located within Humboldt County, a Zone of Infestation (ZOI) for Sudden Oak Death (SOD), no symptoms, signs, or evidence of oak mortality were observed (*Oak Mortality Disease Control*). According to UC Berkeley's Mobile SOD Map, SOD infections are located within a three-mile radius of the cultivation site and associated area. No risk assessment was made at the property. The conversion activities do not appear to have impacted forest health.

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

Cultural Resources

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

No archeological sites were observed during the field assessment. The RPF conducted pre-field research for the project's geographic location and closely surveyed the converted sites and surrounding undisturbed areas for presence or evidence of prehistoric or historic sites. The archaeological survey was conducted by Mark Distefano, a certified archaeological surveyor with current CALFIRE Archeological Training (Archeological Training Course #149R). The survey consisted of examining boot scrapes, rodent disturbances, natural and manmade areas of exposed soils, and road and cultivation site surfaces.

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

Recommendations

In summary, a total of 1.02 acres of unauthorized timberland conversion has occurred within APN 210-043-003. This total does not exceed the three-acre conversion exemption maximum. The conversion activities conducted on the property do *not* comply with the California Forest Practice Act and the California Forest Practice Rules. The RPF recommends the following measures for the converted areas:


Cultivation Site including Homesite and Shop:

- Log deck treatment required. Treatment includes cutting logs into firewood at lengths 24 inches or less.
- Map Point 1 - Pull back root wads and other debris from the location shown on the map and provide the area with soil stabilization measures (i.e. seed and straw mulch).

Pond site:

- Map Point 2 - Install 2 rolling dips and/or water bars at the flagged and mapped location on this segment of road between the pond site and the existing unstable area to ensure that concentrated run off from the access road does not deliver to the existing unstable area.

Sincerely,



Mark Distefano, RPF #2781
4515 Meyers Avenue, Eureka, CA, 95503
707-442-9453

Pictures



Picture 1: Logs that require treatment located near the cultivation site. Photo date 6-23-2018.



Picture 2: Logs that require treatment located near the cultivation site. Note the shop in the back ground. Treatment to firewood in progress. Photo date 6-23-2018.

Pictures



Picture 3. Cultivation conversion site. Photo shows an area that has been cleared but not graded. Photo date 6-23-2018.



Picture 4: Cultivation conversion site. Area has been cleared and graded, however the grading did not involve significant cuts and/or fill. Photo date 6-23-2018.



Picture 5: Access road to the pond site that the RPF recommends installing rolling dips and/or water bars on.



Picture 6: Area of clearing associated with pond construction.

APN 210-043-002

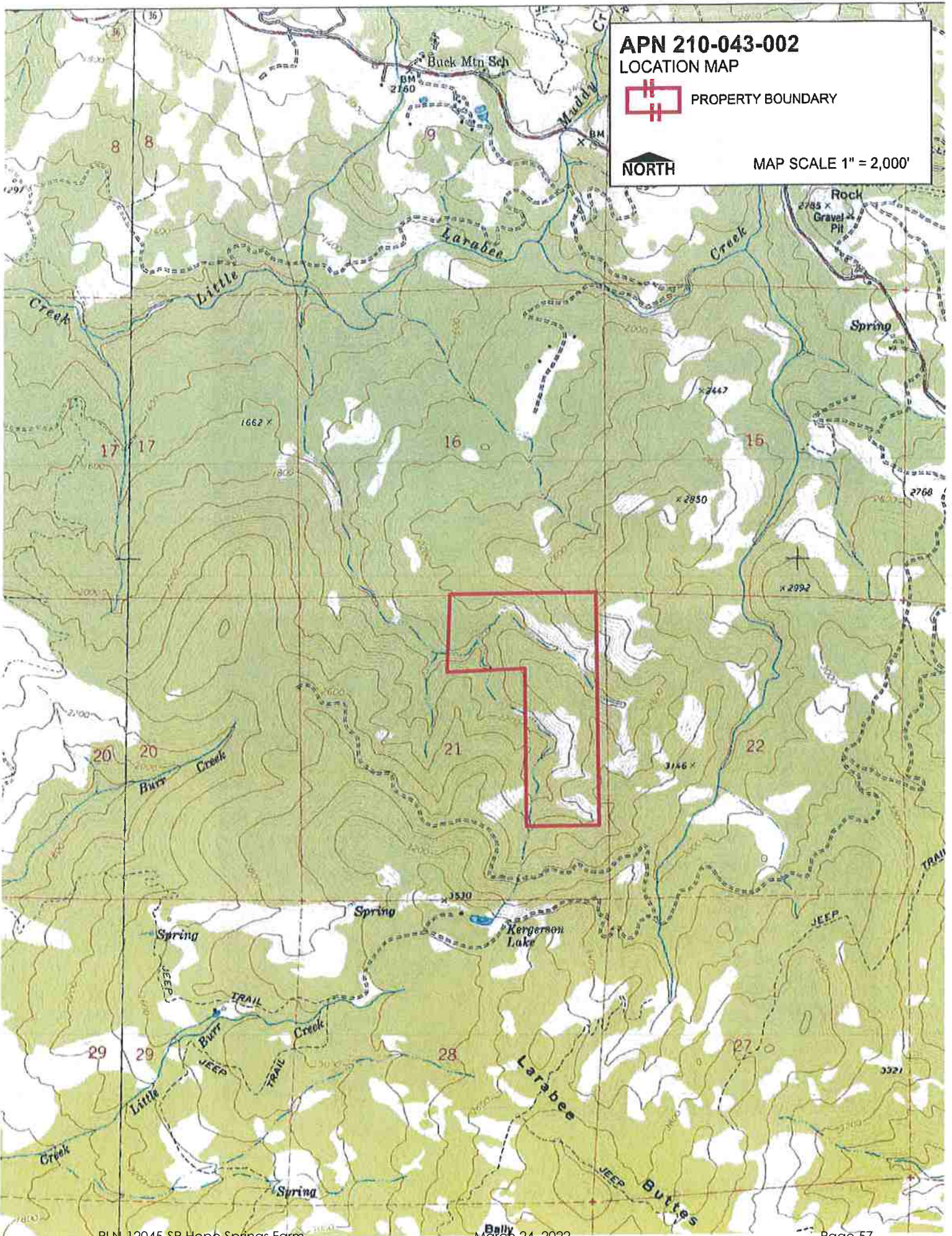
LOCATION MAP



PROPERTY BOUNDARY



MAP SCALE 1" = 2,000'



APN 210-043-003
CONVERSION EVALUATION MAP

-  PROPERTY LINE
 -  TIMBERLAND CONVERSION
 -  TREE REMOVAL BUT NO CONVERSION
 -  SEASONAL DIRT ROAD
 -  MAP POINT 1
 -  MAP POINT 2
 -  LOG DECK REQUIRING TREATMENT
 -  RESIDENCE
 -  SHOP
 -  NORTH
- MAP SCALE 1" = 350'

CULTIVATION SITE
PLUS RESIDENCE AND SHOP

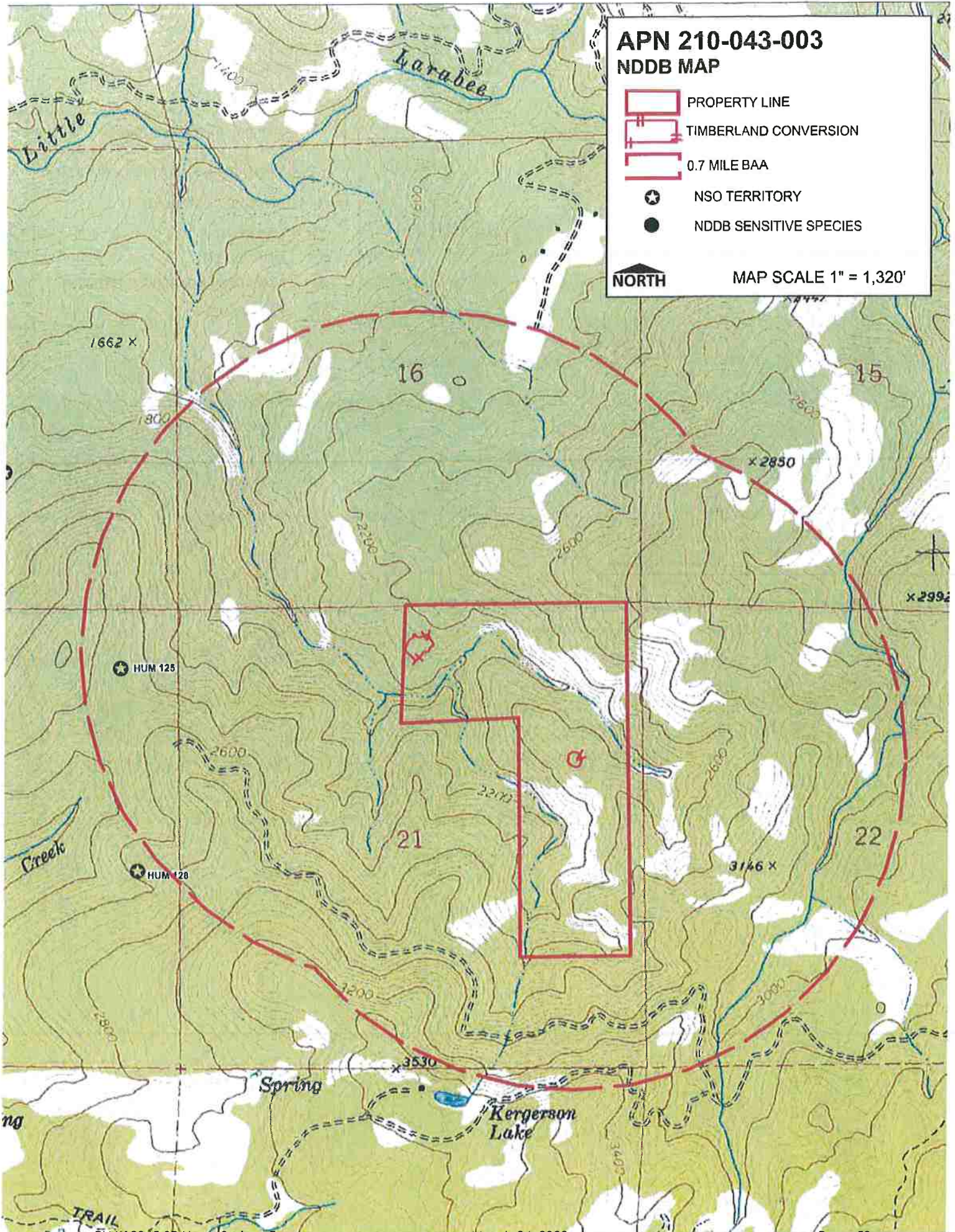
POND SITE

**APN 210-043-003
NDDB MAP**

-  PROPERTY LINE
-  TIMBERLAND CONVERSION
-  0.7 MILE BAA
-  NSO TERRITORY
-  NDDB SENSITIVE SPECIES

NORTH

MAP SCALE 1" = 1,320'



ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Comments	Attached
Division Environmental Health	✓	Conditional Approval	Attached
Public Works, Land Use Division	✓	Comments	Attached
California Department of Fish & Wildlife		No Response	Attached – Planning staff request for comments
California Department of Transportation District #1 (Caltrans)	✓	Conditional Approval	Attached
CAL FIRE	✓	Comments	Attached
Northwest Information Center	✓	Further Study	On file and confidential
Bear River Band of the Rohnerville Rancheria	✓	Comments	On file and confidential
Humboldt County District Attorney		No Response	
Humboldt County Agriculture Commissioner		No Response	
Humboldt County Sheriff		No Response	
Fortuna High School 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



10/12/2017

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, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Humboldt County Sheriff, SWRCB- Division of Water Rights, Fortuna High School District School District

Applicant Name Hope Springs Farm **Key Parcel Number** 210-043-003-000
Application (APPS#) 12045 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** SP16-381

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 10/27/2017 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: 3-1-18 PRINT NAME: Gustin Dumler

210-043-003



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.: 12045 (45579)
Parcel No.: 210-043-003
Case No.: SP16-381

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

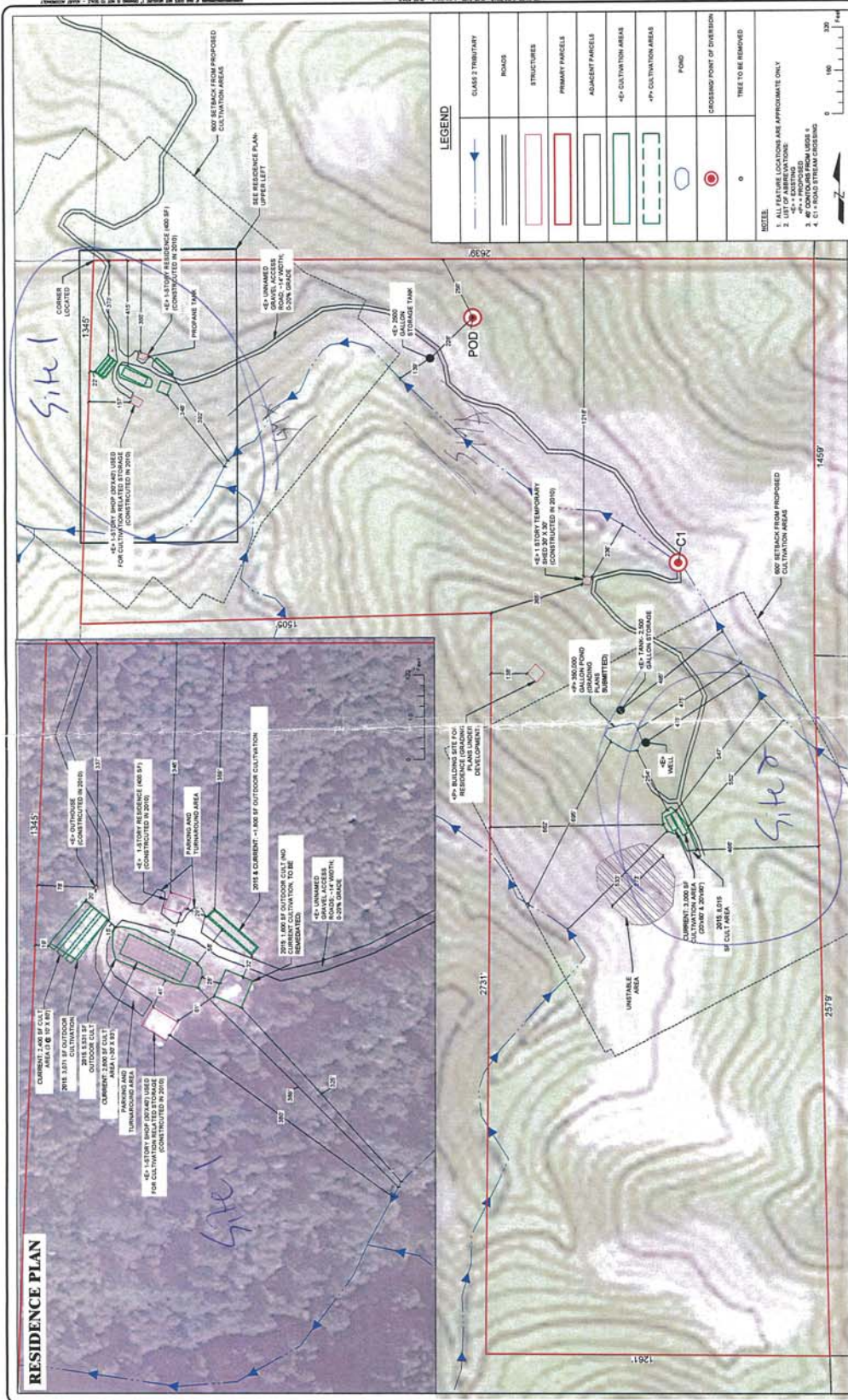
- Site/plot plan appears to be accurate.
- Submit revised site/plot plan showing all of the following items: all grading including ponds and roads, location of any water course including springs, all structure including size and use and all setbacks from the above stated to each other and property lines.
- 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: See photos @ SP16-381 - folder 210-043-003
- Revise plot plan to show all grading, & springs, SMA's, Culverts not shown. All Tanks.
- Cannabis areas appear accurate, no concern of SMA's
- Unsafe wiring exists

Name: Justin Dumlauer

Date: 2-28-18

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.



SITE PLAN

APN 210-043-003
PLOT PLAN
HUMBOLDT COUNTY

Date: Drawn: Checked:
 Date: Drawn: Checked:
 Date: Drawn: Checked:

Scale: Date:
 Date: Date:
 Date: Date:

2 OF 2





PLOT PLAN APN 210-043-003 HUMBOLDT COUNTY, CA

OWNER:
REUBEN CHILDS
P.O. BOX 236
GARBERVILLE, CA 95542
707-496-9453
REUBENCHILDS@HOTMAIL.COM

PROJECT NOTES:
200' - 16.00' OF CULTIVATION AREA
CURRENT 10,000 SF CULTIVATION AREA
CULTIVATION WAS CONSIDERED

ADDITIONAL NOTES:

1. PARCEL EXTENT TAKEN FROM HUMBOLDT COUNTY GIS AND ASSESSORS PARCEL MAPS. MODIFIED BASED ON FIELD SURVEY DATA.
2. SLOPE DIRECTION AND GRADIENT CAN BE DETERMINED USING SCALE BAR AND UNDERLYING USGS TOPO MAP.
3. MAP FOR CONTOUR INTERVALS, SLOPE & TYPICALLY RANGE FROM 0% TO 10%.
4. SLOPE DIRECTION AND GRADIENT CAN BE DETERMINED USING SCALE BAR AND UNDERLYING USGS TOPO MAP.
5. WITHIN 100' OF PROPERTY.
6. 10' - 20' WITH OLVING GRADE. PRIVATE DRIVEWAYS 12' - 14' WIDTH WITH 20% GRADE.
7. BULKHEADS ARE NOT USED FOR CULTIVATION ACTIVITIES UNLESS OTHERWISE NOTED ON SHEETS.
8. BULKHEADS ARE CONSTRUCTED WITH WOOD UNLESS OTHERWISE NOTED ON SHEETS.

POND VOLUMES:
25,000 GALLONS +/-
1. WATER USE FOR PROPOSED POND REMOVAL AT THE DISCRETION OF THE APPLICANT.

VICINITY LOCATION MAP

CALIFORNIA LOCATION MAP

HUMBOLDT COUNTY MAP

CALIFORNIA MAP

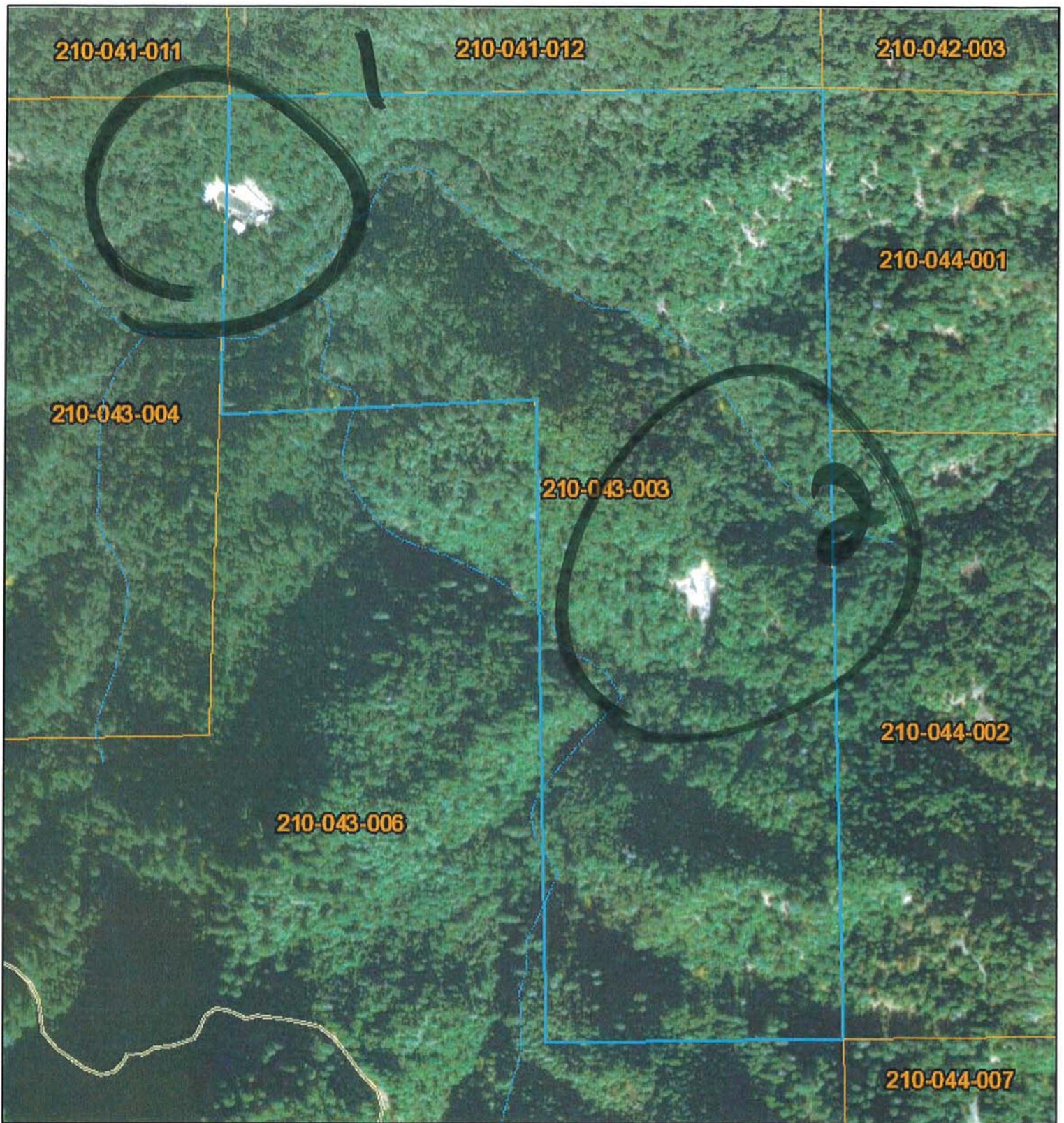
REGIONAL LOCATION MAP

APN 210-043-003
PLOT PLAN
HUMBOLDT COUNTY

OWNER: AM
DRAWN: CL
CHECKED: AM
DATE: 03/20/22

TITLE SHEET

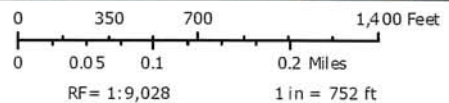
1 OF 2



210-043-003

Humboldt County Planning and Building Department

- | | | |
|---------------------------|---------------------------|-------------------------------|
| Highways and Roads | — Private or Unclassified | — Intermittent |
| Principal Arterials | — Major River or Stream | — Subsurface |
| Minor Arterials | Blue Line Streams | — City Boundary |
| Major Collectors | — Perennial 1-3 | — Counties |
| Minor Collectors | — Perennial >4 | — Parcels (Owners) |
| Local Roads | | — Parcels (Owners, no labels) |



Printed: February 28, 2018

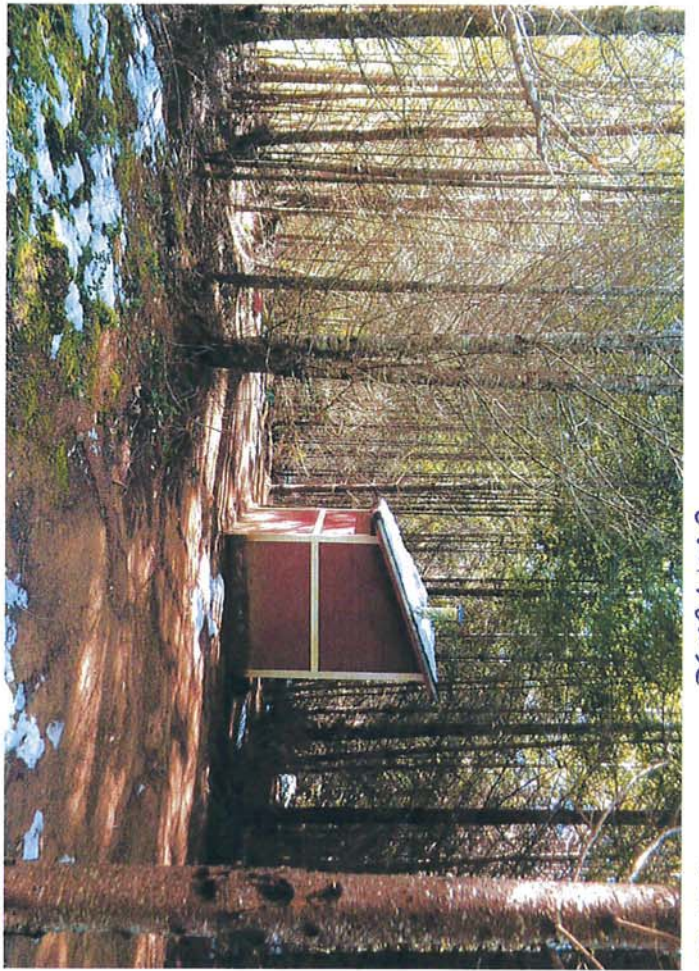
Web AppBuilder 2.4 for ArcGIS

Map Disclaimer:

While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.

Source: NRCS, Humboldt County GIS, California Coastal Commission GIS/Mapping Unit, 2014, Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, FRAP, FEMA, USGS

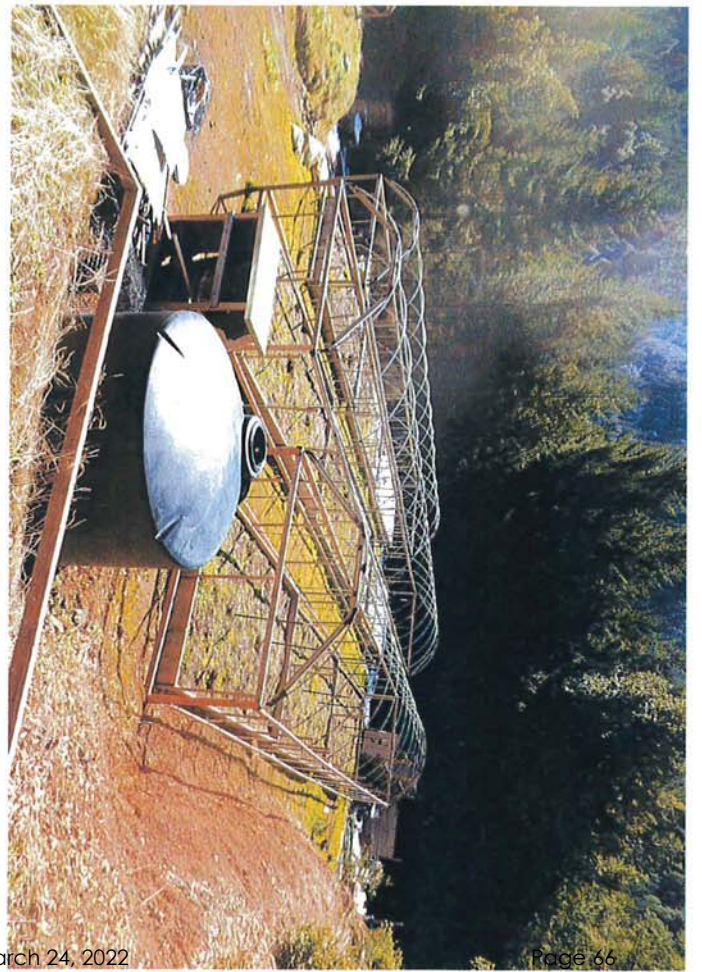
2/27/18 210-043-003



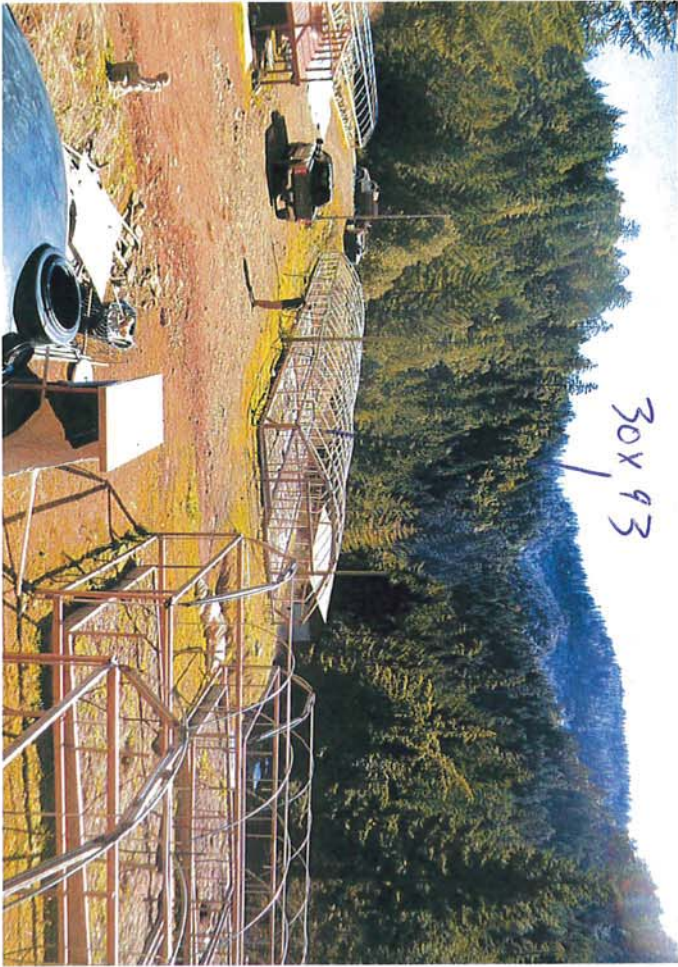
outhouse

Site 1

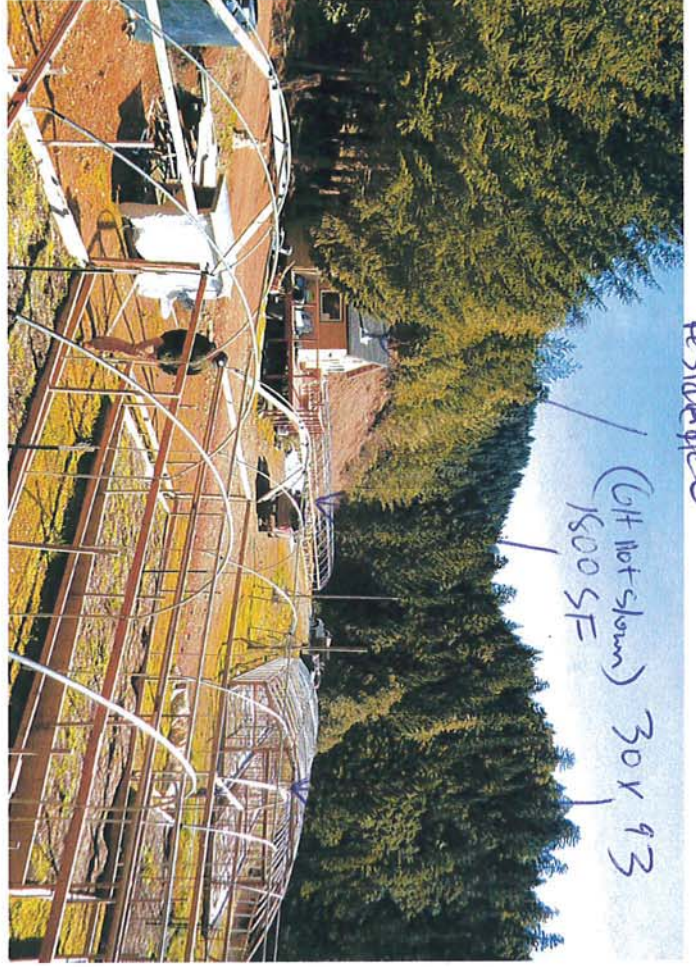
3 - 10x80



3 - 10x80



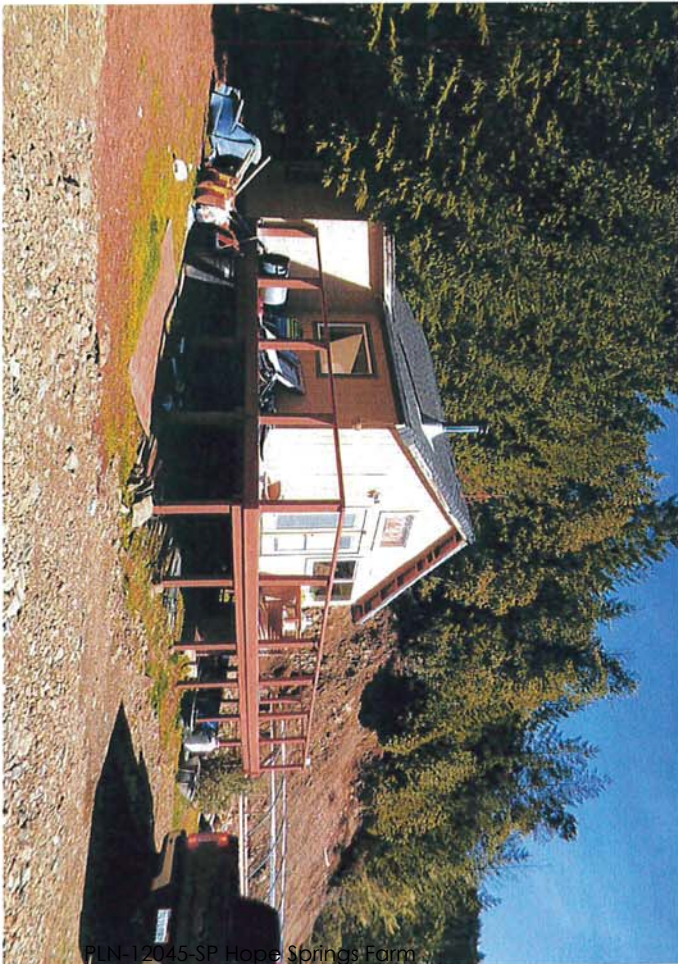
30x93



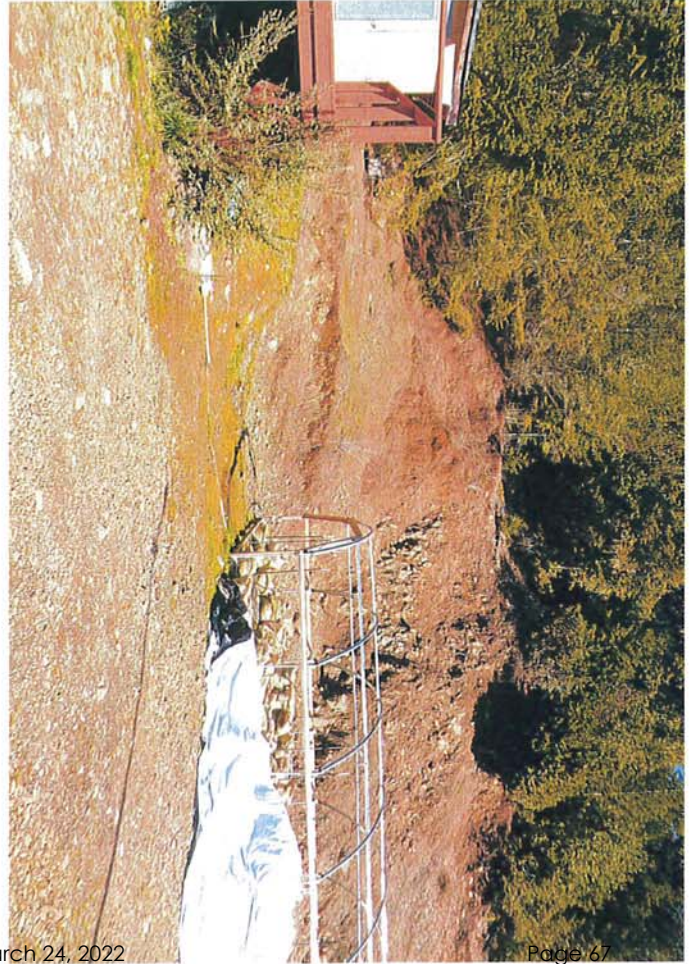
(Gt lot shown) 30x93
1500 SF

Residence

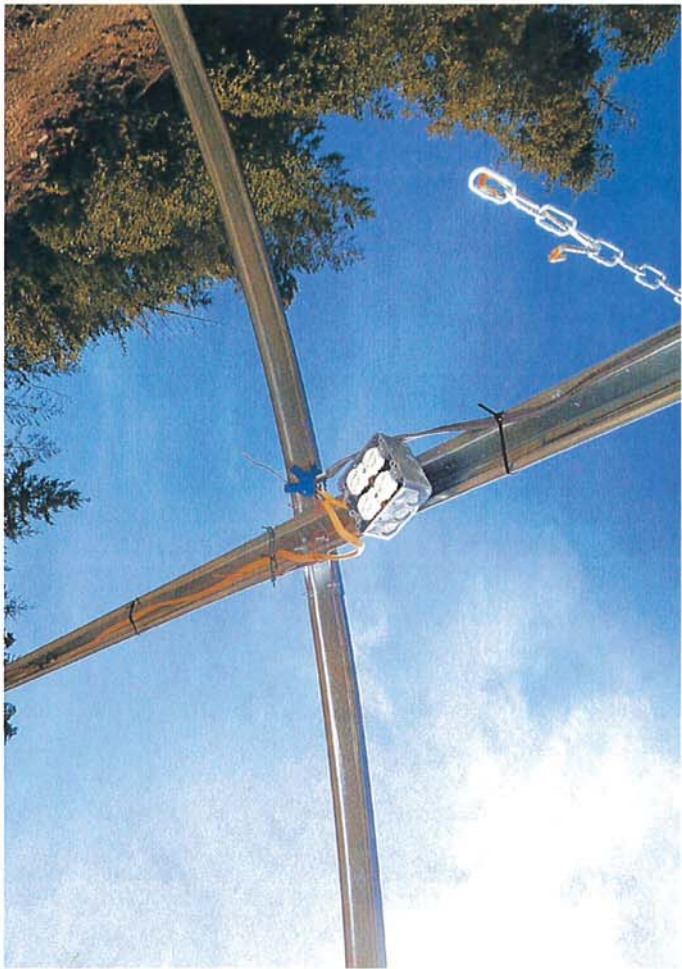
Site 1



Residence



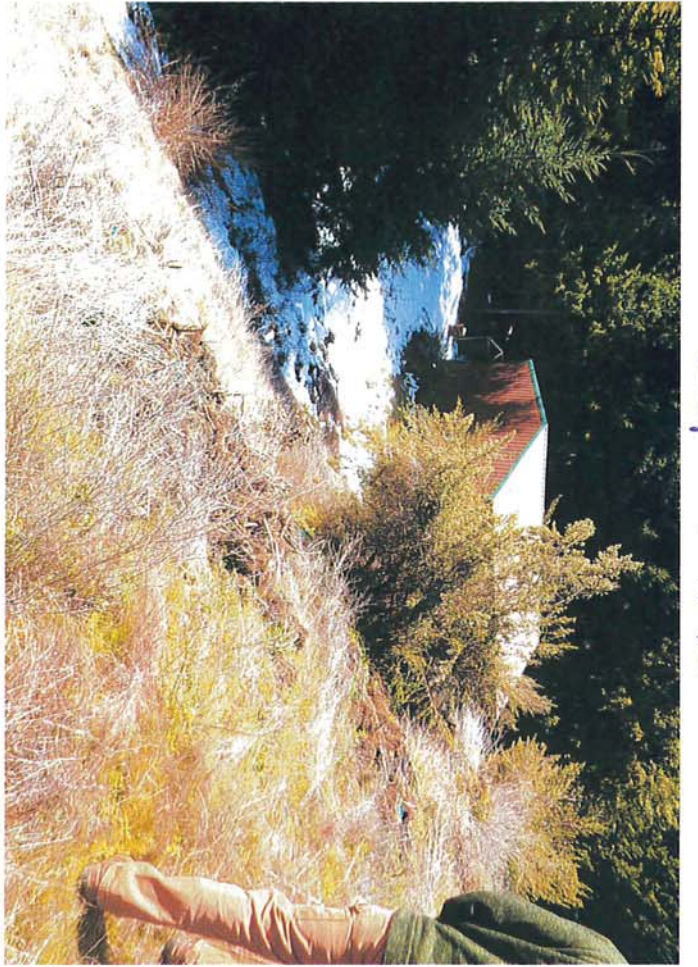
Site 1



2/5/18 210-093-003

(G.H. Kotschwar) 1800 SF

Shed 30x40



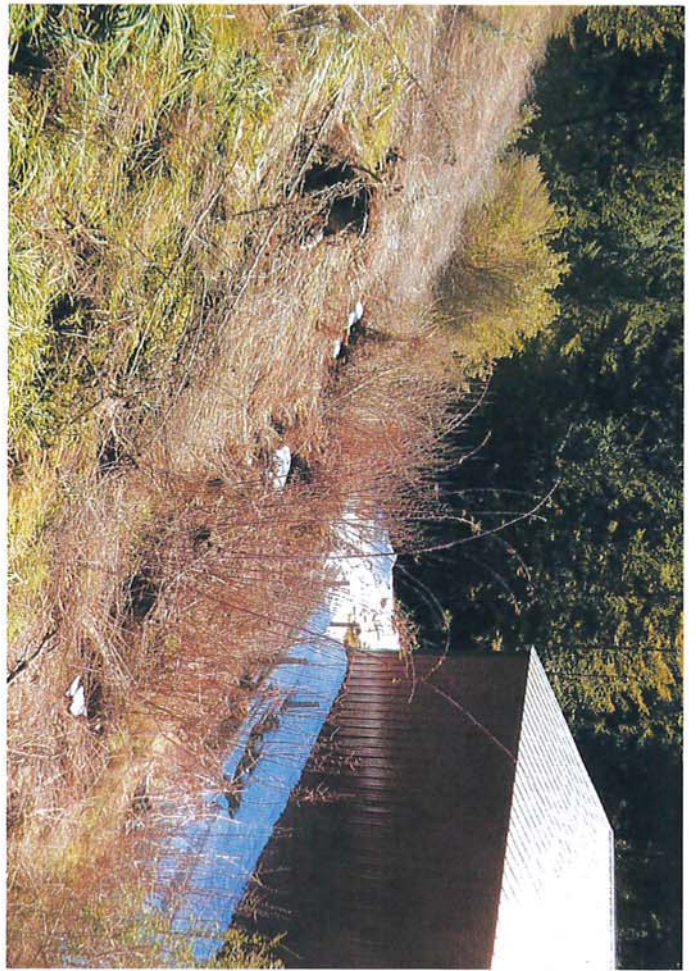
Area To be remediated



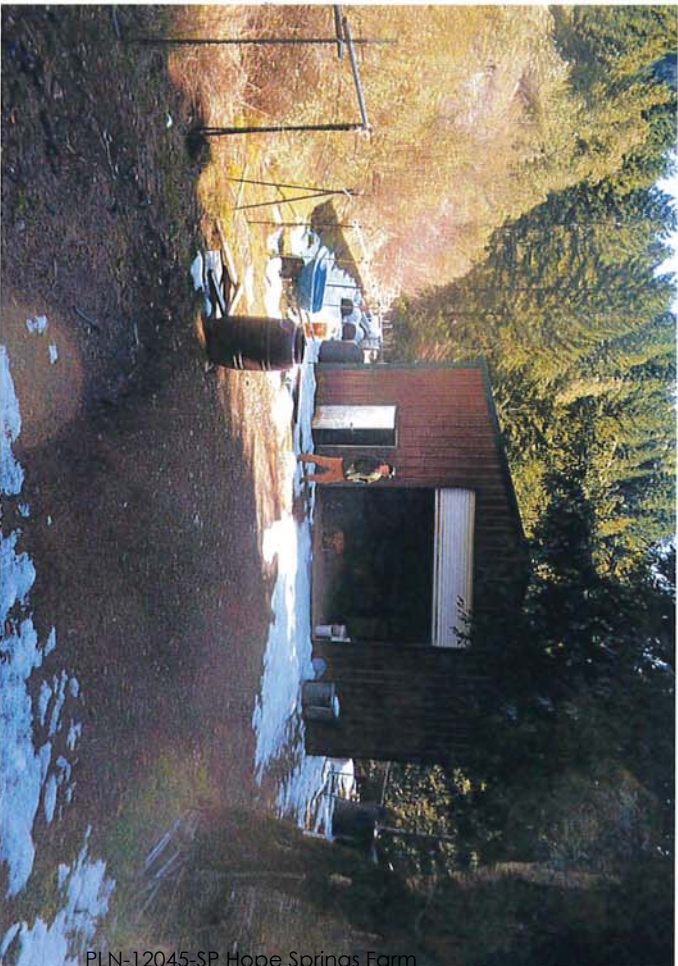
Site 1



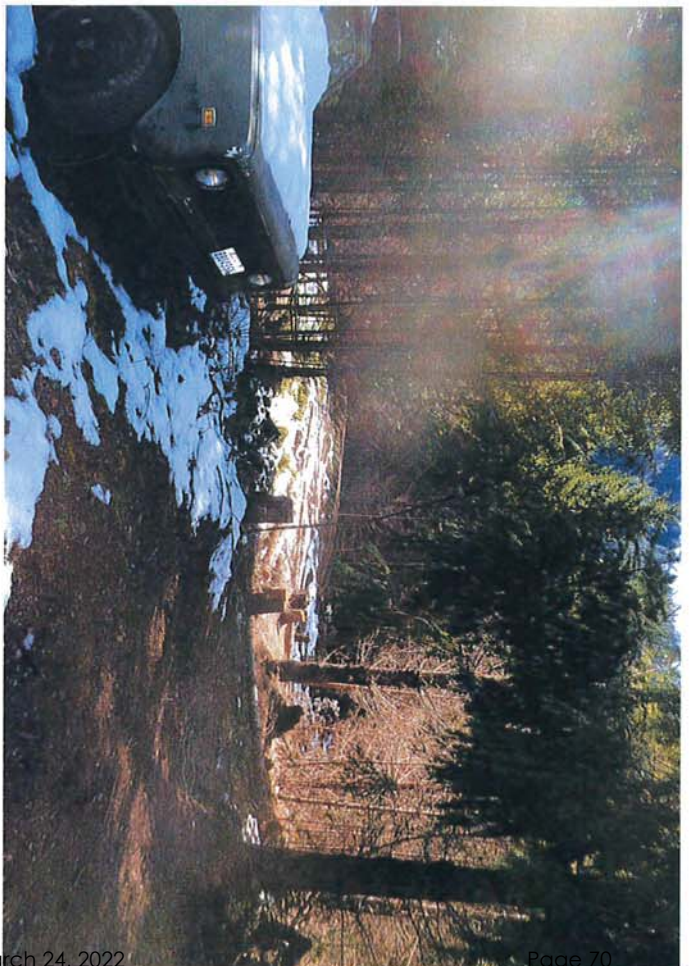
2/6/18 210-043-003



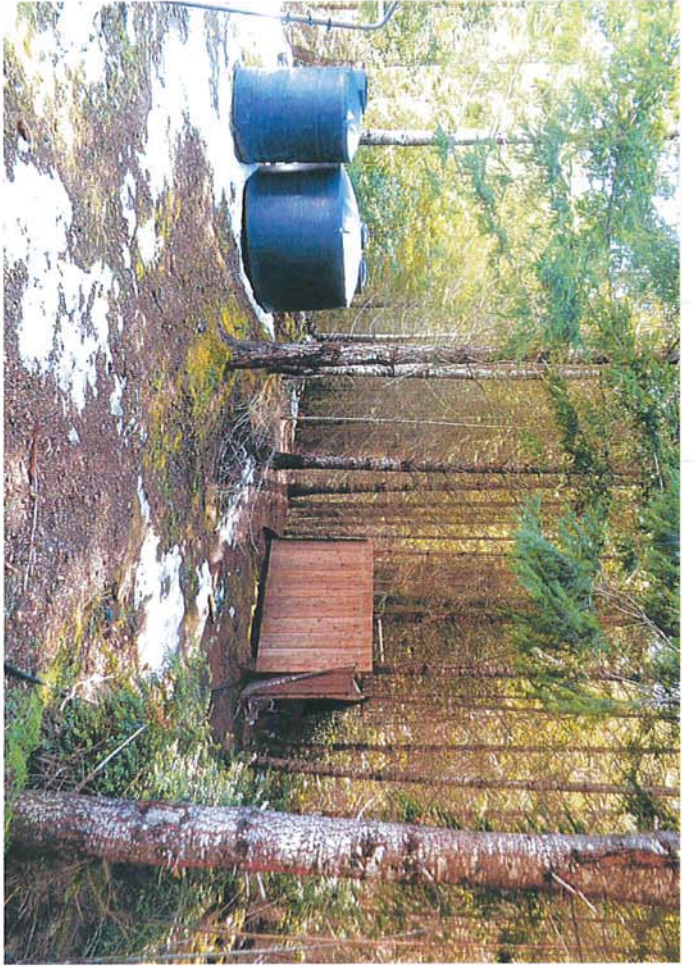
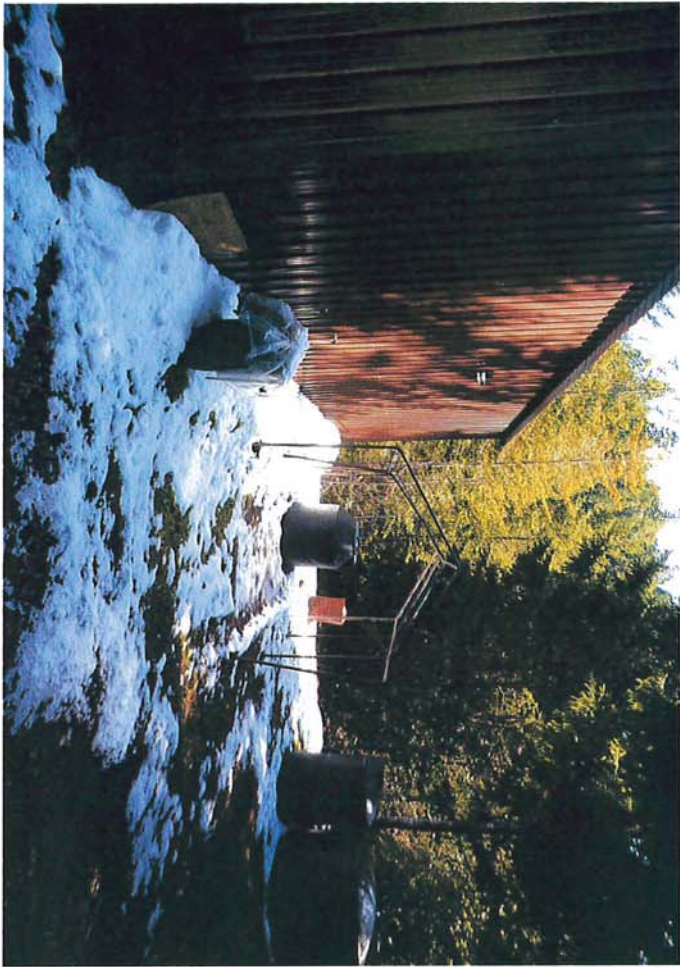
Shop Site 1



Shop



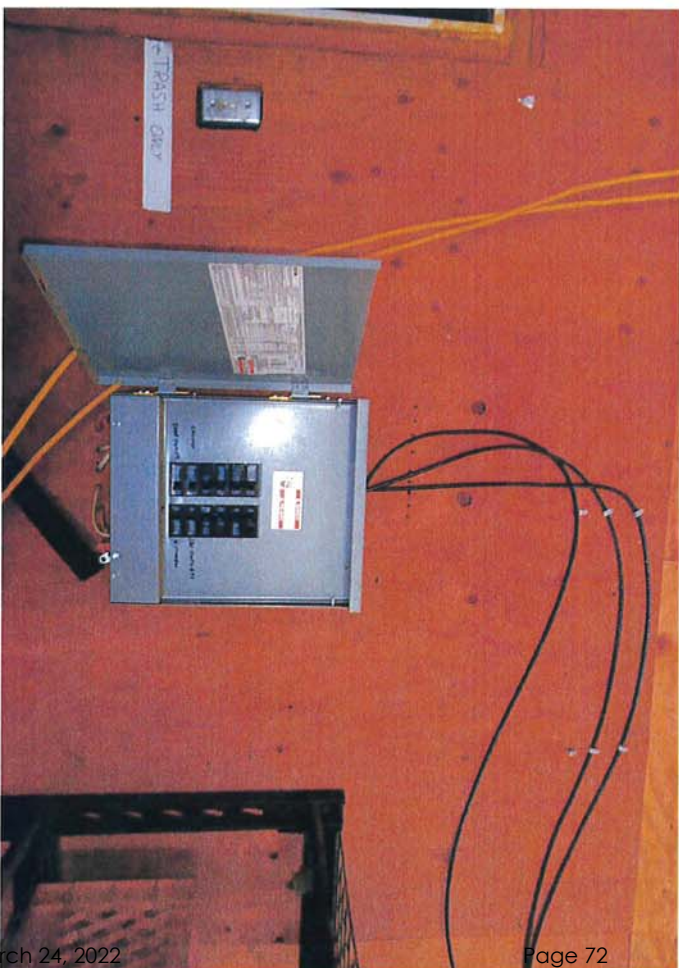
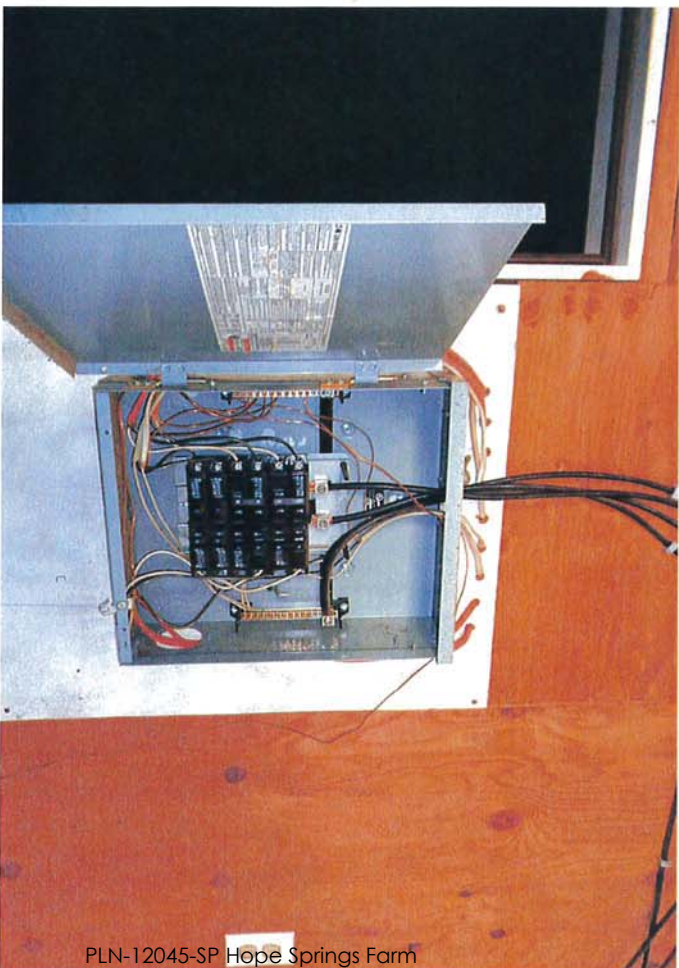
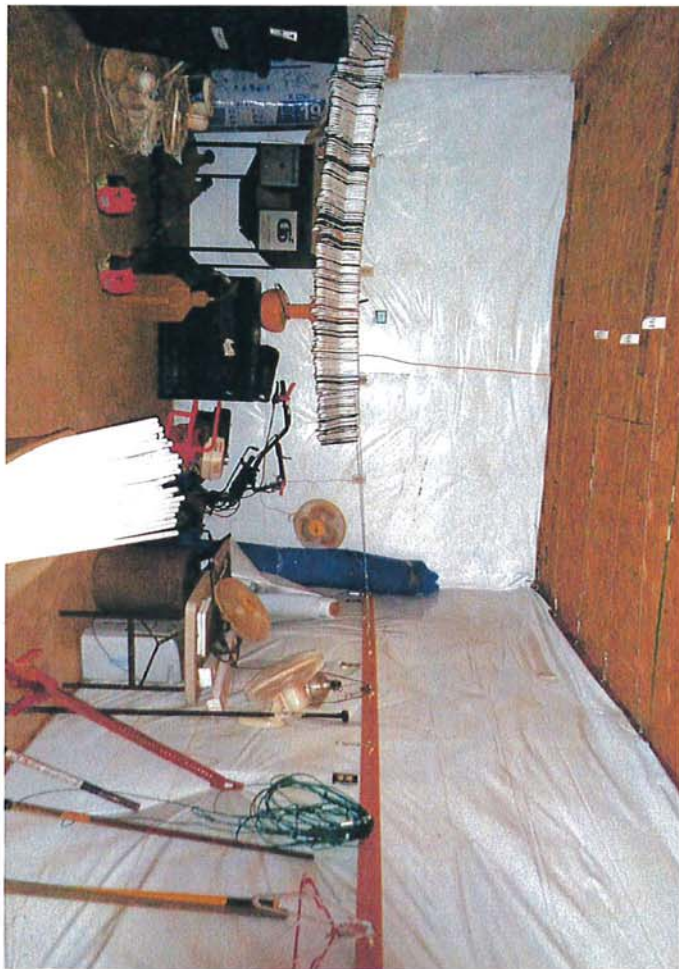
Site 1 Shop

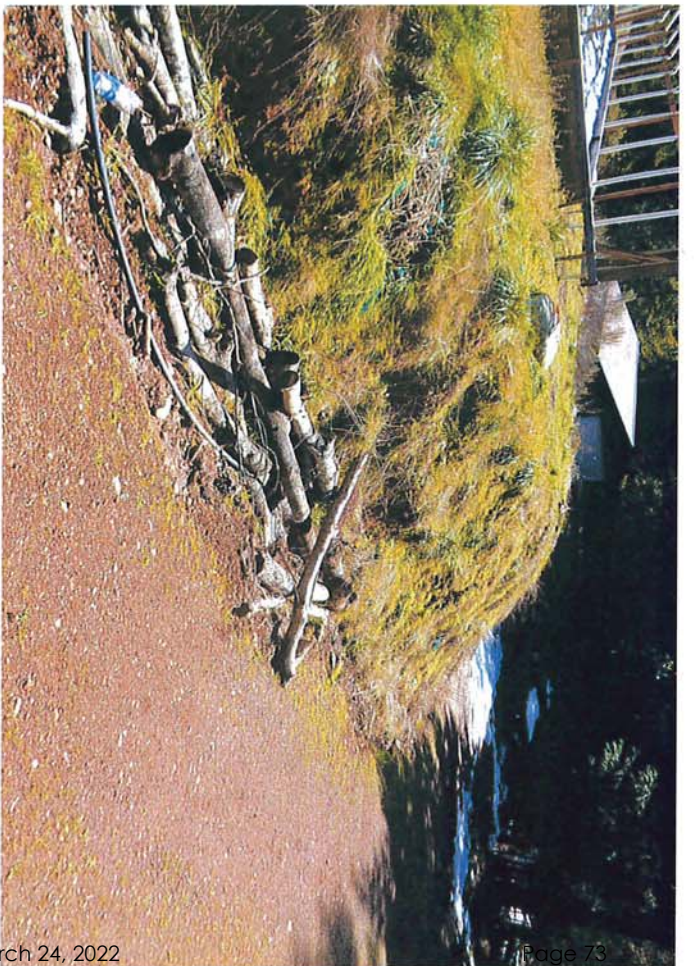
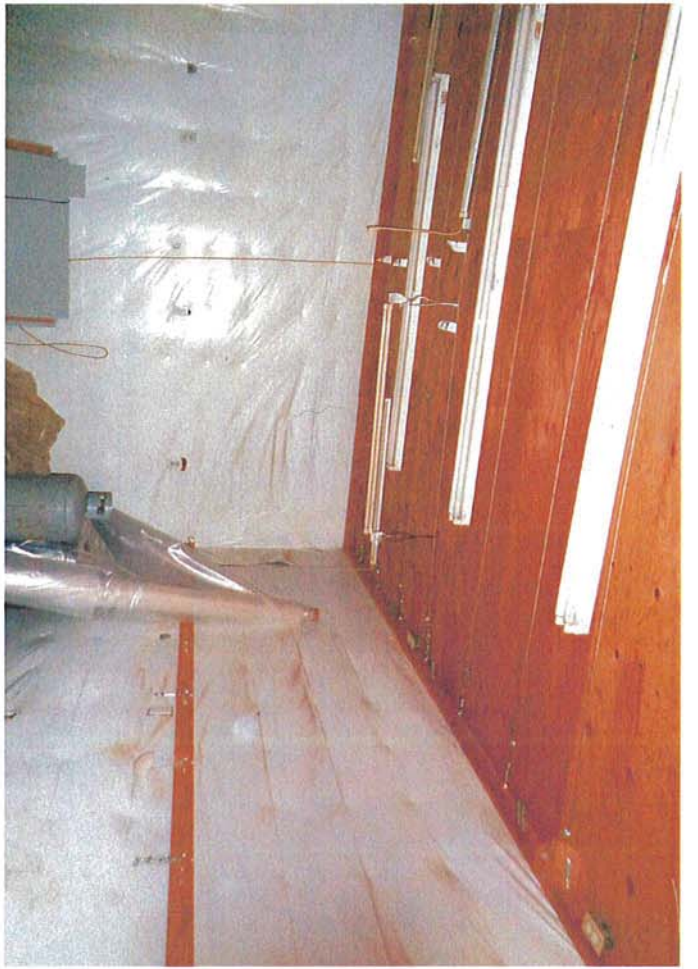


2/27/18 210-043-003

Site 1

Shop

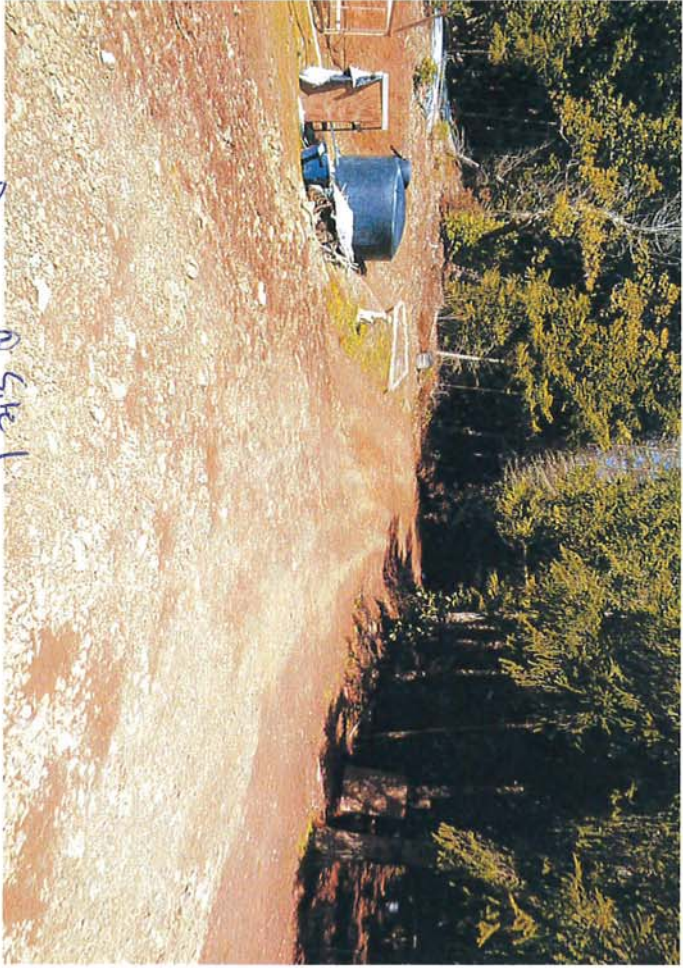




Stop Site 1

erosion

Tanks @ Pods



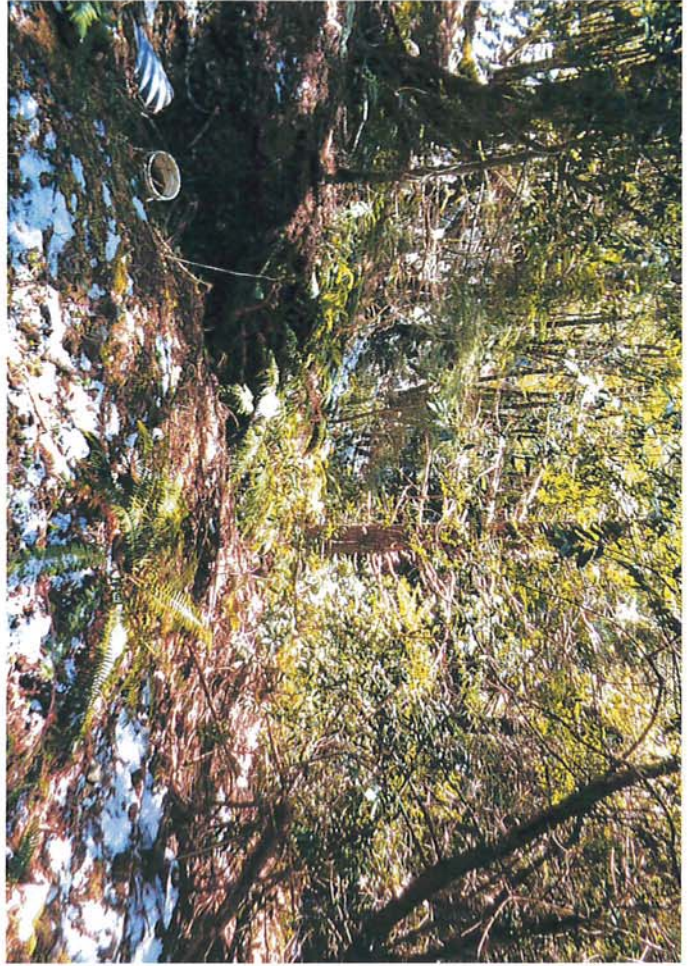
2/6/18
210-043-003
Driveway @ Site 1

POD

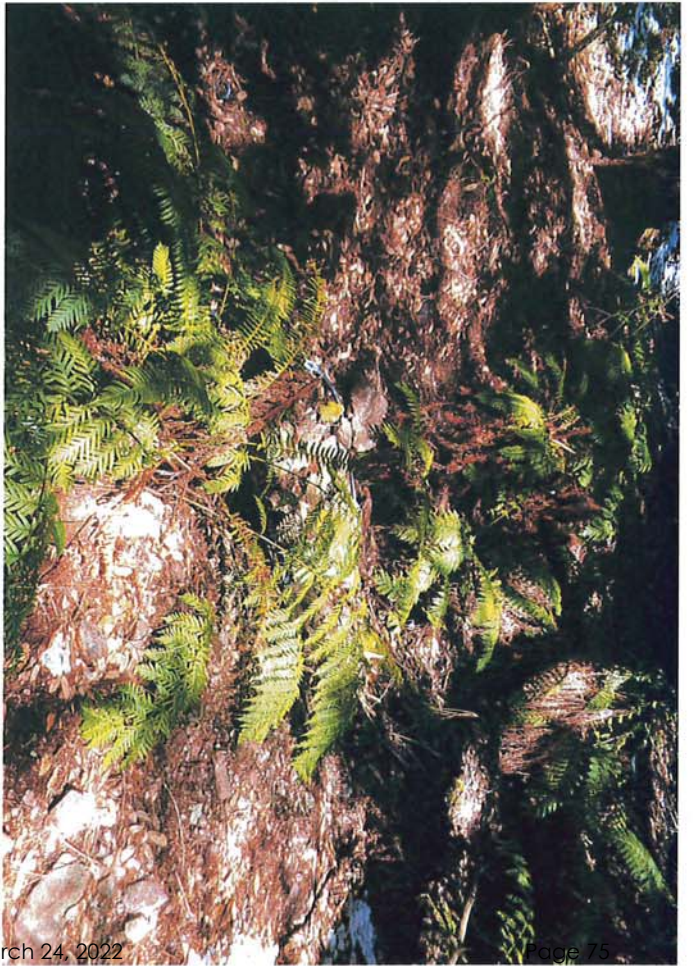


POD

Culvert @ Pod
SMA
Damage not shown

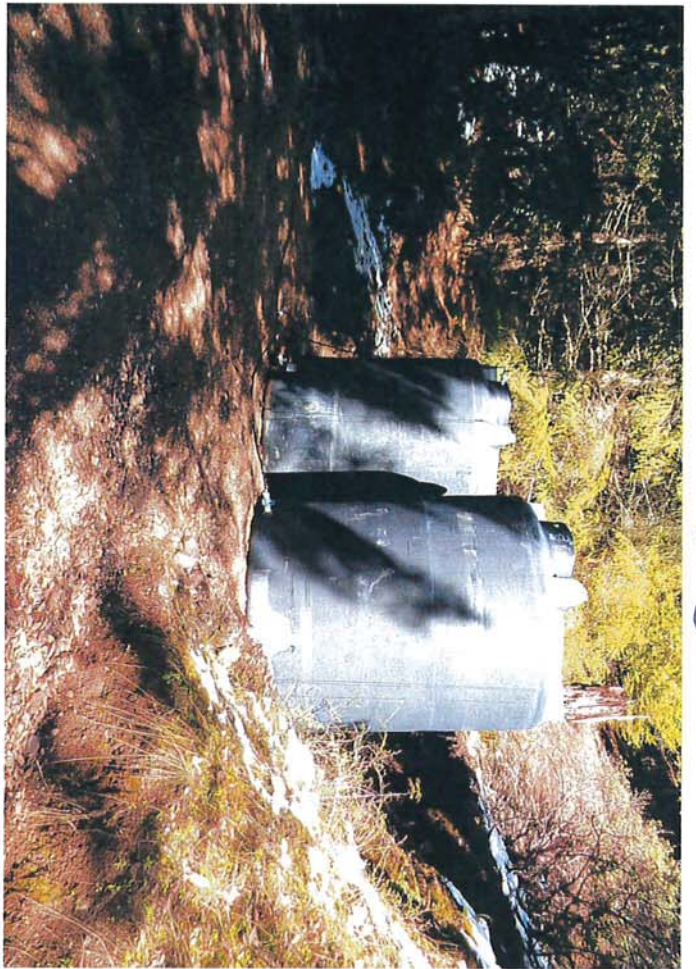


Pod



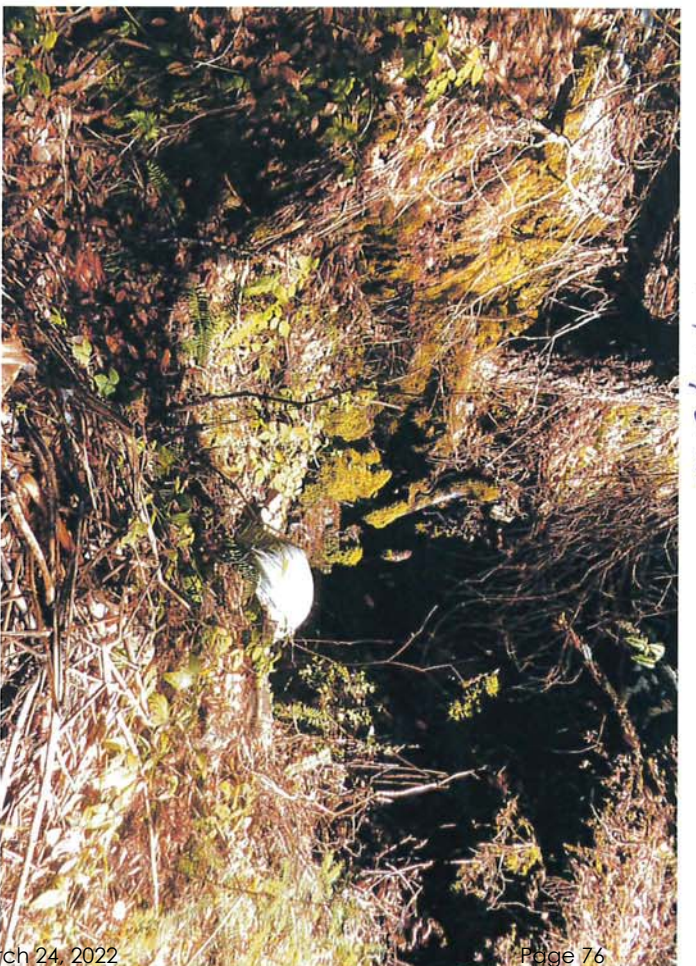
2/27/18 210-013-003

SM A @ Pod

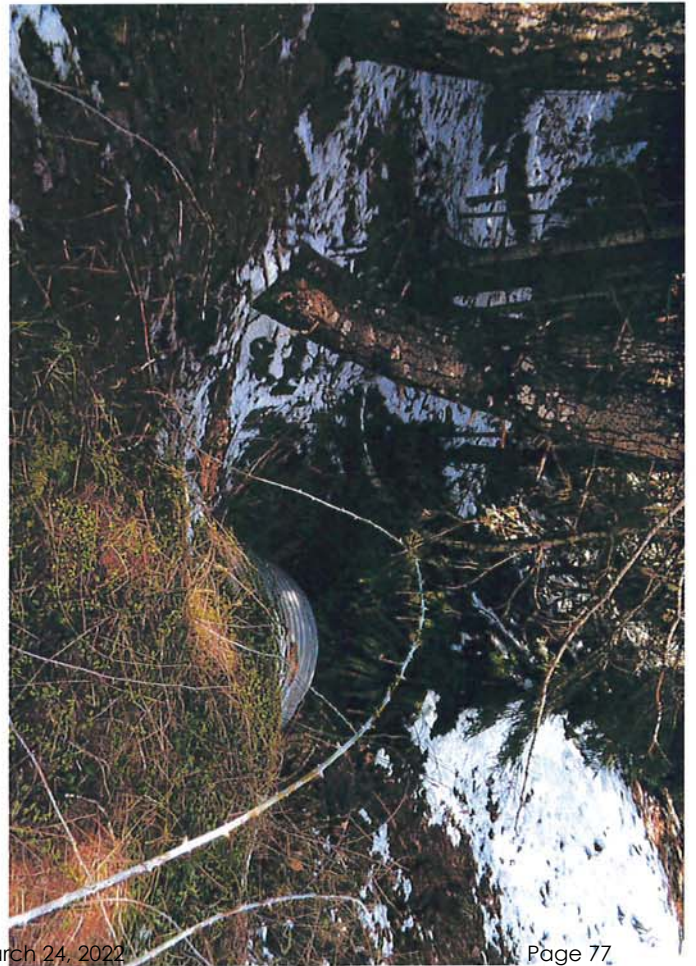


Tanks @ Pod

SM A wet stream



SM A / wet + no stream



Large Culvert Q1

2/27/18 210-043-003

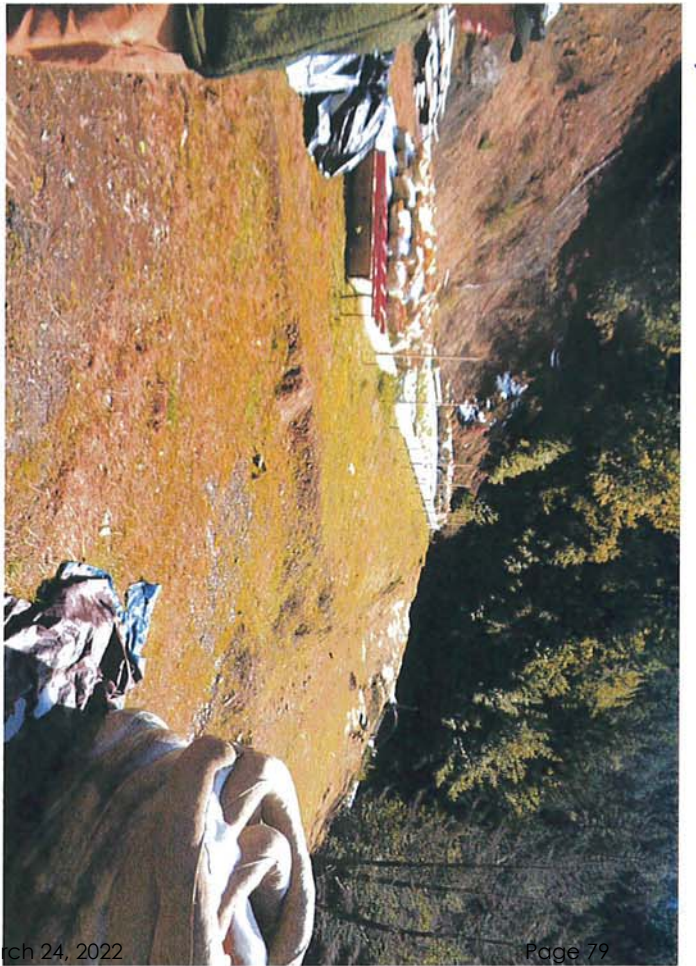
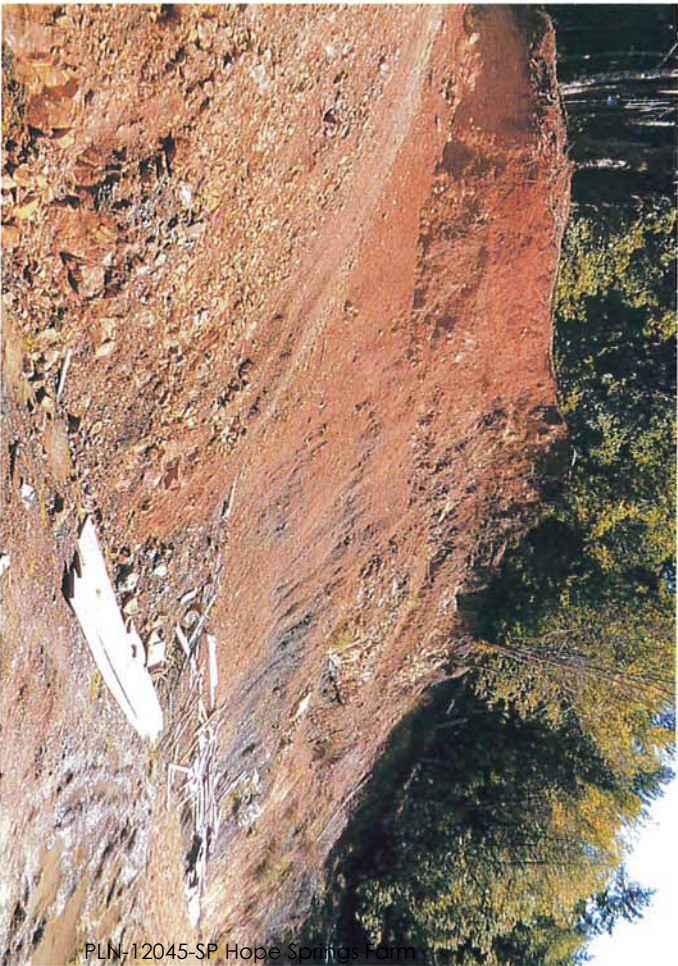
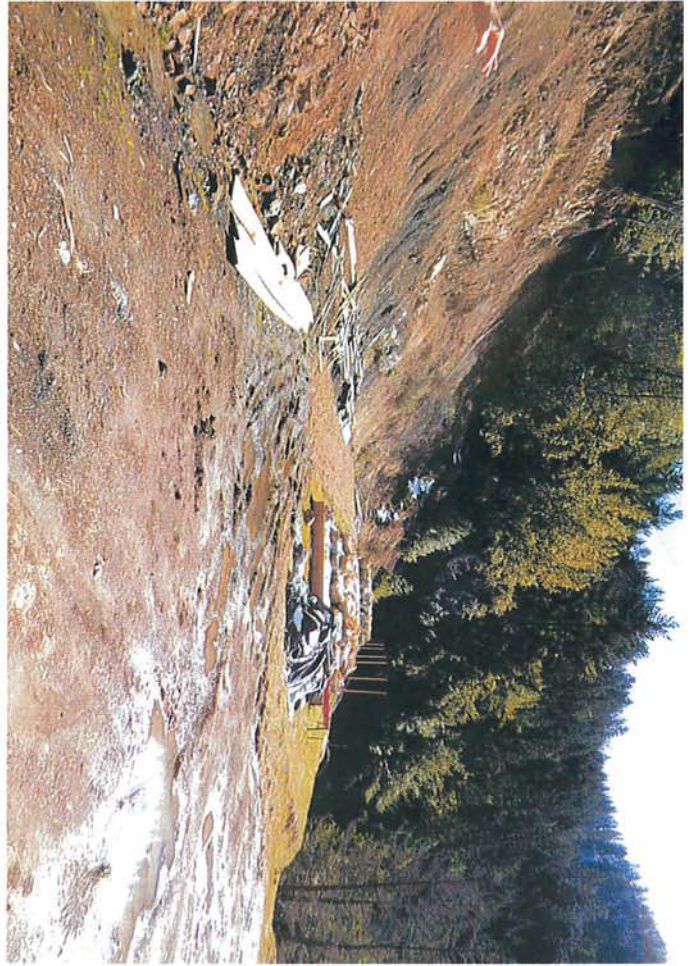
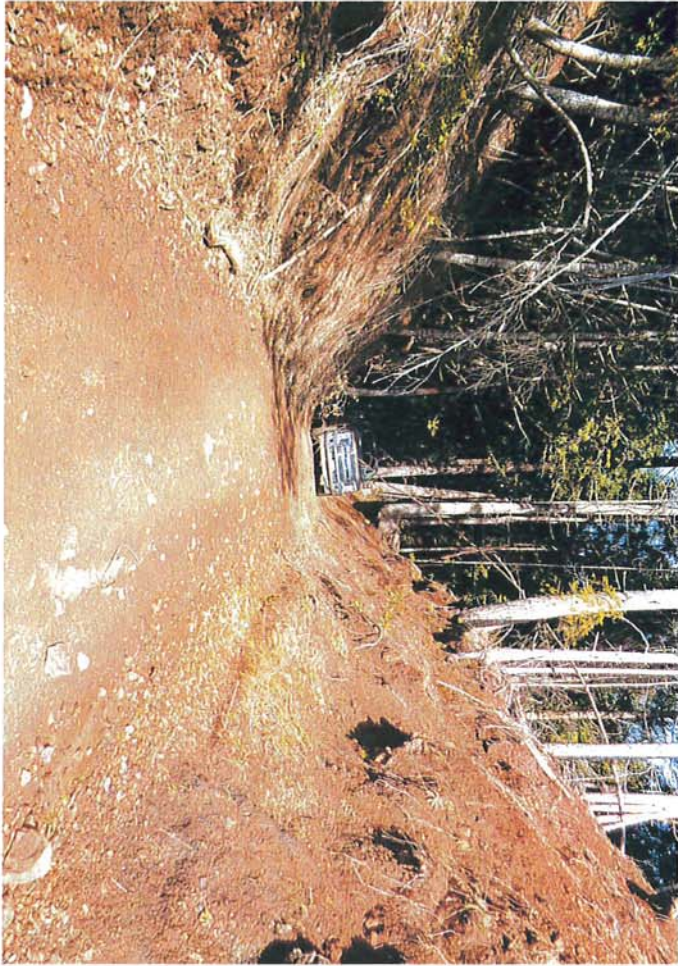


30 X 30 Shed



grading near 30x30

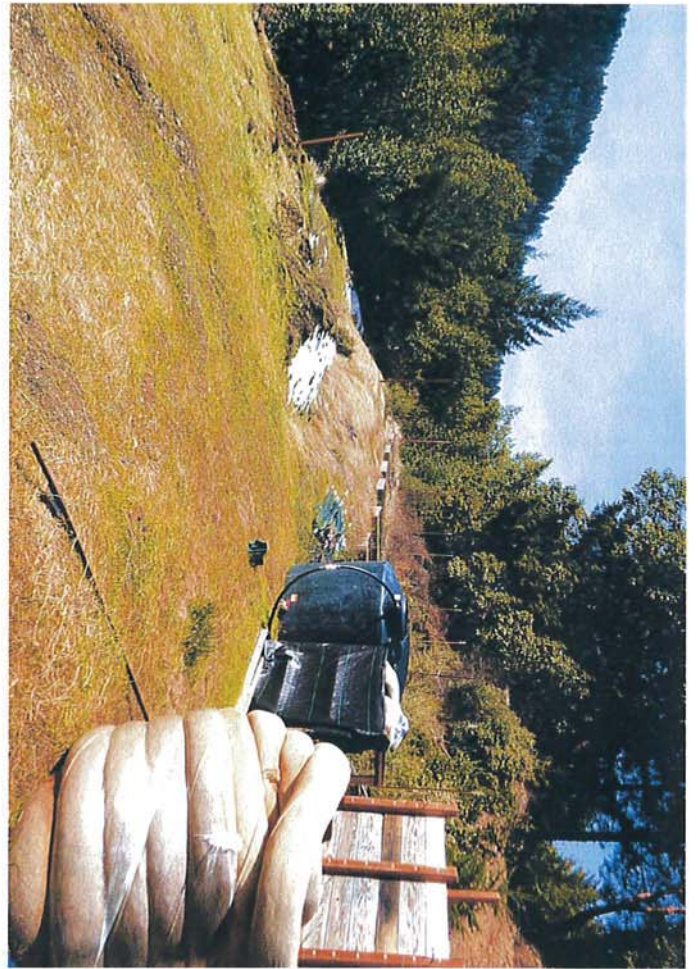
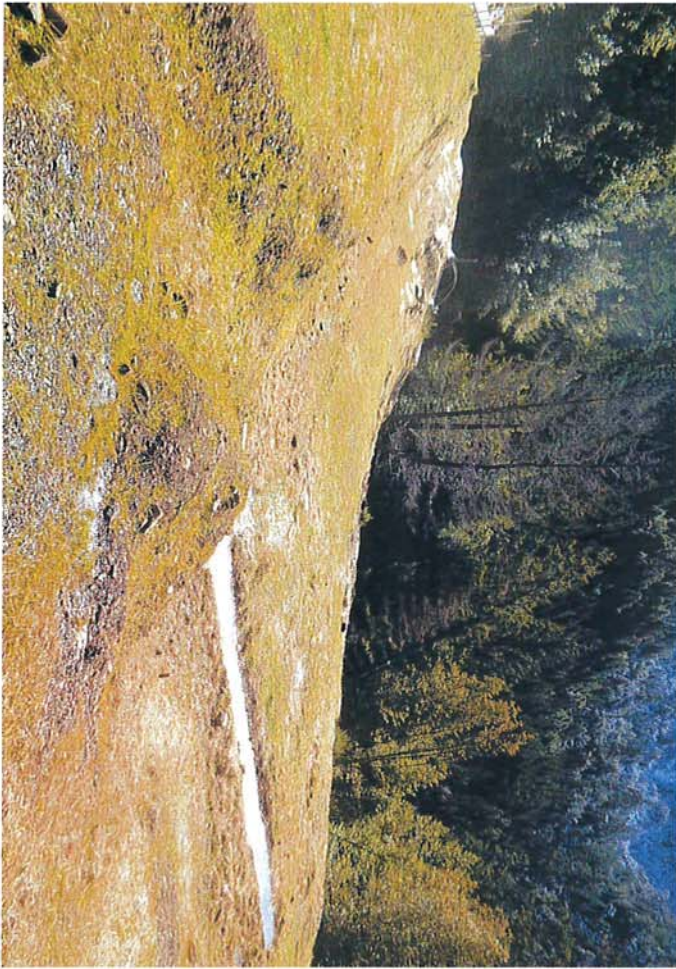
grading Site 2



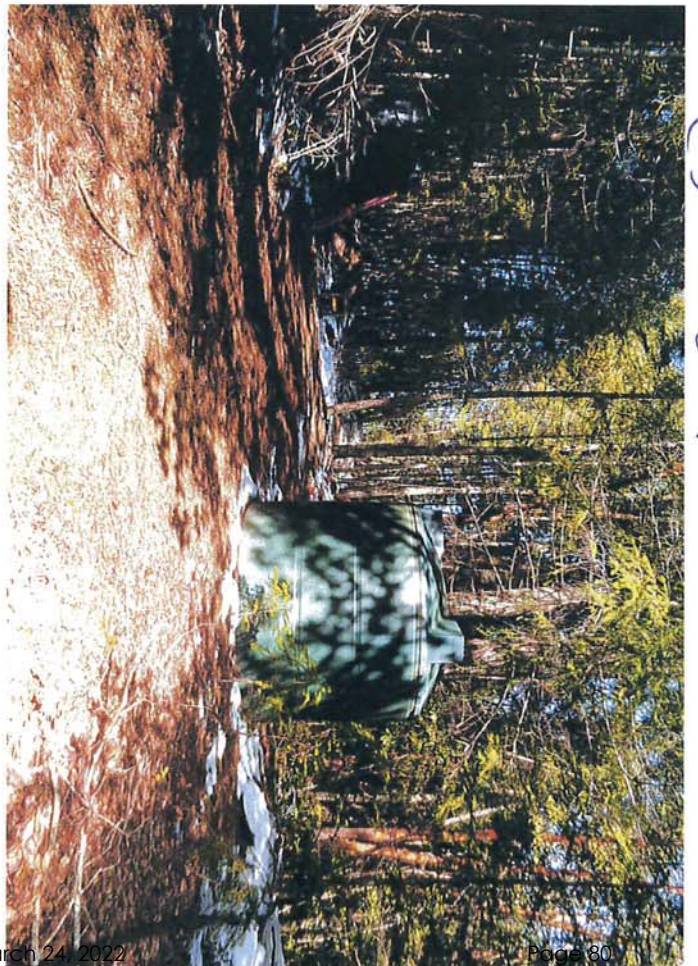
Site 2 CA

2/6/18 210-043-003

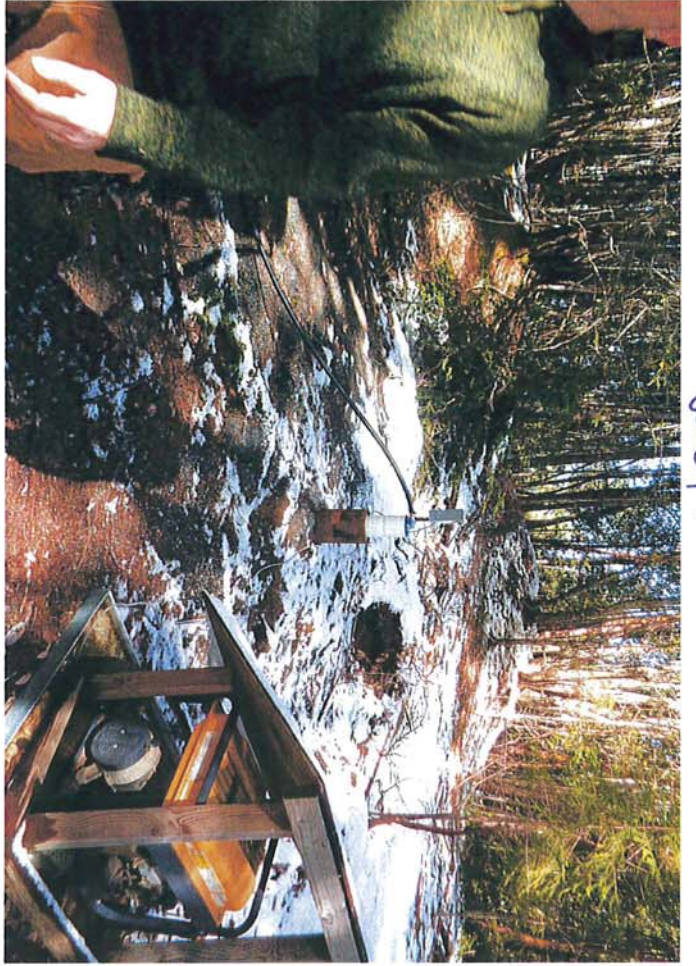
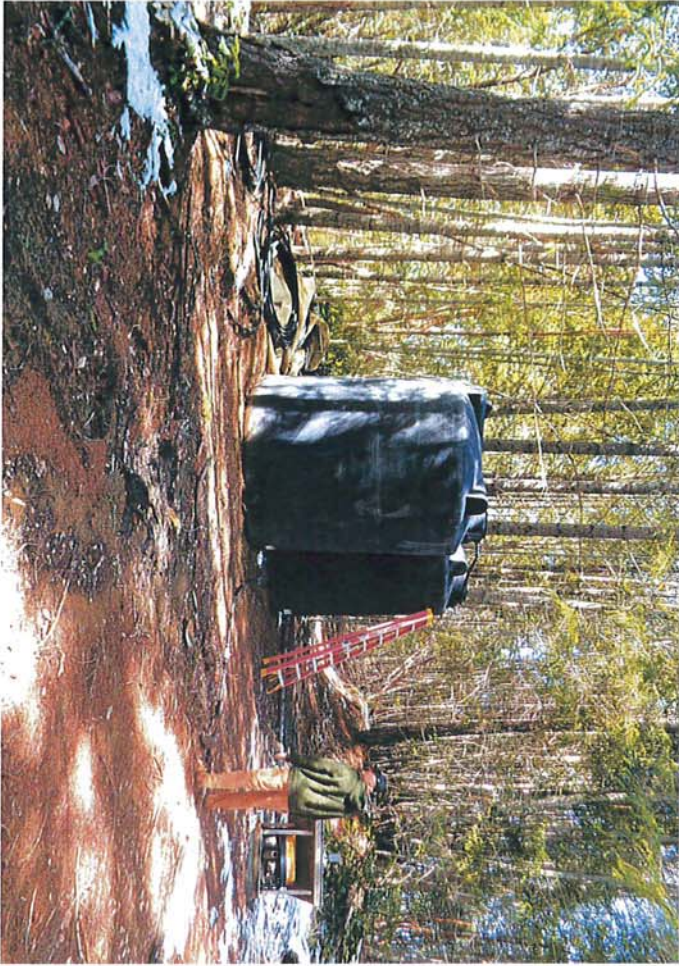
Site 2



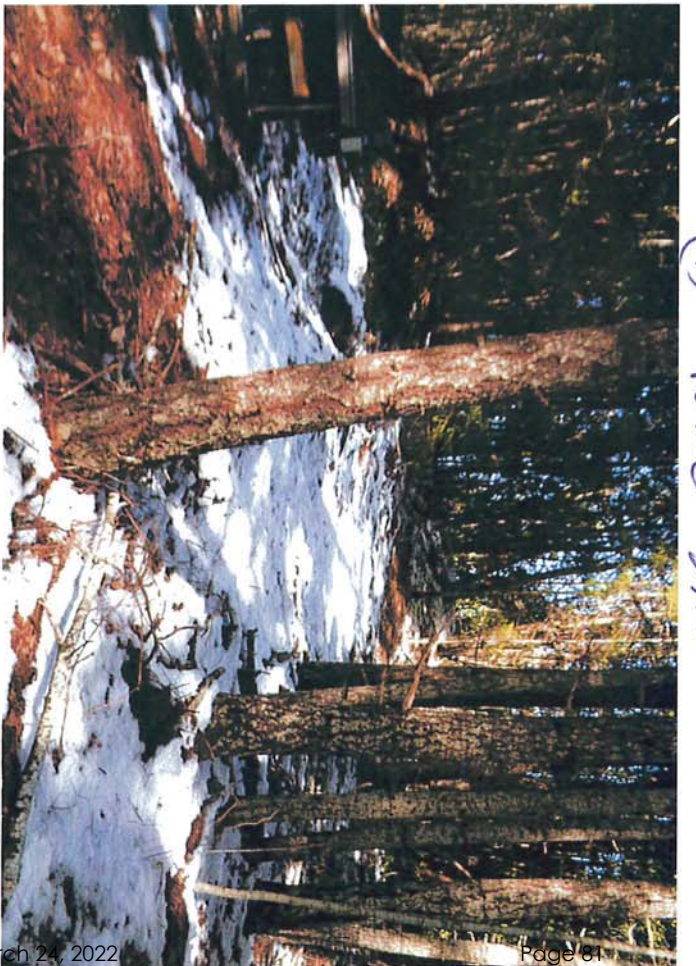
CA



Tanks @ well



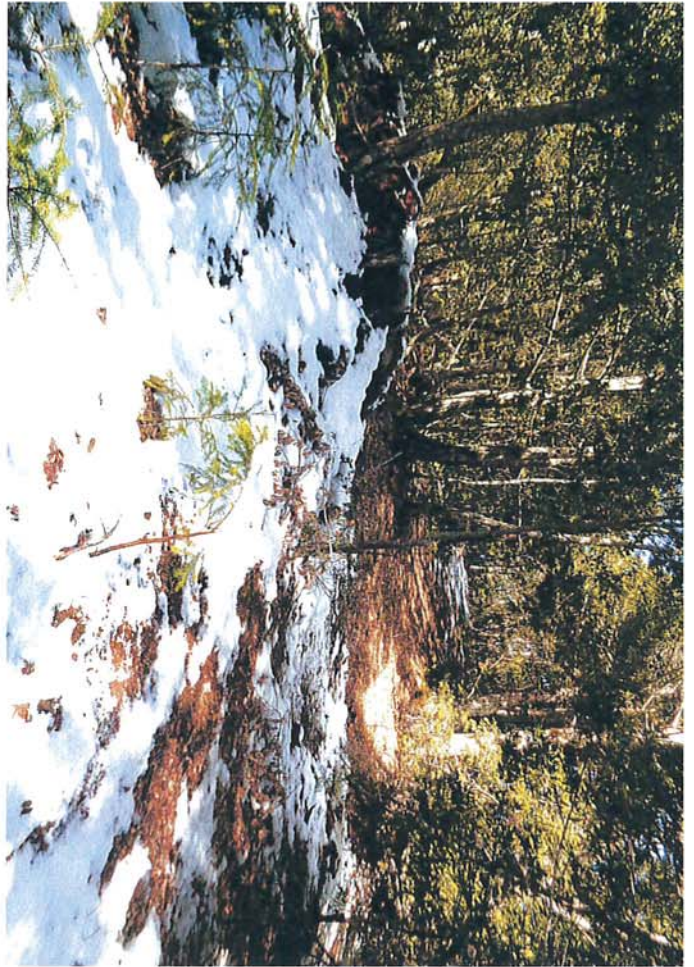
well



(B) Pond Site



← Near pond (P)



← (P) Residence site
2/27/18
210-043-003



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

DEH received
10-13-17

PROJECT REFERRAL TO: Health and Human Services Environmental Health Division

17/18-0904

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, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Humboldt County Sheriff, SWRCB- Division of Water Rights, Fortuna High School District School District

Applicant Name Hope Springs Farm Key Parcel Number 210-043-003-000

Application (APPS#) 12045 Assigned Planner Cannabis Planner (CPOD) (707) 445-7541 Case Number(s) SP16-391

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:

Conditional Approval

Comments:

DEH recommends approval with the following conditions:

- (1) Prior to renewal of permit the operator is required to submit to DEH receipts, or copy of contract confirming sufficient use of portable toilets to serve staff for duration of first year or provide written assessment from a qualified septic consultant (REHS, PG or PE) confirming a Tier 0 status for the existing onsite waste treatment system serving the dwelling.
- (2) A pit privy was shown on the site map provided. Discontinue the use of and decommission the pit privy. Disposal of the end product must be in accordance with HCC § 615-6. Alternatively, obtain approval of pit privy from DEH.

*This review and recommendation is for the Land Use aspects of the planning project and does not include or imply compliance with all DEH programs. Although DEH recommends the approval of the Planning project, Solid Waste and HazMat Program requirements need to be addressed directly with staff from those programs.

DISTRIBUTED

4-24-18

* Response Date: 4/23/2018 Recommendation By: Joey Whittlesey

2746



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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Michelle Nielsen, Senior Planner, Planning & Building Department
FROM: Kenneth M. Freed, Assistant Engineer *KF*
DATE: 03-14-2018

RE:

Applicant Name	Hope Springs Farm
APN	210-043-003
APPS#	12045 SA16-381

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:

Review item #2 on Exhibit "C"

// END //

Additional Review is Required by Planning & Building Staff

APPS # 12045

All of the following questions are to be answered by Planning and Building Department staff. No further involvement with the Department of Public Works is required for these items; however Public Works staff is available to answer any questions that may arise.

- 1. ROADS – PART 1. Does the project takes access from a series of non-county maintained roads that connect directly to a State Highway (36, 96, 101, 255, 299, etc...)?

[X] YES [] NO

If YES, the project does not need to be referred to the Department. Include the following requirement:

All recommendations in the Road Evaluation Report(s) for non-county maintained road(s) shall be constructed/implemented to the satisfaction of the Planning & Building Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. A grading permit may be required; check with the Building Division of the Planning and Building Department for any permit requirements.

- 2. ROADS – PART 2. Does the project takes access from a series of non-county maintained roads that connect directly to a Caltrans State Highway, US Forest Service Road, BLM Road, or a City road?

[X] YES [] NO

If YES, the Department recommends that prior to the project presented to the Planning Commission or Zoning Administrator, that the project should be referred to the affected road agency(ies).

- 3. ROADS – PART 3. Does the project take access or use a county maintained road that does not have a centerline stripe or is not on the "approved list" of known category 4 roads? [] YES [] NO

If YES, a Road Evaluation Report must be done for the County road(s) that do not have a centerline stripe or are not on the "approved" list. The project along with the road evaluation report(s) for the County maintained road(s) must be referred to Public Works for review to ensure that the Department supports the findings in the report. If the road is on the "not approved" list, then Part B of the Road Evaluation Report form must be completed.

- 4. Deferred Subdivision Improvements. Does the project have deferred subdivision improvements? [] YES [] NO

How to check: Method 1: Planning and Building Department staff review the legal description for the subject property in the deed. If the deed reads similar to "Parcel __ of Parcel Map No. __" then there may be deferred subdivision improvements; further research will be needed. Method 2: Planning and Building Department staff need to review the title report(s) for the subject property(ies) to see if a "Notice of Construction Requirements" document is listed. If the document is listed, then there are deferred subdivision improvements.

If YES then the subject property has deferred subdivision improvements. The project cannot be presented to the Zoning Administrator or the Planning Commission until the deferred subdivision improvements are completed. The applicant should be directed to the Department of Public Works regarding the deferred subdivision improvements.

- 5. AIRPORT- PART 1 (ALUCP). Is the project located within Airport Land Use Compatibility Plan (ALUCP) Zone A, B, B1, B2, or B3 as shown on the ALUCP GIS layer? [] YES [] NO

If YES, include the following requirement:

The applicant shall cause to be dedicated to the County of Humboldt an Avigation Easement. The avigation easement shall be on the form prescribed by the Department of Public Works. 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.

Additional Review is Required by Planning & Building Staff

The applicant shall conduct all operations consistent with the ALUCP and in a manner that does not attract flocks of birds. Open ponds shall not be permitted.

6. **AIRPORT – PART 2 (County Code Section 333).** Is the project is located within the County Code Section 333 GIS layer **AND** is the project proposing to construct (or permit) a fence, building or other structure? YES NO

If **YES**, the applicant shall submit a completed *Airspace Certification Form* prior to the project being presented to the Zoning Administrator or the Planning Commission for approval.

7. **AIRPORT – PART 3 (Height Restrictions).** Planning & Building Staff shall review the completed *Airspace Certification Form* as follows:

- If Box 1 is checked **NO**, the applicant shall either modify the project to comply with County Code Section 333-4 or the applicant shall request a variance pursuant to County Code Section 333-8. The project shall not be presented to the Zoning Administrator or the Planning Commission for approval until the variance is approved by the Board of Supervisors, or the project was modified to comply with County Code Section 333-4.
- If Box 2 is checked **YES**, the applicant shall submit form FAA 7460-1 to the FAA for review and comment. The project shall not be presented to the Zoning Administrator or the Planning Commission for approval until the FAA supports the project.
- If Box 3 is checked **YES**, then the project cannot be permitted and must be modified to conform to the easement. As an alternative, the applicant may wish to seek approval from both the County and the FAA to quitclaim a portion of the easement to allow the project to be permitted.
- If Box 1 is checked **YES** and Box 2 is checked **NO** and Box 3 checked **NO or NA**, then Planning & Building staff shall signoff on the project in the "county use only" section of the form. In the "pre-construction" right of way (or "post construction" right of way if the building exists), check the approval box; date and initial your work.

Note that if the proposed structure is close to the imaginary surface (within 5 feet), then require a post construction certificate to be filed. By including the following requirement:

Applicant shall file a post construction *Airspace Certification Form* to ensure that the proposed structures are in compliance with County Code 333-3. This shall be completed within 90 days of completion of construction or prior to building final, whichever occurs first.

Submit a copy of all processed *Airspace Certification Forms* to the Land Use Division.

8. **MS4/ASBS Areas.** Is the project located within MS4 Permit Area as shown on the GIS layer? YES NO

If **YES**, include the following requirement:

The applicant shall demonstrate to the satisfaction of the Planning & Building Department that the project is in compliance with MS4/ASBS requirements.

// END //

Exhibit "D"

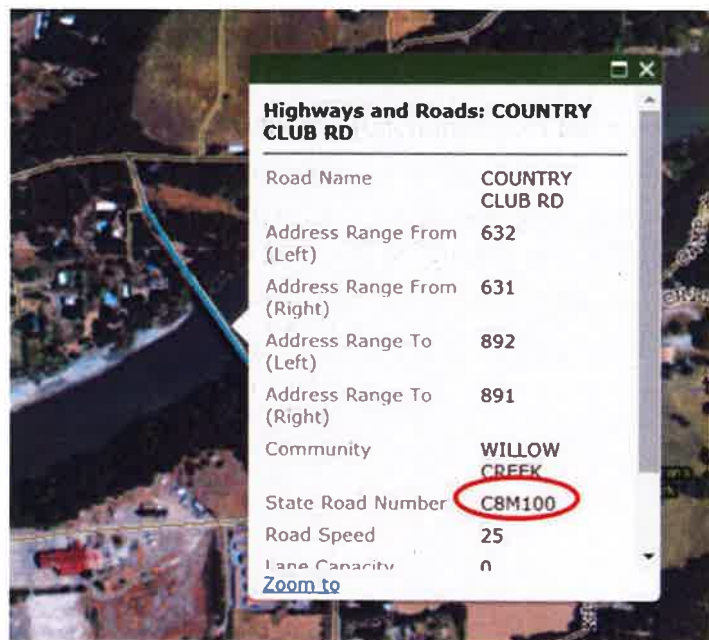
Road Evaluation Reports

1. **ROADS – Road Evaluation Reports.** **Planning and Building Department staff shall request that the applicant provide Road Evaluation Reports for the project.** The particular roads that require a *Road Evaluation Report* is to be determined by following the guidance shown below.

The Department has developed a *Road Evaluation Report* form so that an applicant can address the adequacy of the various roads used by their project. Most projects will require that a *Road Evaluation Report* form be completed.

When viewing the project site on google earth, if the County maintained road (or other publicly maintained road) has a centerline stripe, the road is adequate. If there is no centerline stripe, then the roads leading from the nearest publicly maintained road with a paved centerline stripe (or a known category 4 road) must be evaluated. A separate *Road Evaluation Report* form is needed for each road. This applies to all roads regardless if they are publicly or privately maintained. The Department has prepared a "approved list" of known County maintained roads that are category 4 (or are equivalent to category 4) standards for cannabis projects. The Department has also prepared a list of roads that are known to not meet road category 4 of equivalent. Both of these lists will be updated as the County information regarding the County maintained roads becomes available.

The *Road Evaluation Report* form needs to be provided to applicants to complete. It is important that Planning and Building Department staff provide the applicant with a map that has the roads to be evaluated highlighted. This will most likely include a combination of County maintained roads and non-County maintained roads. This will give the applicant clear direction on which roads need to be evaluated.



Above: screenshot from the WebGIS showing County Road Number circled in **RED**.

A County maintained road will have a 5 or 6 character identifier. The general format is **ABCDDD** where:

- A** is an optional identifier for the functionality of the road (A=Arterial, C=Collector, F=Federal Aid)
- B** is a grid identifier number for the X-axis of a "battleship" style grid that was drawn on a county map to divide the county into a series of squares.
- C** is a grid identifier letter for the Y-axis for the grid.
- DDD** is a three digit road identification number within a particular grid. Each grid can have up to 999 roads in them

Examples:

ABCDDD

A 3 M 0 2 0 Murray Road

F 6 B 1 6 5 Alderpoint Road

6 C 0 4 0 Thomas Road

From: [Meghan Ryan](#)
To: [Van Hattem, Michael@Wildlife](#)
Cc: ["Johnson, Cliff"](#); [Megan Marruffo](#)
Subject: APPS #12045 - Hope Springs Farm - APN: 210-043-003/PROJECTED HEARING DATE: March 17, 2022
Date: Monday, March 7, 2022 2:43:00 PM

Good afternoon, Mike – I hope you’re doing well! I am reviewing the Hope Springs Farm project and did not see any CDFW comments in the file. I am reaching out to see if CDFW has any comments or questions regarding this project.

The project description is the following:

A Special Permit for existing 10,000 square feet (SF) of existing outdoor cannabis cultivation, including 600 SF of ancillary propagation. Irrigation water is currently sourced from a permitted groundwater well; however, the applicant is proposing to switch to rainwater catchment and add additional water storage onsite by the end of 2024. Existing available water storage is 115,000 gallons in a series of hard-sided tanks, with an additional 96,000 gallons proposed, for a total of 211,000 gallons of onsite water storage. Estimated annual water usage is 90,000 gallons. Processing occurs onsite. A maximum of eight (8) people will be on-site during peak operations. Power is provided by a generator and solar.

There is a Notification on file, however, I did not see a copy of a Final Agreement. The conditions of approval require the applicant to submit a copy of the Final Agreement to the Planning Department and adhere to and implement the requirements of the report. Additionally, conditions of approval require generator containment and noise and light attenuation measures. Generator use is limited to 1 month for drying purposes. Solar is used the well pump.

Please let me know if CDFW has any comments or questions on this one.

Best,
Meghan



Meghan Ryan
Planning Director
LACO Associates
Eureka | Ukiah | Santa Rosa | Chico
Advancing the quality of life for generations to come
707 443-5054
<http://www.lacoassociates.com>

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

5/23/2018

**PROJECT REFERRAL TO: California Department of Transportation
District #1**

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, Bear River Band Rohnerville Rancheria, California Department of Transportation District #1, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Humboldt County Sheriff, SWRCB- Division of Water Rights, Fortuna High School District School District

Applicant Name Hope Springs Farm **Key Parcel Number** 210-043-003-000

Application (APPS#) 12045 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** SP16-381

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 6/7/2018 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: 6/8/2018

PRINT NAME: Jesse Robertson

DEPARTMENT OF TRANSPORTATION

DISTRICT 1, P. O. BOX 3700
EUREKA, CA 95502-3700
PHONE (707) 441-4693
FAX (707) 445-6314
TTY 711



*Making Conservation
a California Way of Life.*

June 8, 2018

1-HUM-36-31.62
Hope Springs SP16-381
APN: 210-043-003

Michelle Nielsen, Senior Planner
Planning & Building Department
County of Humboldt
3015 H Street
Eureka, CA 95501

Dear Ms. Nielsen:

Thank you for giving Caltrans the opportunity to review and comment on the proposed Hope Springs Special Permit (SP16-381) to allow an existing 10,000 square-foot outdoor cannabis cultivation. The project is located on the West side of State Route (SR)36 in the Dinsmore area of Humboldt County. We offer the following comments:

The County referral does not identify where the subject parcel accesses public rights-of-way, however we assume that access is taken from a private driveway onto SR 36 at Post Mile (PM) 31.62. This driveway does not meet current standards for a commercial driveway. We request that the County require driveway improvements, constructed to Caltrans' commercial driveway standards as a condition of project approval. Among the deficiencies noted in our preliminary review include an unpaved road approach, sub-standard sight distance, and non-standard geometry (skewed intersection angle). Appendix J of the Caltrans Encroachment Permits Manual contains driveway design standards and is enclosed for reference.

Any work within State right-of-way will require an encroachment permit from Caltrans. Encroachment permits are issued to the abutting parcel owner or to those with legal rights to use, improve and maintain the road. If the applicant cannot produce deeded easements conferring the appropriate entitlements, they may, with the encroachment owner's written permission, apply for a permit on behalf of the owner as an authorized agent. Encroachment permit applications are reviewed for consistency with State standards and are subject to Department approval. Requests for permit applications can be sent to: Caltrans District 1 Permits Office, P.O. Box 3700, Eureka, CA 95502-3700, or requested by phone at (707) 445-6389. For additional information, the Caltrans Encroachment Permit Manual and Standard Application is available online at: <<http://www.dot.ca.gov/hq/traffops/developserv/permits/>>.

Please contact me with questions or for further assistance regarding the above comments by telephone at (707) 441-4693 or by email at: <jesse.robertson@dot.ca.gov>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jesse Robertson".

Jesse Robertson
Transportation Planning
Caltrans District 1

Enclosed: Appendix J of the Caltrans Encroachment Permit Manual



**Road Connections
and Driveways**

Design Guidelines for Typical Rural Driveways in State Right of Way.

REFERENCES:

Please always refer to the latest Highway Design Manual (HDM) for most up to date guidelines. The HDM indexes referenced in the guidelines below can be accessed online from the following link:

www.dot.ca.gov/hq/oppd/hdm/hdmtoc.htm

Initial Driveway Design Considerations:

1. **Location of the driveway shall be designed to maximize corner sight distance.** For corner sight distance, see HDM Index 405.1 (2) (c). Driveway proposals that do not meet sight distance requirements will not be permitted. The minimum corner sight distance shall be equal to the stopping sight distance as given in HDM Table 201.1. HDM Table 101.2 shows appropriate ranges of design speeds that shall be used for the various types of facilities, place types, and conditions listed. (See HDM Table 101.2 Vehicular Design Speed; Table 201.1 Sight Distance Standards; Index 205.4 Driveways on Frontage roads and in Rural Areas; Index 405.1 (2) Corner Sight Distance)
2. **Driveways connecting to State highways shall be paved a minimum of 20 feet from the edge of shoulder** or to the edge of State right of way, whichever is less to minimize or eliminate gravel from being scattered on the highway and to provide a paved surface for vehicles and bicycles to accelerate and merge. Where larger design vehicles are using the driveway (e.g., dump trucks, flatbed trucks, moving vans, etc.), extend paving so the drive wheels will be on a paved surface when accelerating onto the roadway (See HDM Index 205.4 Driveways on Frontage roads and in Rural Areas).

Driveway Design Details: Once considerations 1 and 2 above are met, driveway shall be designed per the following requirements:

3. Where County or City Regulations differ from the State's, it may be desirable to follow their regulations (See HDM Index 205.4 Driveways on Frontage roads and in Rural Areas).

OR

4. Design details are shown on HDM Figure 205.1. This detail, without the recess, may be used on conventional highways (See HDM Figure 205.1 Access Openings on Expressways, Note 2).
5. Approach and departure tapers should be 50 feet longitudinal and 8 feet from edge of traveled way at the end of the taper. Approach and departure tapers are not required where the existing paved shoulder is at least 8 feet wide (See HDM Figure 205.1 Access Openings on Expressways).

Structural Section Design Details: Driveways structural section has to meet the following requirements:

6. Approach and departure tapers should have structural sections matching the existing State highway shoulders. An alternate shoulder design is allowed. See HDM Figure 613.5B for details. For asphalt driveway the structural section should be equal to or greater than edge of shoulder or approach and departure tapers. Minimum thickness of surface course is 0.35 foot. Aggregate base depth should match State highway shoulders. Details (cross section, etc.) for concrete driveways are shown on Standard Plan A87A. Minimum thickness at driveway shall be 4 inches for residential and 6 inches for

J-1

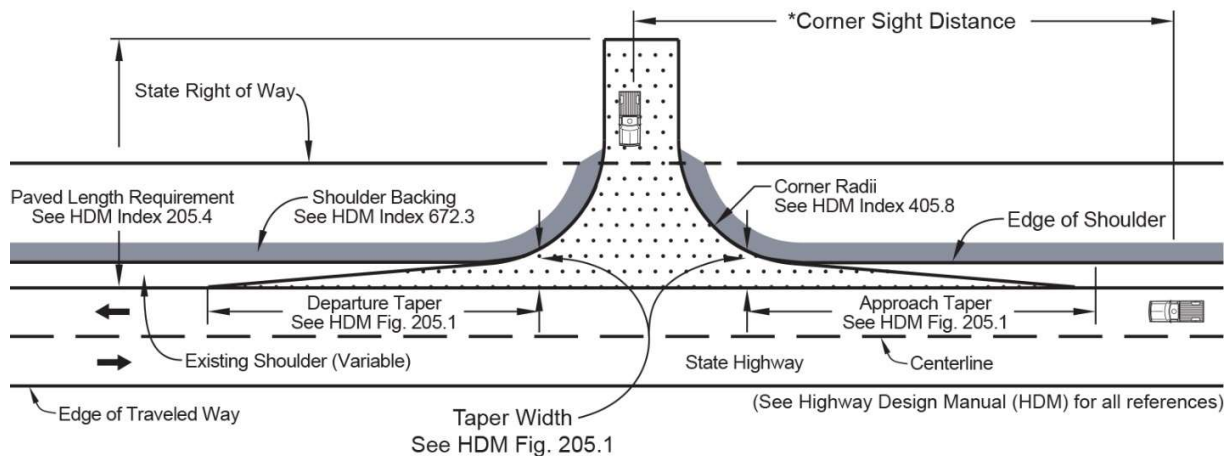
commercial. (See HDM 613.5 (2) Shoulders; Standard Plan A87A Curb and Driveways; Standard Plans are available at:

www.dot.ca.gov/des/oe/construction-contract-standards.html.)

- Place shoulder backing from the edge of pavement (EP) to the hinge point (HP). Shoulder backing should be placed on a width of at least 2 feet from EP. For placement of shoulder backing thickness greater than 0.5 foot for slope repair; shoulder backing behind dikes; and where longitudinal drainage are present; see HDM for details. (see HDM Index 672 Shoulder Backing and HDM Figures 672.3 A through E)

The Figure below is provided to assist driveway design for rural areas and to clarify terminologies used in the above guidance. This figure is provided for general illustration purposes and is not be used for design details. It should not to be used as a drawing in the encroachment permit application for the driveway.

Driveway Design Requirements for Rural Areas with Unimproved Frontage on Conventional State Highways



*Corner Sight Distance shall be calculated from all directions of approach. See HDM Index 405.1(2) & Figure 405.7 for set back and sight distance calculations.

Purpose: The above excerpts from the Department’s HDM are shown for reference. The design standards used for any project should equal or exceed the minimum given in the manual to the maximum extent feasible. They do not replace engineering knowledge, experience, and judgment in the design of driveways.

Special situations may call for variation from policies and procedures, subject to the appropriate approval. This is not intended to, nor does it establish a legal standard or any other standard of conduct or duty toward the public.

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:

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:



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Humboldt – Del Norte Unit
 118 Fortuna Blvd.
 Fortuna, CA 95540
 Website: www.fire.ca.gov
 (707) 726-1272

Ref: 7100 Planning
 Date: October 20, 2017

John Ford, Director
 Humboldt County Planning and Building Department – Planning Division
 3015 H Street
 Eureka, CA 95501

Attention: Cannabis Planner (CPOD)
Applicant: Hope Springs Farm
APN: 210-043-003-000
Area: Dinsmore
Case Numbers: SP16-381

Humboldt County Application #: 12045
Type of Application: Special Permit
Date Received: 10/16/2017
Due Date: 10/28/2017

Project Description: An application for a Special Permit for a 10,000 square foot existing outdoor medical cannabis cultivation is requested. Water source is a point of diversion from an on-site spring. Water storage is 25,000 gallons between hard tanks and a 20,000 gallon bladder. Processing will be performed off-site. Power source is a generator.

Mr. Ford,

The California Department of Forestry and Fire Protection (CALFIRE) provides these standard project review comments on the above noted project for the following subject matter:

- Fire Safe
- Resource Management
- Cannabis

The following pages address these concerns directly.

If CALFIRE staff develops additional comment on this project, it will be forwarded in an additional response letter.

By: Planning Battalion
 CALFIRE Humboldt – Del Norte Unit

For **Hugh Scanlon**, Unit Chief

FIRE SAFE

General:

CALFIRE has responsibility for enforcement of Fire Safe Standards as required by Public Resources Code (PRC) 4290 and 4291. However CALFIRE is not the lead agency in planning development and project permitting. CALFIRE provides input as a contributing agency, generally limited to plan review, and is not the approving agency for these projects.

Local Responsibility Areas:

Should this project include Local Responsibility Area (LRA) lands, CALFIRE has no direct fire safe input on those parcels. However, in those areas with LRA parcels adjacent to State Responsibility Area (SRA) land, CALFIRE recommends that local standards be applied that are consistent with those CALFIRE makes for SRA lands.

State Responsibility Areas:

Should this project include State Responsibility Area (SRA) lands, the following are CALFIRE's Fire Safe minimum input and recommendation for any and all development.

1. In Humboldt County, developments must meet minimum fire safe standards by constructing the project in conformance with County Fire Safe Ordinance 1952, which the California Board of Forestry and Fire Protection has accepted as functionally equivalent to PRC 4290. The County Fire Safe Ordinance provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space.
2. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas shall comply with the 2007 California Building Code (CBC) Section 701A.3.2. This requires roofing assemblies, attic and eave ventilation, exterior siding, decking and deck enclosure, windows and exterior doors, and exposed under floor areas that are approved "ignition resistive" in design.
3. All development, especially commercial or industrial development, should be designed to comply with the most current versions of the following standards:
 - a) California Fire Code (CFC) — for overall design standards
 - b) Public Utilities Commission (PUC) General Order 103 — for design of water systems
 - c) National Fire Protection Association Standards (NFPA) for fire flow minimums and other design questions not specifically covered by CFC and PUC
 - d) Housing and Community Development Codes and Standards —for mobile home parks and recreational camps
4. For Department of Real Estate reporting purposes, fire protection coverage in SRA is generally described as follows:

During the declared fire season (usually June through October) CALFIRE responds to all types of fires and emergencies in SRA.

During the remainder of the year (winter period), CALFIRE responds to emergency requests with the closest available fire engine, if a response can reasonably be expected to arrive in time to be effective. A fire engine is usually available somewhere in the Unit, but may have an extended response time.

There are many hazards confronting fire protection agencies in most subdivisions on SRA lands. Steep terrain and heavy wildland fuels contribute to fire intensity and spread. The distances from fire stations and road grades encountered usually create an excessive response time for effective structure fire suppression purposes.

Subdivisions increase fire risks from additional people and increase probable dollar losses in the event of fire due to added structures and improvements.
5. If the project expects to produce densities consistent with a major subdivision, the impacts on all infrastructures should be mitigated. Local government more appropriately provides the responsibility for high-density area protection and services. Annexation or inclusion into Local Responsibility Area should be studied as well.

6. CALFIRE does not support development in areas where there is no local agency fire service for structure fires and emergency medical response. Fire services should be extended into service gap areas as a condition of development. New development can adversely impact existing fire services. Careful consideration must be given where development may overload the local fire service's ability to respond.

RESOURCE MANAGEMENT

CALFIRE has enforcement responsibility for requirements of the Z'berg—Nejedly Forest Practice Act of 1973. CALFIRE is also the lead agency for those parts of projects involving the scope of the Forest Practice Act. The following basic input will cover the majority of projects. Each project will be reviewed with additional input sent at a later date, if needed.

The following comments reflect the basic Resource Management policies of the Board of Forestry and Fire Protection and CALFIRE on CEQA review requests. These policies apply to both Local and State Responsibility Areas.

1. If this project reduces the amount of timberland, by policy, the Board of Forestry and CALFIRE cannot support any project that will reduce the timberland base of California. "Timberland" means land which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees regardless of current zoning (PRC 4526). However, if the zoning and intended use are consistent with the county's general plan; and if no land other than timberland can be identified to site the project; then CALFIRE may choose not to oppose the project.
2. If **any** commercial timber operations are involved with a project, the timber operations cannot be conducted without a CAL FIRE permit. Commercial timber operations include the cutting or removal of trees offered for sale, barter, exchange, or trade or the conversion of timberlands to land uses other than the growing of timber (PRC 4527). Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
3. If **any** timberlands are being converted to a non-timber growing use by this project, the conversion operations cannot be conducted without a CAL FIRE permit (PRC 4621). Conversion of timberland takes place when trees are removed and the land use changes, even without the sale, barter, exchange, or trade of the trees. Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
4. If timberland is in the viewshed of a project, the current and future owners should be overtly notified that changes will occur to their views due to timber management activities. Further, no project should be allowed to negatively affect access to timberland for timber management purposes; neither on the project parcel(s) nor any other timberland parcels.
5. If timber harvesting has occurred and post-harvest restocking and prescribed erosion control maintenance obligations have not been met on a parcel, future owners should be overtly notified (14 CCR 1042). The current owner of a parcel is responsible for restocking requirements and maintenance of roads whether or not they were involved in the actual harvest plan.
6. If the project involves the development of parcels zoned as Timber Production Zone (TPZ), CALFIRE cannot support the project. Dividing TPZ land into parcels of less than 160 acres requires a Joint Timber Management plan prepared by a Registered Professional Forester (RPF), recorded as a deed restriction for a minimum of 10-years on all affected parcels, and approved by a four – fifths vote of the full board (Govt. Code 51119.5). TPZ may be rezoned using a "Ten Year Phase Out," which precludes the need for a Timberland Conversion Permit. CALFIRE opposes immediate rezoning of TPZ land.

CANNABIS PROJECTS

Local Responsibility Areas:

CAL FIRE is the primary command and control dispatch center for many local agency fire districts and departments. Potential life hazard threats associated with a project must be identified and documented for the protection of the public and first responders. Projects which include timber harvesting or conversion of timberland are subject to the Forest Practices Act and Rules, regardless of wildland fire responsibility area.

State Responsibility Areas:

Should this project include State Responsibility Area (SRA) lands, the following are CAL FIRE's minimum input.

Conversion of timberland to a non-timber producing use is subject to permit from CAL FIRE. Commercial timber harvesting operations to facilitate cannabis cultivation and processing are subject to permitting and regulation under the Forest Practice Act and Rules. Please refer to the RESOURCE MANAGEMENT comments.

General Recommendations:

The following recommendations are made by CAL FIRE with the understanding that most areas of Humboldt County do not have a paid fire department providing fire prevention services.

1. Cannabis growing operations shall have easily accessible safety data sheets (SDS) for all chemicals and hazardous materials on site. Commercial operations must have a current Hazardous Materials Business Plan on file with Humboldt County Environmental Health, where applicable.
2. California Health and Safety Code (HSC 11362.769.) Requires that indoor and outdoor medical marijuana cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.
3. Cannabis growing and extraction shall be in accordance with Chapter N101.1 of the International Fire Code, the International Building Code, and the International Mechanical Code. Hazardous materials shall comply with Chapter 50. Compressed gases shall comply with Chapter 53. Cryogenic fluids shall comply with Chapter 55. Flammable and combustible liquids shall comply with Chapter 57. LP-gas shall comply with Chapter 61 and the International Fuel Gas Code. All applicable California State Fire Marshal standards and regulations for the designated occupancy must be met.
4. Growing and processing of cannabis is generally an agricultural operation. However, manufacture of marijuana extracts and concentrates are commercial or industrial activities, and may be subject to the county's SRA Fire Safe Ordinance. Any new residential units associated with cannabis cultivation and processing may also be subject to the SRA Fire Safe Ordinance. All materials hazardous and non-hazardous associated with the extraction process shall be utilized in conformance of the law and fire safe codes.



From: HUU_CEQA@CALFIRE
To: [Planning Clerk](#)
Subject: FW: APN 210-043-003-000 Hope Springs Farm Permit # SP16-381
Date: Tuesday, October 24, 2017 2:58:10 PM

Chris Ramey
Battalion Chief, Fire Planning

CAL FIRE

Humboldt-Del Norte Unit
C: 707-599-6442
Duty Days: Tues-Fri

From: Imperiale, Rhett@CALFIRE
Sent: Thursday, October 19, 2017 9:04 AM
To: HUU_CEQA@CALFIRE <HUUCEQA@fire.ca.gov>
Cc: Lee, Bo@CALFIRE <Bo.Lee@fire.ca.gov>
Subject: APN 210-043-003-000 Hope Springs Farm Permit # SP16-381

It may be necessary for a CALFIRE harvest permit to be obtained prior to expanding this cultivation and new development sites. A Registered Professional Forester may be required to advise the landowner of necessary permits from CALFIRE. Previous land use activities to facilitate the outdoor growing areas may have resulted in harvest without a permit and harvesting without a plan or a license. More information is required for a proper evaluation.

Rhett Imperiale
Division Chief
Forest Practice Bureau
Peace Officer #1864, RPF #2697
Department of Forestry and Fire Protection
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Humboldt-Del Norte Unit
118 Fortuna Blvd
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