



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: August 4, 2022

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Green Gate Gardens, LLC, Special Permits**
Record Number PLN-11550-SP
Assessor's Parcel Number (APN) 522-143-024
200 Peach Tree Ln, Willow Creek

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Please contact Megan Acevedo, Planner, at 707-441-2634 or by email at macevedo@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
August 4, 2022	Special Permits	Megan Acevedo

Project Description: Green Gate Gardens, LLC seeks a Special Permit for 9,250 square feet (sf) of pre-existing outdoor cannabis cultivation with 920 sf of ancillary propagation. Cultivation activities extend from April to November annually. Water for irrigation is provided by the Willow Creek Community Services District. Annual water usage is estimated at 132,500 gallons. There is 4,050 gallons of water storage in hard-sided tanks on-site designated for irrigation, and there is one (1) 2,500-gallon tank designated for fire suppression. Drying and curing will occur on-site and trimming will occur off-site at a licensed processing facility. Up to 4 employees are required during peak operations. Power to the subject parcel is provided by PG&E. An additional Special Permit is being requested for a setback reduction to public lands (SRNF) to approximately 267 feet.

Project Location: The project is located in the Willow Creek area, on the North side of Peach Tree Lane, approximately 0.17 miles East from the intersection of Peach Tree Lane and Patterson Road, on the property known as 200 Peach Tree Lane.

Present Plan Land Use Designations: Residential Agriculture (RA); 2017 General Plan; Density: 5-20 acres per unit; Slope Stability: Low Instability (2)

Present Zoning: Agricultural General (AG); Special Building Site B-7(5)

Record Number: PLN-11550-SP

Assessor's Parcel Number: 522-143-024

Applicant

Green Gate Gardens, LLC
PO Box 583
Willow Creek, CA 95573

Owner

Kenneth Lance
PO Box 583
Willow Creek, CA 95573

Agents

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

Green Gate Gardens, LLC
Record Number: PLN-11550-SP
Assessor's Parcel Number: 522-143-024

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 (CMMLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permits and adopt the Resolution approving the Green Gate Gardens, LLC Special Permits as recommended by staff subject to the recommended conditions.

Executive Summary: Green Gate Gardens, LLC seeks a Special Permit for 9,250 square feet (sf) of pre-existing outdoor cannabis cultivation with 920 sf of ancillary propagation. Cultivation activities extend from April to November annually. Water for irrigation is provided by the Willow Creek Community Services District. Annual water usage is estimated at 132,500 gallons. Drying and curing will occur on-site and trimming will occur off-site at a licensed processing facility. Power to the subject parcel is provided by PG&E. An additional Special Permit is being requested for a setback reduction to public lands (SRNF) to approximately 267 feet.

A maximum of four (4) employees will be utilized for cultivation activities. Portable toilets and hand washing stations will be available at the cultivation area on-site. Trimming will occur off-site at a licensed processing facility, or harvested product will be collected by a fresh-frozen pick. The project was referred to the Department of Environmental Health (DEH) on May 17, 2018, and comments were received on September 5, 2018. Comments from DEH recommended approval of the project. The applicant shall provide receipts, or other equivalent documentation, annually to the Planning Division for proof of portable toilet service, unless a permitted onsite wastewater treatment system has been obtained (**Ongoing Condition B.1**).

The applicant is proposing to have 5,000 sf of outdoor light-deprivation cultivation with two harvests annually, 4,250 sf of full-sun outdoor cultivation, and 920 sf of ancillary propagation on-site. The project was referred to the Building Division on May 17, 2018, and a building inspection was conducted on December 13, 2021. Comments from the Building Division stated that the historic grading has been permitted, and permits are still needed for the greenhouses, electrical, plumbing and mechanical. There are a total of two (2) light-deprivation greenhouses, one (1) 20' x 96' greenhouse (920 sf designated for ancillary propagation area and 1,000 designated for storage), and (one) 24' x 24' multiuse building used for harvesting, drying and storage. Trimming will occur off-site at a licensed processing facility, or harvested product will be collected by a third-party fresh-frozen pickup service. The applicant shall have documentation kept on-site to show the use of an off-site licensed processing facility or licensed fresh-frozen pickup service, to be furnished during an annual inspection (**Ongoing Condition B.2**). The applicant is conditioned to obtain building permits for all existing and proposed structures with a nexus to cannabis, including but not limited to: two (2) light-deprivation greenhouses, one (1) ancillary propagation and storage greenhouse, three (3) storage containers, and one (1) multiuse building (**Condition A.6**).

The applicant received a letter from the Planning & Building Department, dated June 5, 2017, stating that the County had received a complaint of unauthorized grading, construction of a dwelling and placement of cargo containers without the proper permits. The applicant has since permitted with the Building Division the historic grading that was done, and the remediation of historic cultivation areas on-site. Remediation activities of historic cultivation areas included removing cultivation related materials and waste, reducing slash, revegetating the area with native tree species, and the installation of erosion

control and drainage features. The applicant will be conditioned to permit all other structures with a nexus to cannabis, through the approval of this application.

Setbacks

The project site is located adjacent to the Six Rivers National Forest (SRNF), and the applicant is seeking a Special Permit to approve a setback reduction to public lands to approximately 267 feet. The project was referred to the SRNF on May 17, 2018, and the agency replied on September 11, 2018. Comments from the agency included the recommendation of denial, and recommended that the applicant obtain a property survey to verify that the operation is not trespassing on federal lands. The applicant did obtain a property survey from Kolstad Land Surveyors, and it has been determined that the project is not encroaching on federal lands, nor does the project utilize forest service roads for transportation of cannabis.

The adjacent public land is subject to the Land and Resource Management Plan - Six Rivers National Forest 1995 (L&RMP). The project is consistent with the L&RMP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts. The applicant obtains power from PG&E, and remediation occurred in historic cultivation areas in the eastern section of the parcel. The project is consistent with recreational use on public lands as the proposed project is not located near developed campgrounds, trails, or other related facilities.

The project was referred to the Klamath-Trinity Joint Unified School District (KTJUSD) on May 17, 2018, and comments were received on May 21, 2018. Comments from the KTJUSD made a recommendation of denial for the project stating that there are school bus stops at Peach Tree Lane. Through communication with the KTJUSD, it has been verified that there are no school bus stops near the project. The project site is more than 600 feet from any school, school bus stop, church or other place of religious worship, or Tribal Cultural Resource.

Water Resources

The project sources water from the Willow Creek Community Services District (WCCSD). Anticipated annual water usage is 132,500 gallons, and the applicant has a Will Serve letter from the WCCSD, dated June 27, 2017, allowing the applicant to continue to use up to 36,000 cubic feet (269,298 gallons) of water annually for agricultural use. The WCCSD has a Drought Ordinance in its Board Policy, and in the event of a drought the water usage may be restricted per the policy and the applicant shall adhere to any restrictions set forth by the WCCSD (**Ongoing Condition B.3**). There is 4,050 gallons of water storage in hard-sided tanks on-site designated for irrigation, and there is one (1) 2,500-gallon tank designated for fire suppression.

The site was historically enrolled in the North Coast Regional Water Quality Control Board's Order No. R1-2015-0023, under WDID: 1B161096CHUM. The applicant has had a Water Resource Protection Plan (WRPP) prepared by Manhard Consulting, dated February 2017. The WRPP states that there are no streams on the property, and includes measure recommended to meet the standard conditions of the Order. Corrective actions recommended are listed in Table 1 of the WRPP, and the applicant shall adhere to the recommended actions in Table 1 (**Condition A.7**).

The applicant has also enrolled in the State Water Resources Control Board's (SWRCB) General Order (No. WQ 2019-0001-DWQ) for Waste Discharge Requirements and Water Quality. A Notice of Applicability letter dated June 4, 2019, shows proof of enrollment under WDID 1_12CC414523. The project is required to have a Site Management Plan prepared to outline on-site measures required to meet the standard conditions of the SWRCB's General Order. The applicant shall submit to the Planning Department the final Site Management Plan, and shall adhere to the measures and ongoing recommendations within the final SMP (**Condition A.8**).

There are no streams or stream crossings on the subject parcel and the project does not require a Lake or Streambed Alteration Agreement with the California Department of Fish & Wildlife (CDFW).

Fire Hazard

The parcel is located in an area known to have a Very High Fire Hazard Severity, and is located within the Willow Creek Volunteer Fire District (WCVFD) Response Area. The project was referred to the WCVFD on May 17, 2018, and no comments were received by the agency. The applicant will obtain a will serve letter from the WCVFD or 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 the Board of Supervisors will be required (**Condition A.9**). The project is also within the State Responsibility area for CalFire, and the applicant has designated a 2,500 gallon tank for fire suppression, and there is ample room for a firetruck turnaround on-site.

Timber Conversion

The applicant obtained a less-than-3-acre conversion exemption permit with CalFire for the conversion of approximately 2.5 acres of timberland on-site. The project was referred to CalFire on May 17, 2018, and comments from CalFire stated that they had no comments on the project.

Biological Resources

The project is located approximately 1.58 miles to the nearest known Northern Spotted Owl (NSO) activity center. According to the California Natural Diversity Database (CNDDDB) for rare and endangered species, the project site is near potential habitat for the fisher. As the project is for pre-existing cultivation and no new development is proposed, no Biological Assessment was required. The project was referred to CDFW on May 17, 2018, and comments were received on July 15, 2019. Comment from CDFW requesting clarification on the following: the projects proposal for outdoor or mixed-light, the use of fans within the greenhouses, if there was an approved less-than-3-acre conversion exemption, and the potential use of the historic cultivation areas in the eastern portion of the project. The applicant is not proposing any mixed-light cultivation, uses two (2) 24v fans in each light-deprivation greenhouse, has an approved less-than-3-acre conversion exemption permit, and will not be cultivating the historic cultivation areas in the eastern portion of the parcel.

There are no streams or stream crossings on the subject parcel and the project does not require a Lake or Streambed Alteration Agreement with CDFW. No generators are proposed as part of the project. The applicant is required to comply with International Dark Sky Standards, and shall ensure that all noise levels do not go above 50 decibels at 100-feet or any tree line when noise generating equipment are in use (**Ongoing Conditions B.4 & B.5**).

Tribal Cultural Resource Coordination

The project site is located in the Hoopa and Tsungwe Aboriginal Ancestral Territories. The project was referred to the Northwest Information Center (NWIC), the Hoopa Tribe, and the Tsungwe Council on May 17, 2018. The NWIC replied on May 29, 2018, recommending that the local Native American tribes be contacted regarding traditional, cultural, and religious heritage values. The Tsungwe Council commented on September 22, 2019, stating that they had no concerns about the project. The applicant shall adhere to Inadvertent Discover Protocols, and 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 (**Informational Note 3**).

Access

Access to the project site is from County maintained Patterson road, from Peach Tree Lane which is a private road. The applicant submitted a Road Evaluation Report form for the 0.22 mile section of Peach Tree Lane, including pictures of the road, designating it as being developed to the equivalent of a category 4 road standard. The project was referred to the Department of Public Works on May 17, 2018, and comments were received on September 11, 2018, recommending conditional approval for the project. The applicant shall adhere to the following recommendations from the Department of Public Works (**Condition A.10**):

- All driveways and private road intersections onto the County Road shall be maintained in accordance with the County Code Section 341-1 (Sight Visibility Ordinance).
- The access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.

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 cultivation permits and acres which may be approved in each of the County's Planning Watersheds. The project site is located in the Lower Trinity Planning Watershed, which under Resolution 18-43 is limited to 169 permits and 58 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 59 cultivation permits and the total approved acres would be 25.6 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.

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT
Resolution Number 22-
Record Number PLN-11550-SP
Assessor's Parcel Number: 522-143-024**

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving Green Gate Gardens, LLC Special Permit.

WHEREAS, Green Gate Gardens, LLC, submitted an application and evidence in support of approving a Special Permit for the operation of an existing 9,250 square feet (sf) of outdoor cannabis cultivation with 920 sf of ancillary propagation; and a Special Permit to approve a setback reduction to Public Lands; and

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

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on **August 4, 2022**, and reviewed, considered, and discussed the application for the Special Permits and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:** **Project Description:** The application is a Special Permit for 9,250 sf of pre-existing outdoor cannabis cultivation with 920 sf of ancillary propagation. Water for irrigation is provided by the Willow Creek Community Services District. Annual water usage is estimated at 132,500 gallons. There is 4,050 gallons of water storage in hard-sided tanks on-site designated for irrigation, and there is one (1) 2,500-gallon tank designated for fire suppression. Drying and curing will occur on-site and trimming will occur off-site at a licensed processing facility. Up to 4 employees are required during peak operations. Power to the subject parcel is provided by PG&E. An additional Special Permit is being requested for a setback reduction to public lands (SRNF) to approximately 267 feet.

EVIDENCE: a) Project File: PLN-11550-SP

- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Zoning Administrator has considered the Addendum to and the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016.

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

- c) Water is sourced from the Willow Creek Community Services District (WCCSD). The applicant has a Will Serve letter from the WCCSD allowing the applicant to continue to use up to 36,000 cubic feet (269,298 gallons) of water annually for agricultural use.
- d) The site was historically enrolled in the North Coast Regional Water Quality Control Board's Order No. R1-2015-0023, under WDID: 1B161096CHUM. The applicant has had a Water Resource Protection Plan (WRPP) prepared by Manhard Consulting, dated February 2017.
- e) The applicant has enrolled in the State Water Resources Control Board's (SWRCB) General Order (No. WQ 2019-0001-DWQ) for Waste Discharge Requirements and Water Quality. A Notice of Applicability letter dated June 4, 2019, shows proof of enrollment under WDID 1_12CC414523. The project is conditioned to have a Site Management Plan prepared to outline on-site measures required to meet the standard conditions of the SWRCB's General Order.
- f) There are no streams or stream crossings on the subject parcel and the project does not require a Lake or Streambed Alteration Agreement with the California Department of Fish & Wildlife.
- g) The applicant obtained a less-than-3-acre conversion exemption permit with CalFire for the conversion of approximately 2.5 acres of timberland on-site. The project was referred to CalFire on May 17, 2018, and comments from CalFire stated that they had no comments on the project.
- h) The project site is located in the Hoopa and Tsnungwe Aboriginal Ancestral Territories. The project was referred to the Northwest Information Center (NWIC), the Hoopa Tribe, and the Tsnungwe Council on May 17, 2018. The NWIC replied on May 29, 2018, recommending that the local Native American tribes be contacted regarding traditional, cultural, and religious heritage values. The Tsnungwe Council commented on September 22, 2019, stating that they had no concerns about the project.
- i) Access to the project site is from County maintained Patterson road, from Peach Tree Lane which is a private road. The applicant submitted a Road Evaluation Report form for the 0.22 mile section of Peach Tree Lane, including pictures of the road, designating it as being developed to the equivalent of a category 4 road standard. The project was referred to the Department of Public Works on May 17, 2018, and comments were received on September 11, 2018, recommending conditional approval for the project. The applicant shall adhere to the recommendations from the Department of Public of Works.

FINDINGS FOR SPECIAL PERMITS

3. FINDING

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

EVIDENCE

- a) The proposed project is not located within an Open Space Action Program because the project site is not planned or zoned as open space, does not have a combining zone that would be considered open space, and there are no other open space general plan or zoning code overlays affecting this project.

- 4. FINDING** The proposed development is consistent with the purposes of the existing AG zone in which the site is located.
- EVIDENCE**
- a) The Agriculture General Zone or AG Zone is intended to be applied to areas of the County in which general agriculture residential uses are the desirable predominant uses.
 - b) All general agricultural uses are principally permitted in the AG zone.
 - c) Humboldt County Code section 314-55.4.8.2.2 allows for cultivation of up to 10,000 sq. ft. of outdoor or mixed-light commercial cannabis cultivation for some or all of the cultivation area in existence prior to January 1, 2016, in AG zones with a Special Permit. The application for 9,250 sq. ft. of outdoor cannabis cultivation on an 11 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 AG (HCC 314-55.4.8.2.2).
 - b) The subject parcel was created by Parcel Map 22 (lot 29) recorded in Book 1 of Parcel Maps page 34.
 - c) The project will obtain water from the Willow Creek Community Services District (WCCSD). The applicant has a Will Serve letter from the WCCSD allowing the applicant to continue to use up to 36,000 cubic feet (269,298 gallons) of water annually for agricultural use.
 - d) Access to the project site is from County maintained Patterson road, from Peach Tree Lane which is a private road. The applicant submitted a Road Evaluation Report form for the 0.22 mile section of Peach Tree Lane, including pictures of the road, designating it as being developed to the equivalent of a category 4 road standard. The project was referred to the Department of Public Works on May 17, 2018, and comments were received on September 11, 2018, recommending conditional approval for the project. The applicant shall adhere to the recommendations from the Department of Public of Works.
 - e) The applicant obtained a less-than-3-acre conversion exemption permit with CalFire for the conversion of approximately 2.5 acres of timberland on-site. The project was referred to CalFire on May 17, 2018, and comments from CalFire stated that they had no comments on the project.
 - f) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 from any property line, and more than 600 feet from any school, church, or Tribal Cultural Resource.
 - g) The project site is located adjacent to the Six Rivers National Forest (SRNF), and the applicant is requesting a Special Permit to approve a setback reduction to public lands to approximately 267 feet. The project was referred to the SRNF on May 17, 2018, and the agency replied on September 11, 2018. Comments from the agency included the recommendation of denial, and recommended that the applicant obtain a property survey to verify that the operation is not trespassing on federal lands. The applicant did obtain a property survey from Kolstad Land Surveyors, and it has been determined that the project is not encroaching on federal lands, nor does the project utilize forest service roads for transportation of cannabis. The

project site is more than 600 feet from any school, school bus stop, church or other place of religious worship, or Tribal Cultural Resource.

The adjacent public land is subject to the Land and Resource Management Plan - Six Rivers National Forest 1995 (L&RMP). The project is consistent with the L&RMP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts. The applicant obtains power from PG&E, and remediation occurred in historic cultivation areas in the eastern section of the parcel. The project is consistent with recreational use on public lands as the proposed project is not located near developed campgrounds, trails, or other related facilities.

6. FINDING

The cultivation of 9,250 sf of outdoor 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 in a rural part of the County where there are several approved cannabis permits. The proposed cannabis will not be in a location where there is a school, school bus stop, church, or park. The parcel is 11 acres, and is larger than the surrounding parcels. Approving the existing 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.
- b) The project will obtain water from the Willow Creek Community Services District (WCCSD). The applicant has a Will Serve letter from the WCCSD allowing the applicant to continue to use up to 36,000 cubic feet (269,298 gallons) of water annually for agricultural use.
- c) Access to the project site is from County maintained Patterson road, from Peach Tree Lane which is a private road. The applicant submitted a Road Evaluation Report form for the 0.22 mile section of Peach Tree Lane, including pictures of the road, designating it as being developed to the equivalent of a category 4 road standard. The project was referred to the Department of Public Works on May 17, 2018, and comments were received on September 11, 2018, recommending conditional approval for the project. The applicant shall adhere to the recommendations from the Department of Public of Works.

7. FINDING

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

EVIDENCE

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

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.

- a) The project site is located in the Lower Trinity Planning Watershed, which under Resolution 18-43 is limited to 169 permits and 58 acres of cultivation. With the approval of this project the total approved permits in this Planning

Watershed would be 59 cultivation permits and the total approved acres would be 25.6 acres of cultivation.

DECISION

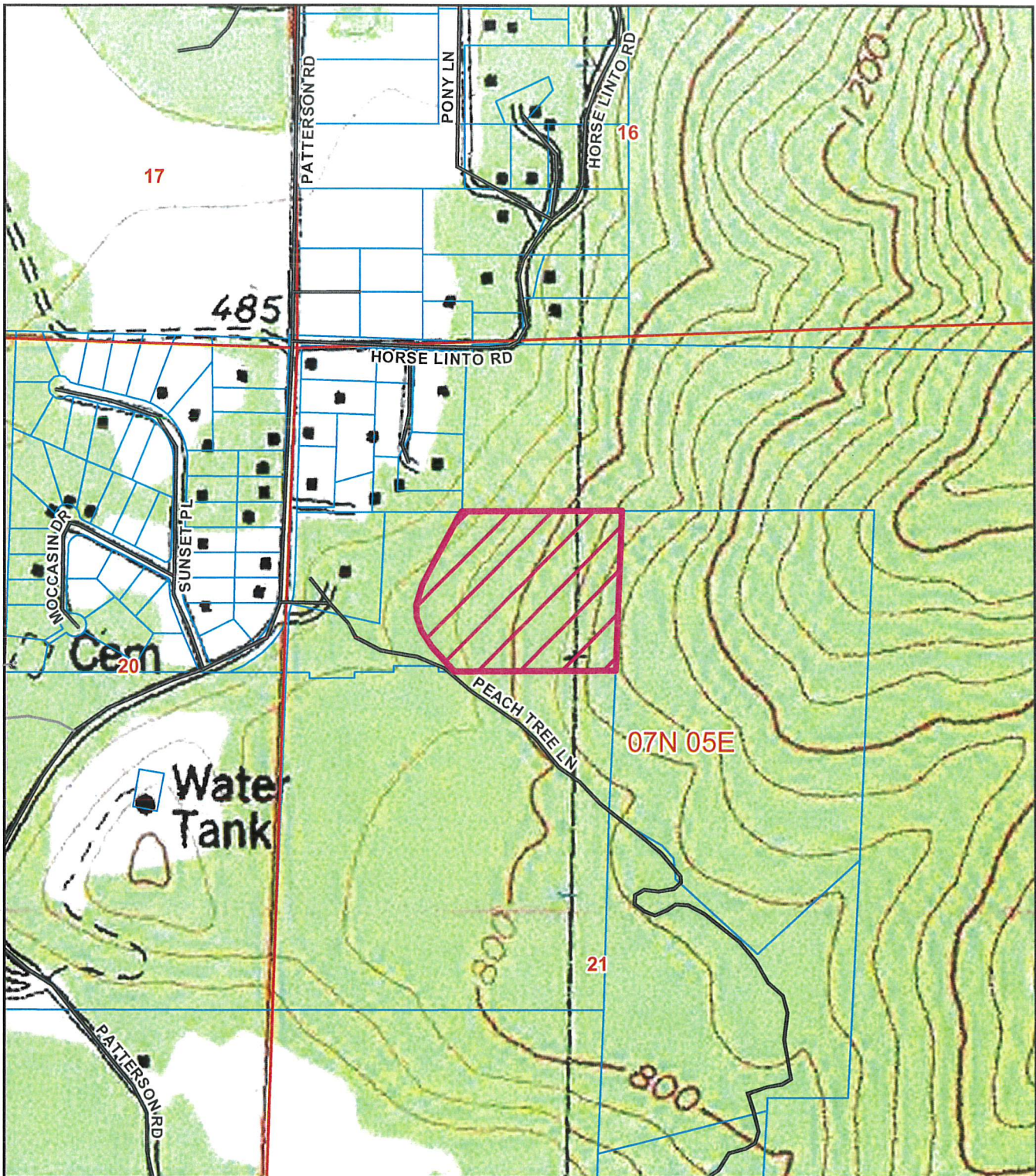
NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special Permits for Green Gate Gardens, LLC, 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 **August 4, 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.

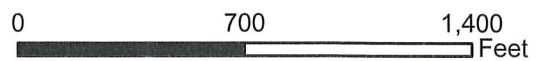
John H. Ford, Zoning Administrator,
Planning and Building Department

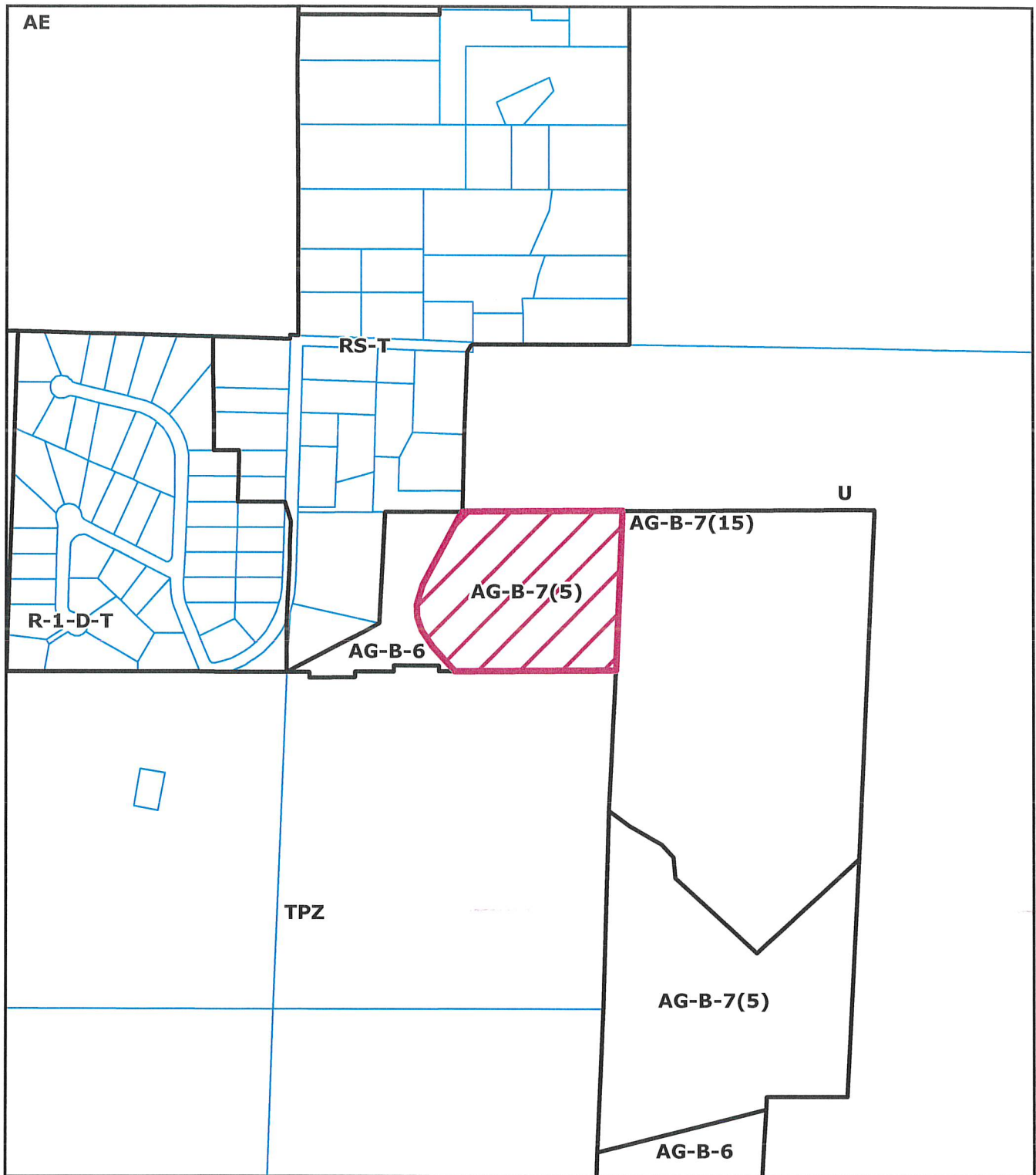


Project Area = 

**TOPO MAP
PROPOSED GREEN GATE, INC.
WILLOW CREEK AREA
CUP-16-288
APN: 522-143-024
T07N R05E S21 HB&M (SALYER)**

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





Project Area = 

**ZONING MAP
PROPOSED GREEN GATE, INC.
WILLOW CREEK AREA
CUP-16-288
APN: 522-143-024
T07N R05E S21 HB&M (SALYER)**

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





Project Area = 

**AERIAL MAP
PROPOSED GREEN GATE, INC.
WILLOW CREEK AREA
CUP-16-288
APN: 522-143-024
T07N R05E S21 HB&M (SALYER)**



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

0 500 1,000 Feet



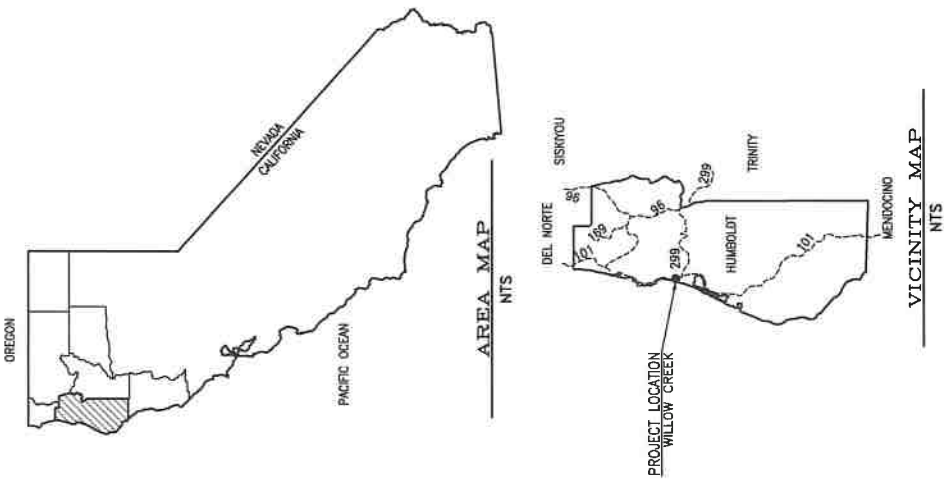
67 WALNUT WAY
PO BOX 1567
WILLOW CREEK, CA 95573
P: (530) 629-3000
F: (530) 629-3011

[illegible]

PLOT PLAN
KEN LANCE
200 PEACH TREE LANE
WILLOW CREEK, CA 95573
APN: 522-143-024

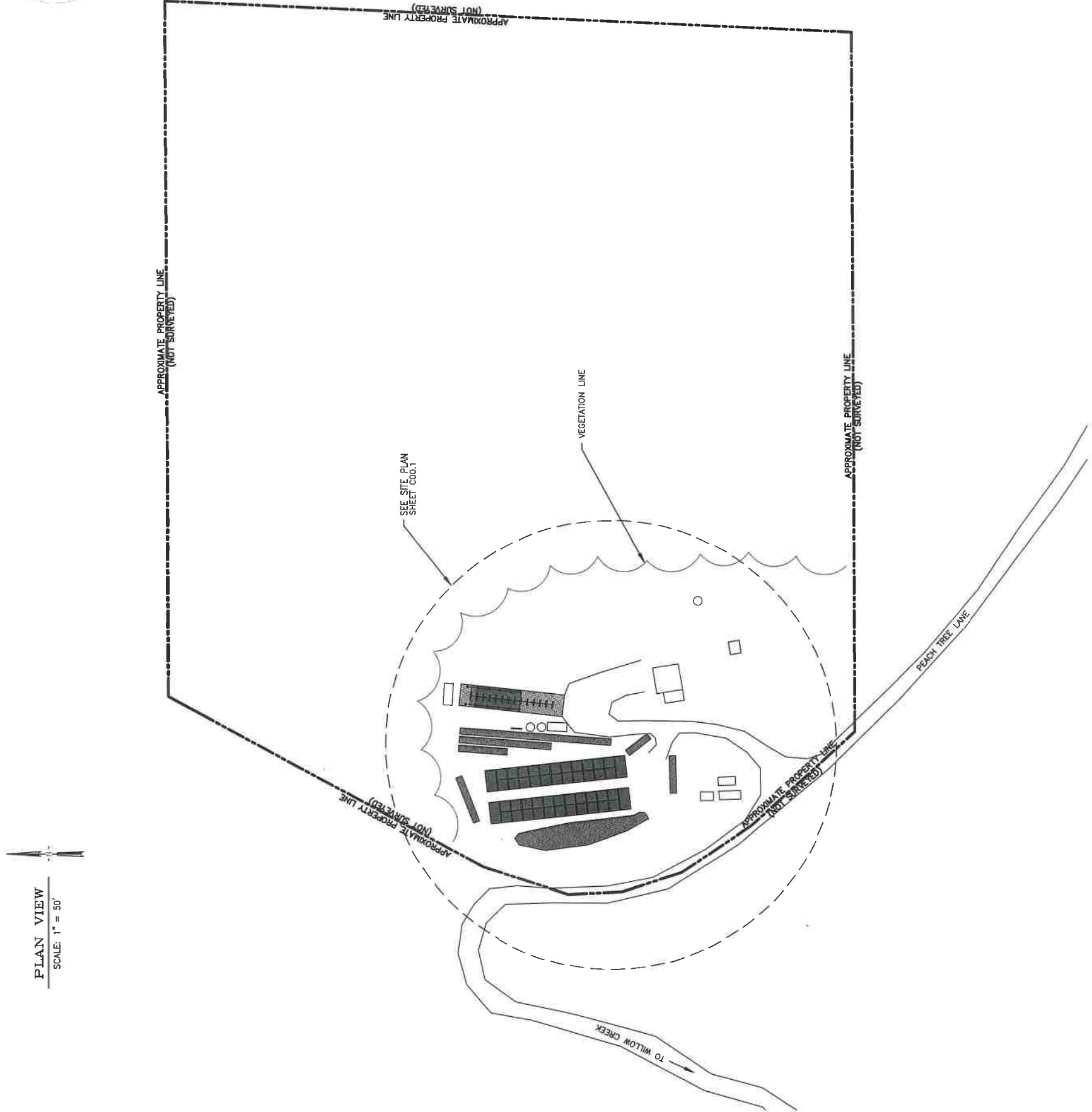
PLOT PLAN

DATE OF ISSUE: MAY 2022
SCALE: AS SHOWN
PROJECT NO: 801
DRAWING NO: C00.0



<p>DIRECTIONS FROM WILLOW CREEK</p> <p>TURN ONTO COUNTRY CLUB ROAD AND CONTINUE FOR 0.9 MILES. TURN LEFT ONTO PATTERSON ROAD AND CONTINUE FOR 2.0 MILES. TURN RIGHT ONTO PEACH TREE LANE AND CONTINUE FOR 0.2 MILES. THE DESTINATION WILL BE ON THE LEFT.</p>
<p>SRA REQUIREMENTS</p> <p>PROVIDE ADEQUATE WATER STORAGE AND DELIVERY AS OUTLINED BY SRA ORDINANCE AND CALIFRE REQUIREMENTS</p> <p>PROVIDE ADEQUATE TURN AROUND AND PULLOUTS AS OUTLINED BY SRA ORDINANCE REQUIREMENTS AND CALIFRE REQUIREMENTS</p>
<p>CONTRACTOR ALERT!</p> <p>CONTRACTOR MUST CONTACT USA DIG AT 800-227-2600 AT LEAST 72 HOURS BEFORE ANY EARTHWORK OR ACTIVITIES THAT MAY IMPACT EXISTING UNDERGROUND UTILITIES.</p> <p>EXISTING UTILITY ALIGNMENTS BOTH HORIZONTALLY AND VERTICALLY MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY CONSTRUCTION ACTIVITIES.</p>
<p>GENERAL NOTES</p> <p>WATER: WCCSD WASTEWATER: ONSITE POWER: PG&E PHONE: FRONTIER CREEKS/STREAMS: NONE TREES TO BE REMOVED: NONE GRADING: NONE</p> <p>ACRES: 11 ZONING: AG-B-(7/5)</p>

RECEIVED
JUL - 5 2022
Humboldt County
Cannabis Svcs.



PLAN VIEW

SCALE: 1" = 50'

TVCE



67 WALNUT WAY
PO BOX 1687
WILLOW CREEK, CA 95073
P: (408) 828-3000
F: (408) 828-3011

67 WALNUT WAY
PO BOX 1687
WILLOW CREEK, CA 95073
P: (408) 828-3000
F: (408) 828-3011

LIGHTING LEGEND			
# OF LIGHTS	SPACING INTERVAL (FT)	GREENHOUSE AREA (SF)	WATT/SF
MIXED LIGHT GREENHOUSES	172	8	0.0384



CULTIVATION TOTALS	
LCA22-0000284 MIXED LIGHT	
GH1	2500 SF
GH2	2500 SF
PERMIT 1 TOTAL	5000 SF
LCA22-0000573 SPECIALTY OUTDOOR	
CA1	840 SF
CA2	510 SF
CA3	270 SF
CA4	270 SF
CA5	2000 SF
CA6	210 SF
CA7	150 SF
PERMIT 2 TOTAL	4250 SF
TOTAL AREA	9250 SF

NURSERY AREA	
AVAILABLE NURSERY AREA TO BE SPLIT BETWEEN PERMITS.	
NA = 924 SF	
LCA22-0000294 = 88% OF NA (820 SF)	
LCA22-0000573 = 11% OF NA (100 SF)	



SITE PLAN

HUMBOLDT COUNTY, CALIFORNIA

200 PEACH TREE LANE
WILLOW CREEK, CA 95073
APN: 522-143-024

REV

DATE

DESCRIPTION

DWN BY

DES BY

CHK BY

APP BY

DIRECTIONS FROM WILLOW CREEK

TURN ONTO COUNTRY CLUB ROAD AND CONTINUE FOR 0.8 MILES. TURN LEFT ONTO PATTERSON ROAD AND CONTINUE FOR 2.0 MILES. TURN RIGHT ONTO PEACH TREE LANE AND CONTINUE FOR 0.2 MILES. THE DESTINATION WILL BE ON THE LEFT.

SRA REQUIREMENTS

PROVIDE ADEQUATE WATER STORAGE AND DELIVERY AS OUTLINED BY SRA ORDINANCE AND CALFRE REQUIREMENTS

PROVIDE ADEQUATE TURN AROUND AND PULLOUTS AS OUTLINED BY SRA ORDINANCE REQUIREMENTS AND CALFRE REQUIREMENTS

CONTRACTOR ALERT!

CONTRACTOR MUST CONTACT USA DIG AT 800-227-2800 AT LEAST 72 HOURS BEFORE ANY EARTHWORK OR ACTIVITIES THAT MAY IMPACT EXISTING UNDERGROUND UTILITIES.

EXISTING UTILITY ALIGNMENTS BOTH HORIZONTALLY AND VERTICALLY MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY CONSTRUCTION ACTIVITIES.

GENERAL NOTES

WATER: WCCSD
WASTEWATER: ONSITE
POWER: PG&E
PHONE: FRONTIER
CREEKS/STREAMS: NONE
TREES TO BE REMOVED: NONE
GRAVING: NONE

ACRES: 11
ZONING: AG-B-7(5)



PLN-11550-SP Green Gate Gardens, LLC

August 4, 2022

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ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #10. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to: two (2) light-deprivation greenhouses, one (1) ancillary propagation and storage greenhouse, three (3) storage containers, and one (1) multiuse building. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
7. The applicant shall adhere to the recommended actions in Table 1 of the Water Resource Protection Plan.
8. The applicant shall submit to the Planning Department the final Site Management Plan, and shall adhere to the measures and ongoing recommendations within the final SMP.
9. The applicant will obtain a will serve letter from the Willow Creek Volunteer Fire District or 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 the Board of Supervisors will be required.

10. The applicant shall adhere to the following recommendations from the Department of Public Works:
 - All driveways and private road intersections onto the County Road shall be maintained in accordance with the County Code Section 341-1 (Sight Visibility Ordinance).
 - The access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.
11. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
12. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. The applicant shall provide receipts, or other equivalent documentation, annually to the Planning Division for proof of portable toilet service, unless a permitted onsite wastewater treatment system has been obtained.
2. The applicant shall have documentation kept on-site to show the use of an off-site licensed processing facility or licensed fresh-frozen pickup service, to be furnished during an annual inspection.
3. The Willow Creek Community Services District has a Drought Ordinance in its Board Policy, and in the event of a drought the water usage may be restricted per the policy and the applicant shall adhere to any restrictions set forth by the WCCSD.
4. 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.
5. 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.

6. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.5. and B.6., 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.
7. 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.
8. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
9. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
10. The use of anticoagulant rodenticide is prohibited.
11. 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.
12. 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.
13. 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.
14. 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.
15. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
16. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board 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.

17. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
18. Maintain enrollment in Tier 1 or 2, certification with State Water Resource Control Boards (SWRCB) General Order No. WQ 2019-0001-DQW, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
19. Comply with the terms of 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.
20. 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).
21. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
22. Pay all applicable application, review for conformance with conditions and annual inspection fees.
23. 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.
24. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
25. 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

26. Pursuant to Business and Professions Code section 26051.5(a)(8), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
27. 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).
28. 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.

29. 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.
30. 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
31. 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.
32. 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.

33. 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.
34. 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.
35. 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:
- Identifying information for the new owner(s) and management as required in an initial permit application;
 - A written acknowledgment by the new owner in accordance as required for the initial permit application;
 - The specific date on which the transfer is to occur;
 - Acknowledgement of full responsibility for complying with the existing permit; and
 - Execution of an Affidavit of Non-diversion of Medical Cannabis.
36. 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:

- 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.
- 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 the Ongoing Requirements/Development Restrictions, above.
- If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

ATTACHMENT 2

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

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

**APN 522-143-024;
200 Peach Tree Lane, Willow Creek
County of Humboldt**

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

July 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.

Project Description:

The modified project involves a Special Permit for 9,250 square feet (sf) of pre-existing outdoor cannabis cultivation with 920 sf of ancillary propagation. Cultivation activities extend from April to November annually. Water for irrigation is provided by the Willow Creek Community Services District. Annual water usage is estimated at 132,500 gallons. Drying and curing will occur on-site and trimming will occur off-site at a licensed processing facility. Power to the subject parcel is provided by PG&E. An additional Special Permit is being requested for a setback reduction to public lands (SRNF) to approximately 267 feet.

A maximum of four (4) employees will be utilized for cultivation activities. Portable toilets and hand washing stations will be available at the cultivation area on-site. Trimming will occur off-site at a licensed processing facility. The project was referred to the Department of Environmental Health (DEH) on May 17, 2018, and comments were received on September 5, 2018. Comments from DEH recommended approval of the project. The applicant shall provide receipts, or other equivalent documentation, annually to the Planning Division for proof of portable toilet service, unless a permitted onsite wastewater treatment system has been obtained.

The applicant is proposing to have 5,000 sf of outdoor light-deprivation cultivation with two harvests annually, 4,250 sf of full-sun outdoor cultivation, and 920 sf of ancillary propagation on-site. The project was referred to the Building Division on May 17, 2018, and a building inspection was conducted on December 13, 2021. Comments from the Building Division stated that the historic grading has been permitted, and permits are still needed for the greenhouses, electrical, plumbing and mechanical. There are a total of two (2) light-deprivation greenhouses, one (1) 20' x 96' greenhouse (920 sf designated for ancillary propagation area and 1,000 designated for storage), and (one) 24' x 24' multiuse building used for harvesting, drying and storage. Trimming will occur off-site at a licensed processing facility, and the applicant shall have documentation kept on-site to show the use of an off-site licensed processing facility to be furnished during an annual inspection. The applicant is conditioned to obtain building permits for all existing and proposed structures with a nexus to cannabis, including but not limited to: two (2) light-deprivation greenhouses, one (1) ancillary propagation and storage greenhouse, three (3) storage containers, and one (1) multiuse building.

The applicant received a letter from the Planning & Building Department, dated June 5, 2017, stating that the County had received a complaint of unauthorized grading, construction of a dwelling and placement of cargo containers without the proper permits. The applicant has since permitted with the Building Division the historic grading that was done, and the remediation of historic cultivation areas on-site. Remediation activities of historic cultivation areas included removing cultivation related materials

and waste, reducing slash, revegetating the area with native tree species, and the installation of erosion control and drainage features. The applicant will be conditioned to permit all other structures with a nexus to cannabis, through the approval of this application.

Setbacks

The project site is located adjacent to the Six Rivers National Forest (SRNF), and the applicant is seeking a Special Permit to approve a setback reduction to public lands to approximately 267 feet. The project was referred to the SRNF on May 17, 2018, and the agency replied on September 11, 2018. Comments from the agency included the recommendation of denial, and recommended that the applicant obtain a property survey to verify that the operation is not trespassing on federal lands. The applicant did obtain a property survey from Kolstad Land Surveyors, and it has been determined that the project is not encroaching on federal lands, nor does the project utilize forest service roads for transportation of cannabis.

The adjacent public land is subject to the Land and Resource Management Plan - Six Rivers National Forest 1995 (L&RMP). The project is consistent with the L&RMP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts. The applicant obtains power from PG&E, and remediation occurred in historic cultivation areas in the eastern section of the parcel. The project is consistent with recreational use on public lands as the proposed project is not located near developed campgrounds, trails, or other related facilities.

The project was referred to the Klamath-Trinity Joint Unified School District (KTJUSD) on May 17, 2018, and comments were received on May 21, 2018. Comments from the KTJUSD made a recommendation of denial for the project stating that there are school bus stops at Peach Tree Lane. Through communication with the KTJUSD, it has been verified that there are no school bus stops near the project. The project site is more than 600 feet from any school, school bus stop, church or other place of religious worship, or Tribal Cultural Resource.

Water Resources

The project sources water from the Willow Creek Community Services District (WCCSD). Anticipated annual water usage is 132,500 gallons, and the applicant has a Will Serve letter from the WCCSD, dated June 27, 2017, allowing the applicant to continue to use up to 36,000 cubic feet (269,298 gallons) of water annually for agricultural use. The WCCSD has a Drought Ordinance in its Board Policy, and in the event of a drought the water usage may be restricted per the policy and the applicant shall adhere to any restrictions set forth by the WCCSD. There is 4,050 gallons of water storage in hard-sided tanks on-site designated for irrigation, and there is one (1) 2,500-gallon tank designated for fire suppression.

The site was historically enrolled in the North Coast Regional Water Quality Control Board's Order No. R1-2015-0023, under WDID: 1B161096CHUM. The applicant has had a Water Resource Protection Plan (WRPP) prepared by Manhard Consulting, dated February 2017. The WRPP states that there are no streams on the property, and includes measure recommended to meet the standard conditions of the Order. Corrective actions recommended are listed in Table 1 of the WRPP, and the applicant shall adhere to the recommended actions in Table 1.

The applicant has also enrolled in the State Water Resources Control Board's (SWRCB) General Order (No. WQ 2019-0001-DWQ) for Waste Discharge Requirements and Water Quality. A Notice of Applicability letter dated June 4, 2019, shows proof of enrollment under WDID 1_12CC414523. The project is required to have a Site Management Plan prepared to outline on-site measures required to meet the standard conditions of the SWRCB's General Order. The applicant shall submit to the Planning Department the final Site Management Plan, and shall adhere to the measures and ongoing recommendations within the final SMP.

There are no streams or stream crossings on the subject parcel and the project does not require a Lake or Streambed Alteration Agreement with the California Department of Fish & Wildlife (CDFW).

Fire Hazard

The parcel is located in an area known to have a Very High Fire Hazard Severity, and is located within the Willow Creek Volunteer Fire District (WCVFD) Response Area. The project was referred to the WCVFD on May 17, 2018, and no comments were received by the agency. The applicant will obtain a will serve letter from the WCVFD or 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 the Board of Supervisors will be required. The project is also within the State Responsibility area for CalFire, and the applicant has designated a 2,500 gallon tank for fire suppression, and there is ample room for a firetruck turnaround on-site.

Timber Conversion

The applicant obtained a less-than-3-acre conversion exemption permit with CalFire for the conversion of approximately 2.5 acres of timberland on-site. The project was referred to CalFire on May 17, 2018, and comments from CalFire stated that they had no comments on the project.

Biological Resources

The project is located approximately 1.58 miles to the nearest known Northern Spotted Owl (NSO) activity center. According to the California Natural Diversity Database (CNDDDB) for rare and endangered species, the project site is near potential habitat for the fisher. As the project is for pre-existing cultivation and no new development is proposed, no Biological Assessment was required. The project was referred to CDFW on May 17, 2018, and comments were received on July 15, 2019. Comment from CDFW requesting clarification on the following: the projects proposal for outdoor or mixed-light, the use of fans within the greenhouses, if there was an approved less-than-3-acre conversion exemption, and the potential use of the historic cultivation areas in the eastern portion of the project. The applicant is not proposing any mixed-light cultivation, uses two (2) 24v fans in each light-deprivation greenhouse, has an approved less-than-3-acre conversion exemption permit, and will not be cultivating the historic cultivation areas in the eastern portion of the parcel.

There are no streams or stream crossings on the subject parcel and the project does not require a Lake or Streambed Alteration Agreement with CDFW. No generators are proposed as part of the project. The applicant is required to comply with International Dark Sky Standards, and shall ensure that all noise levels do not go above 50 decibels at 100-feet or any tree line when noise generating equipment are in use.

Tribal Cultural Resource Coordination

The project site is located in the Hoopa and Tsnungwe Aboriginal Ancestral Territories. The project was referred to the Northwest Information Center (NWIC), the Hoopa Tribe, and the Tsnungwe Council on May 17, 2018. The NWIC replied on May 29, 2018, recommending that the local Native American tribes be contacted regarding traditional, cultural, and religious heritage values. The Tsnungwe Council commented on September 22, 2019, stating that they had no concerns about the project. The applicant shall adhere to Inadvertent Discover Protocols, and 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.

Access

Access to the project site is from County maintained Patterson road, from Peach Tree Lane which is a private road. The applicant submitted a Road Evaluation Report form for the 0.22 mile section of Peach Tree Lane, including pictures of the road, designating it as being developed to the equivalent of a category 4 road standard. The project was referred to the Department of Public Works on May 17, 2018, and comments were received on September 11, 2018, recommending conditional approval for the project. The applicant shall adhere to the following recommendations from the Department of Public Works:

- All driveways and private road intersections onto the County Road intersections onto the County Road shall be maintained in accordance with the County Code Section 341-1 (Sight Visibility Ordinance).
- The access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.

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 cultivation permits and acres which may be approved in each of the County's Planning Watersheds. The project site is located in the Lower Trinity Planning Watershed, which under Resolution 18-43 is limited to 169 permits and 58 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 59 cultivation permits and the total approved acres would be 25.6 acres of cultivation.

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 having a Site Management Plan prepared for the site, ensuring supplemental lighting and security lighting adheres to Dark Sky Association standards, ensuring project related noise does not harass nearby wildlife which will limit impacts to biological resources as a result of light and noise, and adhering to Inadvertent Discovery Protocols.

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 9,250 sf of outdoor cultivation with ancillary propagation and drying 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:

- Cultivation and Operations Plan received June 28, 2017.
- Site Plan received July 5, 2022.
- Will Serve letter from the Willow Creek Community Services District, dated June 27, 2017.
- A Notice of Applicability letter showing enrollment in the State Water Resources Control Board's Order WQ 2019-0001-DWQ, dated June 4, 2019.
- A Water Resource Protection Plan prepared by Manhard Consulting, dated February 2017.
- A Property Survey prepared by Kolstad Land Surveyors.
- A less-than-3-acre conversion exemption.
- A Road Evaluation Report for Peach Tree Lane, prepared by the applicant dated April 4, 2018.
- Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits.

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 with project Maps)**
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. **(Attached)**
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not Applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above))
7. Copy of Notice of Applicability letter or other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 in the Water Quality Order WQ 2019-0001-DWQ, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. **(Attached)**
8. If the source of water is a well, a copy of the County well permit, if available. (Not Applicable)
9. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (Not Applicable)
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. (less-than-3-acre conversion exemption - **Attached**)

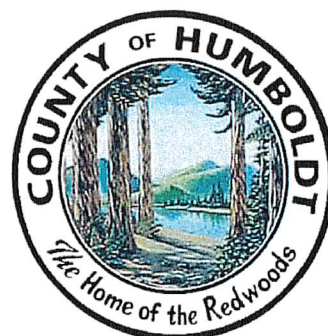
11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On-file)
12. For indoor cultivation facilities, identify the source of electrical power and 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. A Will Serve letter from the Willow Creek Community Services District, dated June 27, 2017. **(Attached)**
16. A Water Resource Protection Plan prepared by Manhard Consulting, dated February 2017. **(Attached)**
17. A Road Evaluation Report for Peach Tree Lane, prepared by the applicant dated April 4, 2018. **(Attached)**
18. A Site Management Plan to be prepared within 90 days of enrollment in the State Water Resources Control Board's Water Quality Order WQ 2019-0001-DWQ. (Condition of Approval)
19. A Property Boundary Survey prepared by Kolstad Land Surveyors. **(Attached)**
20. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)

**GREEN GATE, INC.
CULTIVATION AND OPERATIONS MANUAL
HUMBOLDT COUNTY, CA**

**PROPOSED MEDICAL CANNABIS
CULTIVATION FACILITIES**



PREPARED FOR:



June 2017

**Cultivation and Operations Manual
For
Green Gate, Inc.**

Proposed Medical Cannabis Cultivation Facilities

Lead Agency:

Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

Prepared By:

Manhard Consulting
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In Consultation with:

Green Gate, Inc.
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June 2017

1. PROJECT SUMMARY

1.1. PROJECT OBJECTIVE

Green Gate, Inc. is proposing to permit existing medical cannabis cultivation activities in accordance with the County of Humboldt's (County) *Commercial Medical Marijuana Land Use Ordinance* (CMMLUO), Ordinance No. 2544. Green Gate has applied for a Conditional Use Permit Application for 20,000 square feet of outdoor cultivation. The project includes the permitting of existing and proposed facilities appurtenant to cultivation. The applicant aims to become fully compliant with State and Local cultivation regulations.

1.1.1. LEGACY CULTIVATION RELOCATION AND MITIGATION

The existing eastern site is proposed to be relocated next to the existing western site. The eastern site is approximately 10,500 square feet of outdoor cultivation. Relocation is being proposed for two main factors: (1) the current site is on an average slope of greater than 25% where trees and grading appear to have taken place in 2012-2014; (2) the access road to the eastern site is an old skid road that ranges from mild slopes to very steep slopes with erosion potential. During the relocation process a minimal amount of grading may be necessary but all work will be performed during the dry season and with erosion control measures in place. Mitigation of the upper site will be done in accordance the Water Resource Protection Plan and by removing all cultivation related materials and structures, and replanting with native vegetation and trees.

1.2. SITE DESCRIPTION

The Project is located at 200 Peach Tree Lane, (APN 522-143-024) just north of the community of Willow Creek. The subject parcel is approximately 10.77 acres in size (per the County of Humboldt's WebGIS). The property is mountainous terrain that hosts dense mixed-conifer-hardwood forest composed of oak, madrone, Douglas fir and other species. The property drains westward into an un-named tributary to the Trinity River that is less than a mile away. Development of the property includes a proposed residence, a 50'x75' nursery and 30'x40' drying and storage barn. The construction of the proposed drying and storage barn will allow for the removal of the temporary conex containers.

1.3. LAND USE

The subject has a General Plan designation of Agricultural Rural (AR8) as identified by the Humboldt County General Plan and is zoned Agriculture General (AG). The surrounding parcels are zoned Agricultural Rural (AR), Timber Production Zone (TPZ), and Unclassified (U).

1.4. STATE AND LOCAL COMPLIANCE

1.4.1. STATE OF CALIFORNIA COMMERCIAL CANNABIS ACTIVITY LICENSE

Green Gate, Inc. will obtain a Commercial Cannabis Activity license from the State of California at the time such a license becomes available.

1.4.2. STATE WATER RESOURCES CONTROL BOARD

Water for domestic and cultivation uses are provided by the Willow Creek Community Services District, and no diversion of surface waters are proposed. Accordingly, the filing of water rights with the State of California Water Resources Control Board is not required for this project.

1.4.3. NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD

Effective August 10th, 2016, Green Gate enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB) for coverage under Tier 2 of Order No. 2015-0023 *Waiver of Waste Discharge*

Requirements and General Water Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects in the North Coast Region (WDID Number 1B16211CHUM). A Water Resources Protection Plan was developed for the project by Manhard Consulting, and has been implemented for activities associated with onsite cultivation since March 2017.

1.4.4. HUMBOLDT COUNTY BUILDING DEPARTMENT

All necessary building permits will be obtained from the Humboldt County Building Department for all existing structures, proposed structures and supporting infrastructure upon approval of the Conditional Use Permit

1.4.5. CAL FIRE

The subject property is located within a State Responsibility Area (SRA) for fire protection. Several improvements are proposed in order to meet SRA requirements, including designating a fire turn-around and pull-out area for emergency vehicles, and providing water storage for fire. A 2,500-gallon water tank will be installed with a riser to SRA specifications. Additionally, trees and vegetation will be managed around existing structures to maintain the required 100-foot defensible space. All structures on the property meet the 30-foot SRA setback requirement from property lines.

1.4.6. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

No in-stream work or work within wetland areas is proposed as part of the project. Therefore, a Lake and Streambed Alteration Agreement (LSAA) from the Department of Fish and Wildlife (DFW) is not required.

1.4.7. CULTURAL RESOURCES

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

2. CULTIVATION AND PROCESSING

2.1. NURSERY PROPAGATION AND INITIAL TRANSPLANT

The 50'x75' nursery that is proposed will allow to propagate clones on site from 'mother plants' that demonstrate the desired genetics for the specific strain. Mother plants remain in the vegetative stage solely for propagation. Cuttings are sampled from the mother plants and are rooted into a growing medium. The clones are placed in the nursery and once fully rooted they will be transplanted. Initial planting will occur at the greenhouse/nursery in 4" square pots to 2 gallon containers. The juvenile plants are irrigated using hand watering methods. Plants are exposed to a combination of natural and artificial light for 18 hours a day. After 2-8 weeks, the lead cultivator will decide when the plants are mature enough to be transplanted into the greenhouses or the outdoor pots.

2.2. SCHEDULE FOR OUTDOOR CULTIVATION PLAN

The 20,000 square feet of outdoor cultivation will occur in the six (6) greenhouses and under the sun areas. The green houses consist a 15' x 70', 15' x 65', two 15' x 35', and two at 10' x 35' for a total of 3,775 square feet. The greenhouses consist of 1 ½ inch pvc piping, covered with a clear poly plastic. Woven black and white tarps are used to cover the greenhouses to prevent light from entering to achieve light deprivation. The greenhouses utilize a light deprivation to produce up to two (2) flowering cycles per year. Out of the 20,000 square feet of outdoor cultivation approximately 10,500 square feet will be consolidated and moved next to the existing cultivation site west of the residence. The cultivation schedule in Appendix C details the cultivation, fertilization, and irrigation practices associated with the mixed light operation for a two (2) cycle year, typical for Green Gate.

2.3. IRRIGATION PLAN AND SCHEDULE

Irrigation and fertigation of plants occurs using drip irrigation watering methods. Green Gate, Inc. maintains that irrigation and fertigation is more efficiently and consistent when managed via drip irrigation, allowing for daily inspection of each plant by the cultivator and tailored irrigation and nutrient application depending on the needs of each individual plant. The monthly Cultivation Schedule in Appendix C details the irrigation activities associated with all cultivation.

2.4. PROCESSING PLAN

2.4.1. HARVESTING, DRYING, AND TRIMMING

Plants that are ready for harvest have their flowering branches removed and suspended in the drying room which is equipped with ventilation fans. The drying will take place in the garage/shop. The drying process takes approximately one week, at which time the flowers are bucked into manageable buds and placed in storage bins. The storage bins allow safe transportation to an offsite processing facility. Trimming will be done off site at a licensed processing facility. The waste product, or 'trim', is collected and placed into bins to be weighed, labeled, and sealed. Trim will be transferred to an offsite, licensed manufacturing facility.

2.5. EMPLOYEE PLAN

Green Gate, Inc. is an "agricultural employer" as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 (commencing with Section 1140) of Division 2 of the Labor Code), and will comply with all applicable federal, state and local laws and regulations governing California Agricultural Employers.

2.5.1. JOB DESCRIPTIONS AND EMPLOYEE SUMMARY

- *Agent in Charge*: Responsible for business oversight and management of the Green Gate, Inc. Responsibilities include, but are not limited to: inventory and tracking, personnel, records keeping, budget, and liaison with State and County inspectors as needed. This is a part-time to full-time, seasonal position.
- *Lead Cultivator*: Oversight and management of the day to day cultivation of medical cannabis. Responsibilities include, but are not limited to: irrigation, fertilization, pesticide management and harvest. This is a full-time, year-round position.
- *Assistant Cultivator / Processing Manager*: Provides support to the *Lead Cultivator* in their day to day duties as well as take the Lead Role during times when the *Lead Cultivator* may be off site. During harvests, the *Assistant Cultivator / Processing Manager* duties will switch to oversight and management of the processing the dried/cured medical cannabis. This is a full-time, seasonal position.

- Seasonal Laborer: Provides cultivation, harvesting, and processing support including trim machine operation and hand-finish trimming. This is a part-time to full-time, seasonal position.

2.5.2. EMPLOYEE COUNT

In addition to the *Agent, Lead Cultivator, and Assistant Cultivator positions*, seasonal labor positions will be employed if necessary. The number of seasonal laborers will vary based on the needs of the farm during the cultivation, harvest and processing seasons. During the peak harvest and processing season, there will be an estimated total of four (4) employees at the site.

2.5.3. EMPLOYEE TRAINING AND SAFETY

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

All employees will be trained on proper safety procedure. This training will include but not be limited to: fire safety; use of rubber gloves and respirators; proper hand washing guidelines; and an Emergency Procedures Plan in case of emergency. Contact information for the local fire department, CAL FIRE, Humboldt County Sheriff and Poison Control as well as the Agent in Charge will be posted at the employee restroom. Green Gate will provide rubber gloves and respirators or dust masks to all employees, and will provide a Saline Eye Wash Station at the restroom. Each employee will be provided with a written copy of emergency procedures and contact information (see Appendix D – Emergency Procedures and Contact Information). A copy of the Operations Plan will be kept on site by the Agent in Charge and will contain all material safety data sheets (MSDS), see Appendix B.

2.5.4. TOILET AND HANDWASHING FACILITIES

Anti-bacterial Liquid Soap and paper hand towels will be made available. Employees will work at a distance typically no greater than 500 feet from the restroom facility. The cultivation zone will have a portable toilet during the growing season and have it regularly serviced by its provider. A permitted septic has been approved through the Humboldt County Division of Environmental Health for the proposed residence.

2.5.5. PLUMBING AND SEPTIC SYSTEM & PARKING

See section 3.8.2

2.5.1. ON-SITE HOUSING

There is a proposed single family residence located on site that will be occupied by the property owner/Agent in Charge. All other full-time and seasonal employees live off site and will commute daily to the cultivation site. No new residential structures are proposed as a part of this project.

2.6. SECURITY PLAN AND HOURS OF OPERATION

2.6.1. FACILITY SECURITY

The cultivation areas and drying areas are enclosed in a security fencing. The Entry gate from Peach Tree Lane will remain locked at all times. All other gates on the site will be locked during non-business hours. Access to the facilities are limited exclusively to employees, and restricted access signs are

posted conspicuously at the entry gates. The cultivation and site's structures will have motion activated security lights to illuminate the entrances and parking areas.

2.6.2. HOURS OF OPERATION

Activities associated with cultivation areas (watering, transplanting, and harvesting) will typically occur during daylight hours.

3. ENVIRONMENT

3.1. WATER SOURCE AND PROJECT WATER USE

Water for domestic and cultivation uses are provided by direct service connection to the Willow Creek Community Services District. Green Gate utilizes water management strategies to conserve water on-site. Irrigation and fertigation of plants occurs using top-feed hand watering methods while clones and juvenile plants. Green Gate uses drip irrigation as the plant mature and is in its final staged area.

The table below outlines the estimated irrigation water usage for cultivation during a typical year. Variables such as weather conditions and specific cannabis strains will have a slight effect on water use.

Estimated Annual Irrigation Water Usage (Gallons)

Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
0	0	0	2,500	9,000	15,000	21,000	34,000	34,000	17,000	0	0

3.2. WATER STORAGE

Water for both domestic and irrigation uses is provided by direct service connection to the Willow Creek Community Services District. Accordingly, water storage for cultivation is not necessary. There are two (2) 2,500-gallon tanks at the top of the property along with a 300 gallon mixing tank. If required by Cal-Fire, a 2,500-gallon water tank may be installed in order to comply with SRA fire protection requirements.

3.3. SITE DRAINAGE, RUNOFF AND EROSION CONTROL

The property has ~ 2,100 ft. of access and legacy logging road/skid trails. The ~ 400 ft. that leads to the main site is rocked and in good condition. There are approximately 1,700 feet of old skid roads that access the two upper cannabis gardens on the eastern portion of the property. The skid roads range from gently sloping to very steep. Drainage features (water bars and rolling dips) are needed on the upper access road as per the WRPP map to prevent erosion of the road surface. Rolling dips shall be outsloped approximately 3% to 5% and covered with 4" to 6" mixed diameter sharp angular rock (RD). Water bars will be built at a 30-degree angle to the road with the height of the mound ranging from 8" to 30" depending on the slope of the road.

3.4. WATERSHED AND HABITAT PROTECTION

Currently cultivation activities are more than 200 ft. from the nearest watercourse, which is a class II stream. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits and the WRPP.

Maintenance and repair strategies for site development and road improvements will utilize best management practices, in accordance with NCRWQCB's best management practices. Adherence to the Water Resource Protection Plan will ensure sediment is not discharged into watercourses.

3.5. MONITORING AND REPORTING

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

Onsite monitoring shall occur:

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

A Monitoring and Reporting Form (Order No. 2015-0023 Appendix C) will be submitted upon initial enrollment in the Order (NOI) and then annually by March 31 to the Regional Water Board. The annual report will include data from the monitoring reports.

3.6. ENERGY AND GENERATOR USE

On-grid electricity is provided by PG&E for all cultivation and domestic uses. No generators are planned on being used on site.

3.7. USE AND STORAGE OF REGULATED PRODUCTS

Best Management Practices (BMP's) are employed when storing, handling, mixing, application and disposal of all fertilizers, pesticides and fungicides. All nutrients, pesticides and fungicides are located in a locked storage room, and contained within water tight, locked and labeled containers in accordance with manufactures instruction. Application rates will be tracked and reported with the end of the year monitoring report required in the Water Resources Protection Plan (WRPP). Employees responsible for application are trained to handle, mix, apply or dispose of pesticides/fungicides with proper hand, eye body and respiratory protection in accordance with the manufacturer's recommendations. A gallon of Simple Green all-purpose cleaner is kept on site for routine cleaning. Two (2) 5-gallon gas containers are stored in secondary containment in the garage/shop that provide fuel for the property's standard farm tools (mower, edge trimmer, etc..) for upkeep and maintenance.

3.7.1. FERTILIZERS AND SOIL AMENDMENTS

Nutrients and biological inoculants used for cultivation include:

- Age Old Grow-150 gallons
- Age Old Bloom-150 gallons
- Diatomaceous Earth-50 lbs.
- Dr. Earth Bud and Bloom-500 lbs.
- Earth Worm Castings- 2500 lbs.
- Mocha Bat Guano- 250 lbs.

- Bone Meal- 250 lbs.
- Stutzman Farms Chicken Manure- 500 lbs.

See Appendix B - *Regulated Products Resource List* for product details.

3.7.2. PESTICIDES AND FUNGICIDES

Pesticides and fungicides used for cultivation include:

- Ladybugs
- Neem Oil- 2 gallons
- Safer Caterpillar Killer- 2 gallons

See Appendix B - *Regulated Products Resource List* for product details.

3.7.3. FUELS AND OILS

Fuels and oils stored on site include:

- Gasoline – two 5-Gallon containers

3.8. WASTE MANAGEMENT PLAN

3.8.1. SOLID WASTE MANAGEMENT

A secured trash enclosure with covered waste and recycling bins will be located on site. Waste is removed from the property in a timely manner and is transported to the nearest waste and recycling facility. Cultivation related waste such as large branches, leaves, and roots shall be appropriately stored and composted or burned in a designated area where the residues will not migrate into surface waters. Burning shall be conducted during designated burn days as recommended by the local fire department. Used soils shall be appropriately stored and stabilized with sediment control best management practices that prevent their migration to surface water.

3.8.2. WASTEWATER MANAGEMENT

A permitted septic system for the proposed single-family residence has been installed. The property owner subscribes to a portable toilet service that maintains and services the portable toilet during the seasonal working months.

4. FINISHED PRODUCT MANAGEMENT

4.1. PRODUCT TESTING AND LABELING

Samples are selected from individual harvested cannabis strains and are tested by a licensed third-party lab in accordance with State and local standards. The finished product is labeled with the Green Gate's logo, and will include tracking ID's provided by the County of Humboldt and/or Statewide tracking systems once they become available.

4.2. TRANSPORTATION AND DISTRIBUTION

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

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

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

4.3. PRODUCT INVENTORY AND TRACKING

Until such time as either a County or Statewide cannabis product and inventory tracking system becomes available, an internally-developed system of inventory and tracking is utilized. The Agent in Charge and Lead Cultivator ensure all medical cannabis from clone to packaged product is tracked, accounted for and inventoried. Records are kept at each phase of the harvest and processing operation for reporting and compliance with State and Local regulations. The information recorded for each harvest includes:

- Cultivation canopy area
- Weight of flowers, by-product, and trim waste after drying and separation
- Weight of buds after trimming
- Product ID numbers and product weight
- Staff identification (at each step)
- Physical location of the plant material at all times

Appendix C: Cultivation Activities Schedule

CULTIVATION ACTIVITIES SCHEDULE

Item	Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Drainage, Runoff, and Erosion Control	Winterization (storage of pots/greenhouse covers)											X X X X	
	Temporary Erosion Control BMP's (straw, seeding, fiber rolls, etc)										X X		
	Road maintenance									X X			
	Culvert and inboard ditch maintenance/inspection (N/A)												
	Cultivation waste hauled off site												
Irrigation Activities	Cover soil beds and seed/straw with cover crop											X X	
	Irrigation of juvenile plants /clones				X	X X X X							
	Irrigation of flowering plants						X X	X X X X	X X X X	X X X X	X X X		
Pre-cultivation Activities	Cuttings from Licensed Nursery				X	X							
	Transplant cuttings into 6"-2 Gallon pots					X X X							
	Transplant clones into 15-50 gallon pots or beds						X X						
	Amend soil in greenhouses and Pots				X X								
	Import new cultivation soil (N/A)												
Light Dep Cultivation and Harvest Schedule	Mixed Light/ Light Dep Cycle 1				X	X X X X	X X X X	X X X X	X X				
	Harvest activities								X X				
	Vegetative Phase: .15 hrs. min. of mixed natural and artifical light				X	X X X X	X X						
Outdoor Cultivation and Harvest Schedule	Light deprivation: Greenhouses are covered with blackout covers						X X	X X X X	X X				
	Outdoor Cultivation Cycle						X X X X	X X X X	X X X X	X X X X	X X X X		
	Flowering Phase: Outdoor Cultivation								X X	X X X X	X X X		
	Harvest activities										X X X		
Drying and Processing	Drying activities								X X X X		X X X X	X X	
	Trimming activities (Off Site)												
Staffing Presence	Agent in Charge				X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	
	Lead Cultivator					X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	
	Assistant Cultivator/ Processing Manager					X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	
	Seasonal Laborors					X X			X X	X X	X X X	X X X	

Appendix D: References

Bass, Ronald E., Kenneth M. Bogdan, and Terry Rivasplata. 2013. CEQA Desktop. Point Arena, CA; Solano Book Press. Page 44.

California Code of Regulations. Health and Safety Code Section 11357-11362.9.

<<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=11001-12000&file=11357-11362.9>> Date accessed: July 16, 2014.

California NORML. SB 420 Establishes Prop. 215 Guidelines, Voluntary Patient Identification Card System.

<<http://www.canorml.org/laws/sb420.html>> Date accessed: July 21, 2014.

County of Humboldt. *Medical Marijuana Land Use Ordinance (MMLUO) – Phase IV, Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use* (Staff Report to the Board of Supervisors). January 26, 2016. <<https://humboldt.legistar.com/Calendar.aspx>> Date accessed: March 28, 2016.

North Coast Regional Water Quality Control Board. 2016. *Cannabis Cultivation Waste Discharge Regulatory Program*. http://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/. Date accessed: March 28, 2016.

State Board of Equalization. Information on the Sales and Registration for Marijuana Sellers. June 2007.

<<http://www.boe.ca.gov/news/pdf/173.pdf>>

State of California. Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use. August 2008.

<http://www.ag.ca.gov/cms_attachments/press/pdfs/n1601_medicalmarijuanaguidelines.pdf>

Appendix A: Site Plan

CULTIVATION AND OPERATIONS PLAN



North Coast Regional Water Quality Control Board

June 4, 2019

WDID:1_12CC414523

KENNETH LANCE
200 PEACH TREE LN
WILLOW CREEK, CA 95573

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

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

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

Sincerely,

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

190604_1L_1_12CC414523_1B161096CHUM_Green Gate Garden_NOA_TW

NOTICE OF APPLICABILITY – WASTE DISCHARGE REQUIREMENTS, WATER QUALITY ORDER WQ 2019-0001-DWQ, KENNETH LANCE, HUMBOLDT COUNTY APN(s) 522-143-024-000

Kenneth Lance (hereafter “Discharger”) submitted information through the State Water Resources Control Board’s (State Water Board’s) online portal on April 25, 2019, for discharges of waste associated with cannabis cultivation related activities. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the Policy and General Order. This letter provides notice that the Policy and General Order are applicable to the site as described below. You are hereby assigned waste discharge identification (WDID) number **1_12CC414523**. The original WDID assigned by the North Coast Regional Water Quality Control Board was 1B161096CHUM.

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

1. FACILITY AND DISCHARGE DESCRIPTION

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

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

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

2. SITE-SPECIFIC REQUIREMENTS

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

https://www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_water_quality.html

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

The application requires the Discharger to self-certify that all applicable Best Practicable Treatment or Control (BPTC) measures are being implemented, or will be implemented by the onset of the winter period (November 15 - April 1), following the enrollment date. Landowners of

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

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

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

3. TECHNICAL REPORT REQUIREMENTS

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

A Site Management Plan, by July 23, 2019, consistent with the requirements of General Order Provision C.1.a., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the Site Management Plan.

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

4. MONITORING AND REPORTING PROGRAM

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

A copy of Attachment B to the General Order can be obtained online at the following location, or by contacting staff at the phone number and email address listed below.

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wgo2019_0001_dwq.pdf#page=32

A copy of the Regional Supplement can be obtained online at the following location, or by contacting staff at the phone number and email address listed below.

https://www.waterboards.ca.gov/northcoast/board_decisions/adopted_orders/pdf/2019/19_0023_Regional%20Supplement%2013267%20Order.pdf.

5. ANNUAL FEE

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

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

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

<https://public2.waterboards.ca.gov/cgo>

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

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

LESS THAN 3 ACRE CONVERSION EXEMPTION

FOR ADMIN. USE ONLY

STATE OF CALIFORNIA
DEPARTMENT OF FORESTRY AND FIRE PROTECTION
NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT FROM
CONVERSION AND TIMBER HARVESTING PLAN REQUIREMENTS
RM-73(1104.1a) (9/99)

Ex. #

Date of Receipt

Date Accepted

Date Expires

RECEIVED

AUG 24 2021

Humboldt County
Cannabis Svcs.

VALID FOR ONE YEAR FROM DATE OF RECEIPT BY CDF
TIMBER OPERATIONS CANNOT START UNTIL VALID COPY
OF A NOTICE OF ACCEPTANCE IS RECEIVED FROM CDF

The Director of the Department of Forestry and Fire Protection is hereby notified of timber operations under the requirements of 14 CCR 1104.1(a). Harvesting of trees which is a single conversion to a non-timber growing use of timberland of less than three acres. (See 14 CCR 1104.1(a) for a description of the conditions on the conduct of this type of timber operation, and additional information that is **required** to be submitted.) Complete Items 1. through 8. on both pages of this notice.

1. TIMBER OWNER(S) OF RECORD: Name Billy and Ardith Huber

Address 121 Bay View Dr

City Loleta State CA Zip 95551 Phone _____

SIGNATURE _____ Date _____

TIMBER TAX EXEMPTION: Timber owners owe timber yield tax when they harvest trees unless the harvest is exempt (Revenue and Taxation Code sec. 38116). Some small or low value harvests may be exempt from timber yield tax: Timber removed from an operation whose value does not exceed \$3,000 within a quarter, according to BOE Harvest Value Schedules, Rule 1024. If you believe your harvest may qualify for this exemption, please complete items A and B below. **For timber yield tax information or for further assistance with these questions call the state Board of Equalization, 1-800-400-7115, or write: Timber Tax Section, MIC: 60, State Board of Equalization, P.O. Box 942879, Sacramento, California 94279-0060; or contact the BOE Web Page on the Internet at <http://www.boe.ca.gov>.**

A. Circle the option that most closely estimates the total volume for this harvest, in thousands of board feet (mbf - Net Scribner short log): Under 8 mbf 8-15 mbf 16-25 mbf Over 25 mbf

B. Estimate what percentage of timber to be removed during this harvest will be:
Redwood _____%; Ponderosa pine/Sugar _____%; Douglas-fir 100 % Fir _____%;
Port-Orford Cedar _____%; Cedar (IC, WRC) _____%; Other, conifer _____%; Other, hardwood _____%.

2. TIMBERLAND OWNER(S) OF RECORD: Name Same as above

Address _____
City _____ State _____ Zip _____ Phone _____

I certify, under penalty of perjury, that this is a one-time conversion to a non-timberland use, that there is a "bona fide intent" [14 CCR 1100 (b)] to convert to a house site, and that I have mailed a letter of notice of intent to harvest timber, prepared by the Registered Professional Forester, to all adjacent landowners within 300 feet of the boundaries of the exemption.

SIGNATURE _____ Date _____

3. LICENSED TIMBER OPERATOR(S): Name Elmer Smith Lic. No. A10156

Address 21322 Driftwood Trail

City Redding State CA Zip 96003 Phone (530) 604-4900

SIGNATURE _____ Date _____

4. Designate the legal land description of the location of timberland conversion. A map showing the location of the timberland conversion MUST be attached. The map must show the ownership boundaries, the location of the timber operation, boundaries of the conversion, location and classification of all watercourses, and landing locations.

Section Township Range Base & Meridian County Acreage to be Converted Assessors Parcel Number

21 T7N R5E H.B. & M. Humboldt 2.5 acres 522-143-024

Page 1. NOTE: This form has two pages. Continue on and complete Page 2. Read the instructions before attempting to complete.

5. The following are limitations or requirements for timber operations conducted under a Less Than Three Acre Conversion Exemption (Notice, Notice of Conversion Exemption, Conversion Exemption):

- A. Timber operations shall comply with all other applicable provisions of the Forest Practice Act and regulations, county general plans, zoning ordinances, and any implementing ordinances; copies of the state rules and regulations may be found on CDF's Web Page on the Internet at <http://www.fire.ca.gov>.
- B. All timber operations shall be complete within one year from the date of acceptance by the Director.
- C. All conversion activities shall be complete within two years from the date of acceptance by the Director unless under permit by local jurisdiction. Failure to complete the conversion requires compliance with stocking standards and stocking report requirements of the Act and board regulations.
- D. The timber operator shall remove or dispose of all slash or woody debris in accordance with 14 CCR 1104.1 (a) (2) (D). The timberland owner may assume responsibility for the slash treatment, provided the landowner acknowledges in writing to the Director such responsibility at the time of submission of this notice. The specific requirements shall be included with the acknowledgement.
- E. Timber operations shall not be conducted during the winter period unless a winter operation plan or in lieu practices required by Forest Practice regulations are specified within (attached to) this Notice.
- F. No timber operations are allowed within a Watercourse and Lake Protection Zone unless specifically approved by local permit (e.g. county, city).
- G. No timber operations shall be conducted until the Director's notice of acceptance is received and a valid copy of this Notice and the Director's acceptance shall be kept on site during timber operations.
- H. No sites of rare, threatened or endangered plants or animals or species of special concern shall be disturbed, threatened, or damaged.
- I. No timber operations are allowed on significant historical or archeological sites.
- J. Within one month of the completion of timber operations, including slash disposal, the timberland owner shall submit a Work Completion Report to the Director.

6. I, _____, declare as the authorized designee of the County Board of Supervisors that this conversion exemption is in conformance with all county regulatory requirements, including public notice. (If the county has authorized a designee this item MUST be completed. If it has not, see item 7.)

SIGNATURE _____ Date _____

7. Registered Professional Forester preparing Notice: Name Daniel G. Cohoon Number R.P.F. #2069

Address 1410 2nd Street

City Eureka State CA Zip 95501 Phone (707) 445-4130

I certify that I, or my supervised designee: prepared this Notice of Conversion Exemption Timber Operations; visited the site and flagged the boundaries of the conversion exemption, applicable WLPZ's and equipment limitation zones; prepared a notice according to 14 CCR 1104.1(a)(3) to be mailed by the landowner and that a copy of the notice was posted and dated on the ownership, visible to the public, at least 5 days prior to the postmark date of submission of the Notice of Conversion Exemption; and that if the County Board of Supervisors has not designated a representative authorized to sign in item 6., that I, or my supervised designee, contacted the county and the Notice is in conformance with county regulations.

SIGNATURE of RPF Daniel G. Cohoon Date 6/23/05

8. NOTICE SUBMITTER(S): Name Billy Huber

Address 121 Bay View Dr.

City Loleta State CA Zip 95551 Phone (707)

Submitter must be either 1, 2, or 3 above, and must sign. SIGNATURE _____ Date _____

FILE THIS NOTICE WITH THE NEAREST CDF OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Humboldt, Del Norte, Mendocino, Sonoma, Marin, Lake, Napa, Colusa, Solano, Alameda, => 135 Ridgway Avenue
San Mateo, Santa Cruz, Santa Clara, Contra Costa, and western Trinity Counties. => Santa Rosa, CA 95401

Siskiyou, Modoc, Shasta, eastern Trinity, Lassen, Tehama, Glenn, Butte, Sutter, Plumas, => 6105 Airport Road
Yuba, Sierra, Nevada, and Placer Counties. => Redding, CA 96002

El Dorado, Amador, Alpine, Calaveras, Tuolumne, Mariposa, Merced, Madera, Fresno, Tulare, => 1234 East Shaw Avenue
Kern, Stanislaus, San Benito, Monterey, King, San Joaquin and Sacramento Counties. => Fresno, CA 93710

Ventura, Los Angeles, San Bernardino, Orange, Riverside, Inyo, Mono, San Diego and => 2524 Mulberry Street
Imperial Counties. => Riverside, CA 92501

Huber – Less than 3 Acre Conversion

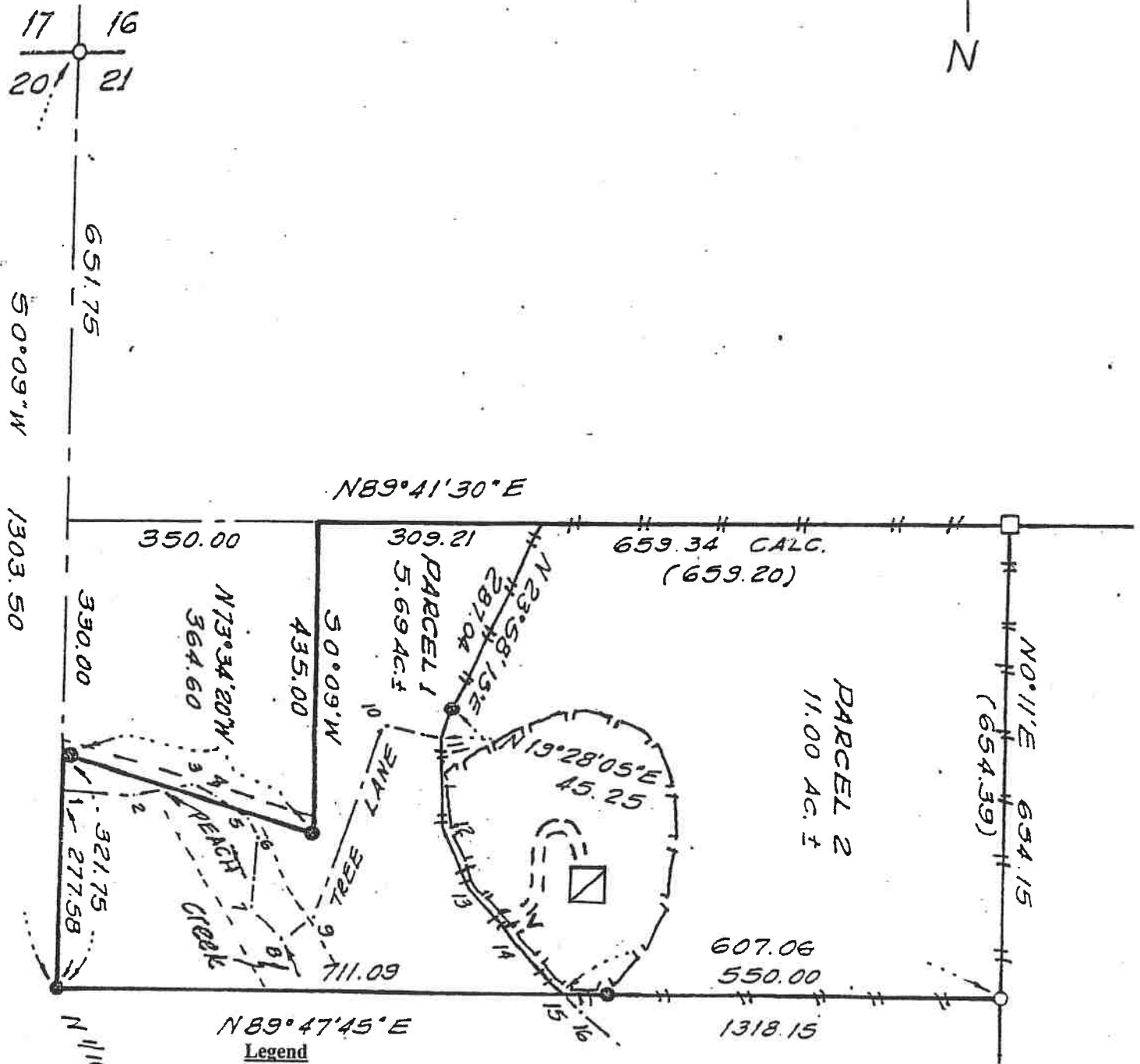
Vegetative removal and Site Prep

The site is dominated by a stand of young Douglas-fir and hardwoods with a minimal understory of various brush species. The vegetation removal will consist of clearing the Douglas-fir and hardwood trees that average between 12" and 20" DBH with a few larger trees and some smaller trees that are not merchantable. The site prep will consist of clearing the trees and doing brush and slash cleanup as stipulated in 14CCR1104.1 (a)(2)(D). This rule stipulates that the full slash treatment shall be completed by March 1 of the following year and will include either burying, chipping and spreading, piling and burning or removal from the site. The rest of the site prep will include removal of stumps in preparation for excavation for the house site. There will also be construction of a driveway to service the house.

Suitability of Soils, Slope, Aspect and Microclimate for Non Timber Use

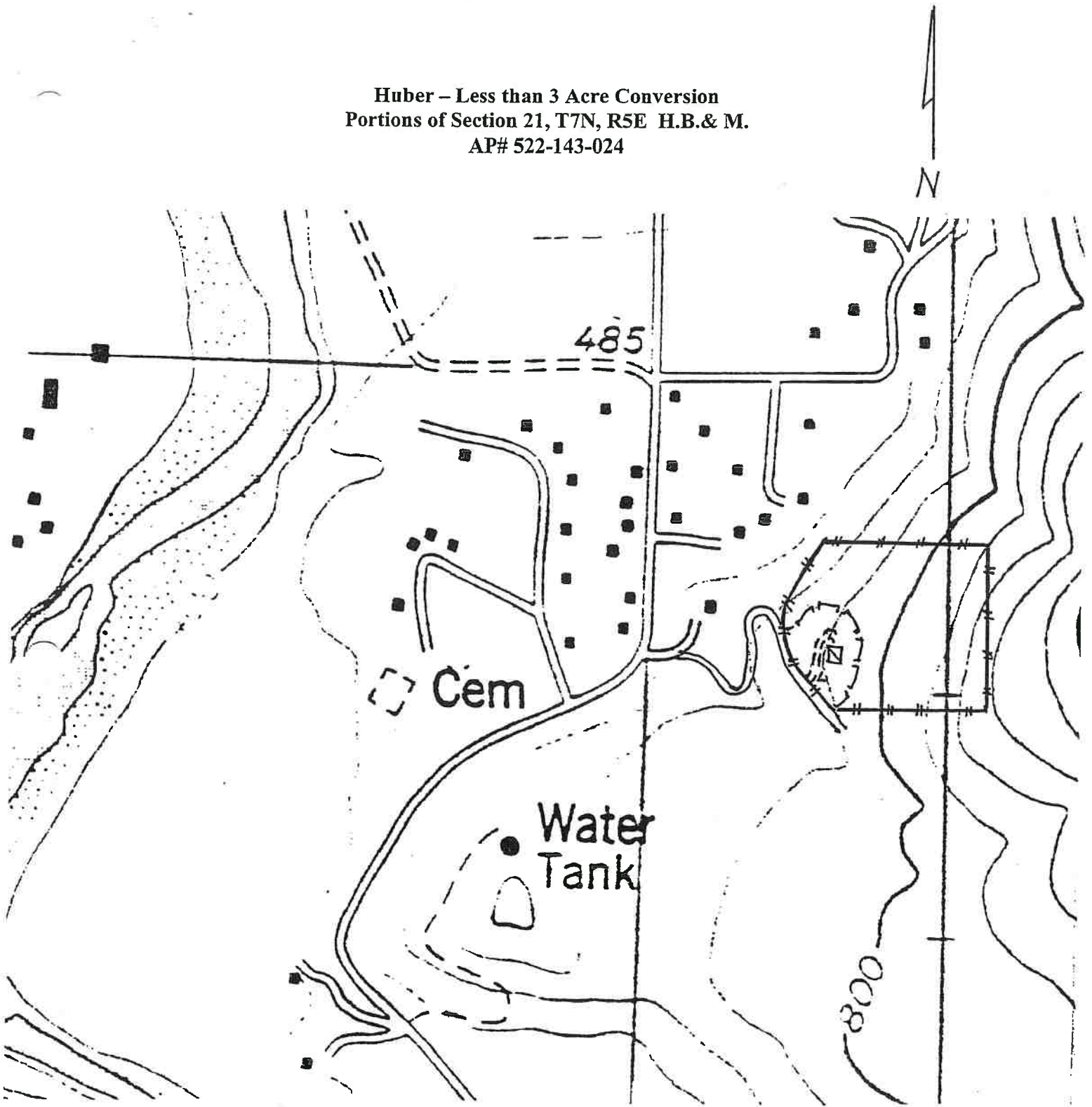
The soils on the subject are a rocky loam to clay loam which would have a moderate to low erosion hazard rating. There are no signs of unstable areas or slides and the site appears well suited for the proposed use. The slope of the conversion runs from 10% to 35% with a west facing aspect. The microclimate of the site is a gentle slope that does not have any watercourses or wet areas.

Huber - Less than 3 Acre Conversion
 Portions of Section 21, T7N, R5E H.B. & M.
 AP# 522-143-024


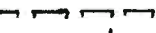

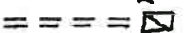


- Legend**
- Property Boundary
 - - - Conversion boundary
 - Landing Location
 - == Anticipated Access to House and House Location

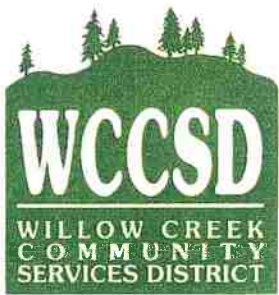
Huber – Less than 3 Acre Conversion
 Portions of Section 21, T7N, R5E H.B. & M.
 AP# 522-143-024



Legend

-  Property Boundary
-  Conversion boundary
-  Landing Location
-  Anticipated Access to House and House Location

Scale 1" = 500'



June 27, 2017

Kenneth Lance,
PO Box 583
Willow Creek, CA 95573

RE: Water use at 200 Peach Tree Lane

Mr. Lance

Your residence at 200 Peach Tree Lane in Willow Creek has an existing 5/8" water meter on the Willow Creek Community Services District water system. Your average annual water usage is approximately 36,000 cubic feet.

I understand you have inquired if this meter can continue to be used at this rate for your agricultural business. This is acceptable to the Willow Creek Community Services District.

Please note that the WCCSD has a Drought Ordinance in its Board Policy. In the event of a drought, the water usage may be restricted per the policy (see attached).

Please let me know if you have any additional questions.

Sincerely,

A handwritten signature in blue ink that reads "Susan O'Gorman". The signature is fluid and cursive, with the first name "Susan" and last name "O'Gorman" clearly distinguishable.

Susan O'Gorman
General Manager

Section 7 - Shortage of Water Priorities (Ord. #44 3.14.2014) (amended 4.30.15)

If for any reason, the Willow Creek Community Services Districts water is significantly depleted, the following priorities for water usage shall be followed.

1. District residential and small business customers will be our top priority.
2. Livestock watering.
3. Agricultural usage.
4. Commercial, Industrial, Golf Courses and Park Systems.

SECTION 7A - DROUGHT CONDITIONS

1. If the Willow Creek Community Services District experiences drought conditions and the watershed is stressed from low rainfall. The District will impose the following water restrictions, if the Albert E Hodgson Water Treatment Facility is not able to pump and treat a minimum of 2.25 CFS (Cubic Feet Second) during peak usage from the confluences of the Willow Creek.
2. The Willow Creek Community Services District will follow all of the Governors executive orders of said document.
3. Governor may require a percentage of mandatory reduction of water usage (To be determined), **2015 will be 25%.**
4. No watering or washing down of driveways.
5. Washing vehicles with nozzles on hoses only.
6. No wasting water by prolonged leaks (must be repaired within 72 hours of notification).
7. Turning auto sprinklers off during rain storms and for two days after.
8. Ornamental fountains must have a recirculation water pump.
9. Water days may be restricted (If necessary).
10. No watering of public street medians with potable water that have ornamental turf.
11. Potable water sold within the WCCSD boundaries to water tenders will be limited to one load per week (up to 3,000 gallons per load) for residential use per parcel. This will be by permit only.
Exception for water tenders will be for emergency services vehicles.
12. **Public Notice of Hearing:** Said Board of Directors shall, pursuant to Section 6061 of California Government Code, publish said hearing date at least seven days prior to vote on Emergency Drought Conditions.
13. Implementation of SECTION 7A, the Board of Directors will by majority vote; **State a Declaration of Emergency Drought Conditions in the Willow Creek Watershed.**

14. Such vote shall be enacted for that current calendar year only. If conditions exist continuously said Board of Directors shall vote each calendar year thereafter.
15. The Willow Creek Community Services District **will restrict the water usage of our Park System up to 95 percent** (to be determined by the General Manager).
16. The WCCSD will ask for **volunteer** water consumption decrease of up to 20 percent of normal monthly use for all customers first.
17. If **volunteer** usage fails to reach water usage goals, the following steps will be implemented.
 - A. Residential customers may be restricted up to 50 percent (to be determined by the General Manager) of normal household water usage. In particular warm outdoor watering season (May to October). All usage will be based on monthly average.
 - B. Residents will be restricted of no watering of lawns and gardens.
 - C. Livestock watering will be restricted to watering and care of animals only.
 - D. 1" to 3" Commercial, Industrial, large business and Agricultural meters will be restricted up to 75 percent (to be determined by the General Manager) and will be restricted of no watering of lawns. All usage will be based on a monthly average.
 - E. The District will restrict fire hydrant usage to emergency household water (dwellings, non-agriculture) for out of District and will also allow for the use of all fire departments and public emergency services.
 - F. Water will not be sold from hydrants for agriculture, commercial or personal use during drought conditions for non-emergency.
 - G. Customers not in compliance (water restrictions) with ORDINANCE NUMBER 44 will be subject to termination of service. However not before a written notice of non-compliance and the WCCSD working with the customer to rectify said non-compliance. This will be determined by the General Manager.
 - H. Customer service will not be restored without written agreement of compliance of ORDINANCE NUMBER 44 and acceptance of said agreement by the General Manager.
 - I. Said customer shall pay all costs that were occurred by the Willow Creek Community Services District for enforcing ORDINANCE NUMBER 44.
8. Appeal process: Customer may appeal noncompliance of ORIDANCE NUMBER 44 by following board policy protocol.
9. WCCSD customers will be given a 96 hour public notice (News outlets, WCCSD website and US Mail) if SECTION 7A is to be implemented.



Water Resources Protection Plan

For fulfillment of

Order No. 2015-0023

Waiver of Waste Discharge Requirements

and

General Water Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or operations with Similar Environmental Effects in the North Coast Region

Prepared for:

Kenneth Lance

Green Gate MBC

and

North Coast Regional Water Quality Control Board

Prepared by:



February 2017

General Information

OWNER: Kenneth Lance
P.O. Box 583
Willow Creek, CA 95573

SITE ADDRESS: 200 Peach Tree Lane
Willow Creek, Ca 95573

PARCEL: Assessor Parcel Number: 522-143-024
General Plan: Agricultural Rural (AR8);
Zone: Agricultural Grazing (AG)

ACRES: Approximately 10.76 acres (per Humboldt County WebGIS)
Disturbed Area: Approximately 0.97 acres

INTRODUCTION

This Water Resources Protection Plan (Plan) was developed to satisfy conditions of the Tier 2 enrollment requirements in the State Water Resource Control Board (SWCRB) Order No. 2015-0023 (Order). The purpose of this Order is to provide a water quality regulatory structure to prevent and/or address poor water quality conditions and adverse impacts to water resources associated with cannabis cultivation on private land. Under this Order, any landowner or operator cultivating cannabis that results in a discharge of waste to an area that could affect waters of the State may elect to enroll and comply with this Order to ensure their discharges are authorized and receive a conditional waiver for the discharges and associated activities described in Finding 4 of the Order. Using data from an onsite assessment, this Plan includes measures to be implemented to meet "Standard Conditions" listed in the Order Provision I.A for cannabis cultivation and associated activities to meet the waiver requirement.

SITE LOCATION

The project site is located approximately 3.3 miles north of Willow Creek, CA. To reach the site from Eureka take US-101 north for approximately 9 miles. Take exit 716A for CA-299 east for 37.7 miles to the town of Willow Creek. Turn left on Country Club Road for .9 miles. Turn left onto Patterson Road for 2 miles. Turn right onto Peach Tree Lane, continue on Peach Tree Lane for .2 miles and 200 Peach Tree Lane will be on the left. The site is located in Section 21, Township 7 North, Range 5 East, H.B. & M. and can be seen on the Willow Creek, north east 7.5' USGS quadrangle map. Furthermore, the Site is located at Latitude 40.9695 and Longitude -123.6269. The subject parcel is approximately 10.76 acres in size (per Humboldt County WebGIS).

SITE DESCRIPTION

The property is located in the Trinity River watershed in north - eastern Humboldt County at an elevation of approximately 800 feet above mean sea level. The property is mountainous terrain that hosts dense mixed-conifer-hardwood forest composed of oak, madrone, Douglas fir and other species. The climate here is characterized by a pattern of high-intensity rainfall in winter with the occasional snow, and warm dry summers. Mean annual precipitation is approximately 51 inches. The property drains westward into an un-named tributary to the Trinity River that is less than a mile away. The Trinity River has been listed as an impaired waterbody for excessive sediment under Section 303(d) of the Clean Water Act. In the Willow Creek 7.5 quadrangle, the Trinity River provides habitat for 4 threatened or endangered species

(Coho Salmon, Steelhead, Chinook Salmon, Green Sturgeon (CDFW CNDDDB BIOS)) and has been identified as an important habitat for salmonids in the region.

The site is in the Galice Formation with the primary rock types gray phyllitic metagraywacke, slate and phyllitic slate. The soils within the area comprise predominately Clallam family, moderately deep Hugo family, deep, Maymen family association, (35 to 70 percent slopes) which are considered well drained and have a water table that is typically greater than 80 inches (NRCS Websoil Survey).

The property has been logged in the past and there are several legacy logging roads and skid trails on the hillslope east of the cultivation area. These roads are recovering and do not pose a threat to water to water quality. The rest of the property appears to be geomorphically stable and is recovering from past logging.

The Site has a Land Use Designation of Agricultural Rural (AR8) as described in the Humboldt County General Plan – Volume 1, Framework Plan (FWRK). The site is zoned Agricultural Grazing (AG).

INVENTORY AND ASSESSMENT

Office analysis and a field inventory were used to assess the property for compliance with the Standard Conditions as listed in Order Provision I.A. Pre-field inspection, an air photo analysis (google earth and air photos) was used to identify existing infrastructure, watercourses, and general layout of the property. Geomorphic information was evaluated and a soils report generated to assess potential erosivity of the site. The field inventory was conducted by the engineering staff of Manhard Consulting. The inventory included GPS mapping of structures, water tanks, ponds, roads, agricultural sites and other infrastructure features. GPS was also used to map watercourse features including: extent of streams, riparian zones, ponds, ditches, and wetlands.

Information on the current and planned use of buildings was collected. Structures that contained fertilizers, petroleum products, or pesticides associated with cannabis cultivation were inventoried to assess proper storage. Buildings were assessed for compliance with local building ordinances.

The water system was evaluated for its source, storage, and use. There is no point of diversion as water is supplied by the Willow Creek Community Services District. Elements of the water storage system were mapped and data collected on the number and size of tanks, the pumping system, efficiency, stability, and potential for catastrophic failure. All aspects of the water system were evaluated for existing erosion and the potential for sediment delivery to the stream network. Assessment of seasonal water use was documented through water bills. (Attachment C). The water system was assessed using field observation and office analysis.

Roads were evaluated to identify and prescribe treatment for discharges and controllable sediment delivery sites. The road network was examined for opportunities to discontinued use and restoration of high sediment risk roads. Road surfaces, cutbanks, and fillslopes were examined for rills, gullies and surface erosion delivering sediment to the stream network. Road drainage was evaluated for effectiveness in routing water away from watercourse and maintaining road and slope stability. There are no stream crossings on the property and no need to evaluate. Location of treatment recommendations were mapped and incorporated into the design plan set in the office.

Cannabis cultivation sites were evaluated for controllable sediment delivery sites, irrigation runoff, waste disposal, and storage of petroleum, fertilizers, and other chemicals used in the cultivation process.

Proximity of cultivation areas to riparian zones, wetlands, and streams was recorded. Owners were consulted for information on the rate and application method of fertilizers, and other compounds, used in cultivation.

CURRENT SITE CONDITIONS

The site is currently being used for cannabis cultivation. Buildings on the site include a garage/shop that serves as a seasonal residence and four metal shipping containers (conex box) used for storage. Current agricultural consist of six seasonal greenhouses: 15' x 70', 15' x 65', two 15' x 35', and two at 10' x 35', and five outdoor cultivation sites comprising 20,000 ft² of cultivation for a total of 23,775 ft² of cannabis cultivation.

Water for the site is supplied by the Willow Creek Community Services District. There are no streams on the property and the closest class III stream is 227 ft. from the nearest greenhouse or cannabis cultivation area. Water is pumped up to a 2,500 holding tank at the highest elevation on the property (east side) and gravity fed to cultivation areas. There is a 300 gallon mixing tank uphill from outdoor (OD) areas 1, 2, and 3 and greenhouses 1 through 5.

The property has ~ 2,100 ft. of access and legacy logging road/skid trails. The two main roads that lead from Peach Tree Lane to the recreational vehicle pad and the cabin total ~420 feet. They are rocked and in good condition. Runoff from the lower 280 feet of these two main access roads discharges onto Peach Tree Lane, and lacking a ditch on the east side of the road, the discharge flows across the road and down to a class II stream. There are approximately 1,700 feet of old skid roads that access the two upper cannabis gardens on the eastern portion of the property. The skid roads range from gently sloping to very steep. They are in generally good condition and frequently out-sloped but would benefit from rolling dips or waterbars at several locations where the road is steep and/ or entrenched. The lower, western part of the property is gently sloping and has been cleared for cannabis gardens, the cabin and RV pads, and associated outbuildings. The eastern and northern portions (~ 80%) of the property are steep and forested except for clearings created for cannabis gardens and skid roads. Logs and slash from tree removal have been piled at several locations and pose a fire hazard. Treatment of the slash and logs is required.

Fuel, fertilizers, pesticides, and chemicals are currently stored in the conex boxes and will need secondary containment. Purchase of an emergency spill kit is recommended. Used soil from the greenhouses is recycled and applied to the outdoor cultivation beds. Cultivation waste is disposed off-site (hailed to an approved landfill or transfer station).

The site is fairly well kept but there are two areas where old tires and discarded irrigation pipe are stored that require cleanup. Refuse is stored in plastic garbage cans and hauled to an authorized dump on a regular basis. There is a fifth-wheel recreational vehicle on site used as a seasonal residence, plus two travel trailers and two tool trailers used for materials and tools storage. The site has a permitted septic system which has not yet been installed. Portable toilets are currently used for human waste and are pumped out weekly during the spring-summer-fall period of cultivation activity and as needed through the winter.

The property owner has applied to commercially cultivate, process, and manufacture of medical cannabis under Humboldt County's Ordinance NO. 2554, *the Commercial Medical Marijuana Land Use Ordinance (CMMLOU)* under the name of Deerfield Farms, including a building permit for a drying/ processing facility on site. Cultivation plans for 2017 include removing the conex boxes, re-grading the landing to move greenhouse #5 to the lower cultivation area.

DESCRIPTION OF CANNABIS ACTIVITIES

Onsite cultivation will consist of two cycles of the “light deprivation” cultivation in the greenhouses and one cycle for the outdoor cultivation areas. Light deprivation is a cultivation technique that manipulates the amount of light a plant receives to induce flowering, even during the elongated daylight hours of summer months. This technique can shorten the growing and flowering stages of a plant producing a larger quantity of smaller crops. With outdoor grows in greenhouses, 2 – 3 cycles are possible from spring to fall. Starts will be procured off-site and then transplanted into garden beds for the greenhouses and outdoor cultivation areas. Drying will occur both on- and off-site. On-site drying will occur in the four metal shipping containers and the garage. Processing will occur off-site. The landowner plans to build a permitted processing building on site in the future. Transportation and sale of the final product are addressed in the property owner’s application for commercial cultivation under Humboldt County Ordinance No. 2455, *the Commercial Medical Marijuana Land Use Ordinance (CMMLOU)*.

Plants will be grown in a soil mix and supplemented with soil amendments and fertilizers (Attachment D). Plants in greenhouses are grown in new soil brought in annually. Outdoor plants are grown in native soil amended with the used greenhouse soil.

Plants are watered with a drip irrigation system at a rate of 50 gallons every 2 days for the large greenhouses and 25 gallons every 2 days for the small greenhouses. Drip irrigation rates are such that no runoff is generated. Outdoor and greenhouse plants use between 2,500 gallons and 5,000 gallons per week total, depending on weather conditions and time of year. Starts are hand-watered in two to three-gallon pots. The total estimated annual water use is 55,000 gallons.

CORRECTIVE ACTIONS

Based on field investigations, corrective actions were developed to treat areas on the property that were not compliant with the Standard Conditions as listed in Order No. 2015-0023 Provision I.A (Table 1). Each location was recorded on the Water Resources Protection Plan Map (WRPP Map – Attachment A) with a unique Map ID that relates back to Table 1. The current condition was evaluated and an appropriate treatment selected based Best Management Practices (BMPs) outlined in Appendix B of the Order. A priority was attached to each corrective action based on threat to water quality and multi-year treatment planning. Some treatments will require the issuance of permits before work can commence. Areas that receive corrective actions will be monitored to evaluate the success of the treatment.

TABLE 1. Identified sites for corrective action at Lance Parcel Number: 522-143-024.

Map ID	Description	Associated Standard Condition	Current Condition	Corrective Action	*Priority for Action (1 = High)	Permanent BMP Time Schedule
GR-1	Garbage	I.A.11.b I.A.11.c	Old trays, pipe piled on skid road	Remove and dispose	3	Oct-17
GR-2	Garbage	I.A.11.b I.A.11.c	Old tires, plastic, trays piled at edge of road	Remove and dispose	3	Oct-17
RD (all)	Rolling Dips	I.A.1.a I.A.1.b I.A.1.d	Sections of road currently have no distinct drainage pattern	Install rolling dips as identified and according to standard drainage spacing	2	Oct-17
SW-1	Soil waste	I.A.7.a	Used soil stacked in open bags where nutrients can be leached by rain and potentially transported to stream system	Spread used soil in outdoor beds	2	Jun-17
VW-1	Vegetation Waste	NA	Slash from tree clearing left in pile at edge of forest	Treat slash by lopping / scattering, chipping, or haul to designated burn area and burn when permissible burn day declared by North Coast Air Quality Management District	2	Oct-17
VW-2	Vegetation Waste	NA	Slash from tree clearing left in pile at edge of forest	Treat slash by lopping / scattering, chipping, or haul to designated burn area and burn when permissible burn day declared by North Coast Air Quality Management District	2	Oct-17
WB (all)	Waterbars	I.A.1.a I.A.1.b I.A.1.d	Sections of road currently have no distinct drainage pattern	Install water bars as identified and according to standard drainage spacing	2	Oct-18

TABLE 1. Identified sites for corrective action at Lance Parcel Number: 522-143-024.

Map ID	Description	Associated Standard Condition	Current Condition	Corrective Action	*Priority for Action (1 = High)	Permanent BMP Time Schedule
WM-1	Site Run-off	I.A.1.c	A ditch receiving runoff from the lower portion of the site is plugged and forces run-off onto and down the road	Clean the ditch from the driveway to the hairpin bend on Peach Tree Lane	1	Oct-17

* Priority based on potential sediment delivery to stream system. 1 = High Priority, 2 = Medium Priority, 3 = Low Priority.

MEASURES TO MEET STANDARD CONDITIONS

Site Maintenance, Erosion Control and Drainage Features

Drainage features (water bars and rolling dips) are needed on the upper access road as per the WRPP map to prevent erosion of the road surface. Rolling dips shall be outsloped approximately 3% to 5% and covered with 4" to 6" mixed diameter sharp angular rock (RD). Water bars will be built at a 30-degree angle to the road with the height of the mound ranging from 8" to 30" depending on the slope of the road (WB). The ditch along Peach Tree Lane along the western property boundary needs to be redefined to prevent run-off from flowing across and down the road to a class II stream (WM-1). The main access roads are well rocked and do not transport sediment. Some parking/turn out areas adjacent to the access road require additional rocking.

Stream Crossing Maintenance

There are no stream crossings on the property.

Riparian and Wetland Protection and Management

Currently cultivation activities are more than 200 ft. from the nearest watercourse, which is a class II stream. The distance to each cultivation is summarized in the table below.

Table 2. Distance to water body from cultivation area or associated facility.

Cultivation Area or Associated Facility	Distance to Water Body (ft.)	Water Body Type
Greenhouse #1	270	Class II Seasonal Drainage
Greenhouse #2	300	Class II Seasonal Drainage
Greenhouse #3	315	Class II Seasonal Drainage
Greenhouse #4	320	Class II Seasonal Drainage
Greenhouse #5	310	Class II Seasonal Drainage
Outdoor Cultivation #1	227	Class II Seasonal Drainage
Outdoor Cultivation #2	344	Class II Seasonal Drainage
Outdoor Cultivation #3	430	Class II Seasonal Drainage
Outdoor Cultivation #4	547	Class II Seasonal Drainage
Outdoor Cultivation #5	600	Class II Seasonal Drainage

Spoils Management

There are no dirt spoil piles currently existing. Future spoils will be placed in designated area where they cannot be transported to surface water (WRPP Map – Attachment 1). The spoils will also be contained and/or stabilized with erosion and sediment control BMPs to prevent sediment mobilization and potential delivery to surface waters. complete

Water Storage and Use Plan

Water Rights

Water is supplied by the Willow Creek Community Services District and there is no well nor point of diversion on the property.

TABLE 3. Dates of water diversion and quantities diverted.

Purpose of Use	Start Date	End Date	From Diversion (gal)	From Storage (gal)
Municipal (Domestic)	Jan. 1	Dec. 31	20,000	
Municipal (Cultivation)	March. 1	Nov. 31	55,000	

*Estimated water use in 2016.

Water Storage and Use

The Registrant has two 2,500-gallon water storage tanks and a 300-gallon tank for mixing fertilizers for a total capacity of 5,300 gallons. Water is pumped from the Willow Creek service feed to the lower 2,500-gallon tank. From there the water is sent the 300-gallon fertilizer mixing tank to water the lower cultivation, and pumped up to a 2,500-gallon tank to gravity feed the upper cultivation areas. The cumulative storage for the parcel is listed in the table below.

TABLE 4. List of current total water storage vessels.

Type	Quantity (gal)	Number	Total Storage (gal)
Plastic tank	2,500	2	5,000
Mixing tank	300	1	300
Total Storage on Site	2,800		5,300

Irrigation Runoff

No evidence of water movement or erosion in the cultivation area from irrigation was observed during the inventory. The current cultivation sites are over 200 ft. from the nearest stream course. Watering via drip irrigation at agronomic rates will prevent irrigation runoff from leaving the cultivation sites. To further prevent impacts to water quality, the property owner will:

- implement water conservation measures;
- irrigate at agronomic rates;
- apply fertilizers/chemicals according to label specifications;
- maintain stable vegetated buffer between cultivation area and riparian zone; and
- install water, erosion, and sediment BMPs as required.

As per the Standard Conditions, future cultivation areas and associated facilities will not be located or occur within 100 ft. of any Class I or II watercourse or within 50 ft. of any class III watercourse or wetlands.

Fertilizer and Soil Amendments

The fertilizer/soil amendments being used on site are listed in Attachment D (Fertilizers/Pesticides). Also included in Attachment D is a list of all pesticides, fungicides, and herbicides used on site. The onsite inventory found no fertilizers or soil amendments stored in locations that could leach or be transported to the stream system. Fertilizers and soil amendments are currently being stored in the metal shipping (conex box) container (WRPP Map – Attachment A). Liquid fertilizers will be placed in bins, or other container for secondary containment. Property owner will apply and use fertilizers and soil amendments per packaging instructions and/or at proper agronomic rates. Application rates will be tracked and reported with the end of the year monitoring. incomplete need to finish list

Pesticides/Herbicides

The property owner uses Neem Oil (Safer Grow brand) and “Caterpillar Killer” (Safer brand) good to control insect infestations as permitted for use on cannabis by the Order (Appendix B). The use of these products will be consistent with product labelling and it will be stored in the enclosed conex container along with the fertilizers and soil amendments (Attachment D). Application rates will be tracked and reported with the end of the year monitoring report (Attachment F). incomplete need to finish list

Petroleum Product and other Chemicals

During the site investigation there was no gasoline canisters or temporary generators stored in locations that could leach or be transported to the stream system. The conex boxes are used to store chemicals and petroleum products. Secondary containment is required for spill prevention and the applicant will install secondary containment. Spill clean-up kits will be kept on site in the conex boxes.

Cultivation and Waste

Vegetation matter such as branches and leaves will be hauled off site and disposed at an appropriate waste disposal facility. Soil waste, currently stacked in a pile of full grow-bags, needs to be covered to avoid leaching of nutrients or spread out on the outdoor beds and seeded with a cover crop for over-wintering. To reduce fire hazard, vegetation waste from tree clearing at the upper two cultivation sites need to be lopped and scattered, chipped and scattered, or hauled to a clearing and burned on a day designated as a permissible burn day by the North Coast Air Quality Management District.

Refuse and Human Waste

The property owner currently has a permit to build a septic system for the single family residence (Attachment E) but the septic system has not yet been installed. The property owner subscribes to a portable toilet service that pumps the toilet out weekly during peak use months (April - October) and as needed during the off-season (November – March). The property is mostly well maintained and generally free of garbage, with plastic trash bins used to store trash and regular disposal runs to prevent the accumulation of trash. The small amount of irrigation pipe waste and old tires on the site will be collected and transported to an approved disposal site (GR-1, GR-2). Future garbage will be stored in garbage cans or a small dumpster in a location and manner that prevents its discharge to receiving waters and prevents any leachate or contact water from entering or percolating to receiving waters until it is disposed at an appropriate waste disposal location.

Remediation/Cleanup/Restoration

There is no restoration or remediation required of this property.

MONITORING AND REPORTING

Monitoring

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

- Before and after any significant alteration or upgrade to a given stream crossing, road segment, or other controllable sediment discharge site. Inspection should include photographic documentation, with photo records to be kept on site;
- Prior to October 15 to evaluate site preparedness for storm events and stormwater runoff;
- By December 15; and,

- Following any rainfall event with an intensity of 3 inches precipitation in 24 hours. Precipitation data can be obtained from the National Weather Service by entering the site zip code at <http://www.srh.noaa.gov/forecast>.

Reporting

A Monitoring and Reporting Form (Order No. 2015-0023 Appendix C) will be submitted upon initial enrollment in the Order (NOI) and then annually by March 31 to the Regional Water Board. The annual report will include data from the monitoring reports (Attachment F).

ATTACHMENTS

- A. Water Resources Protection Plan Set
- B. Design Plans
- C. Water Rights Documentation
- D. Cultivation Fertilizer and Pesticide List
- E. Septic System Documentation
- F. Monitoring Plan
- G. RWQCB Order No. 2015-0023 and Appendices

LANCE

WATER RESOURCES PROTECTION PLAN

APN: 522-143-024

DIRECTIONS TO SITE:
 FROM EUREKA, CA
 - TAKE HIGHWAY 101 SOUTH
 - APPROX. 37.7 MILES
 - TAKE EXIT 716A FOR CA-299E
 - CONTINUE ONTO CA-299E
 (APPROX. 3.7 MILES)
 - TURN LEFT ONTO PATTERSON RD
 (APPROX. 9 MILES)
 - TURN LEFT ONTO PEACH TREE LN
 (APPROX. 2 MILES)
 - TURN RIGHT ONTO PEACH TREE LN
 - SITE DRIVEWAY ON LEFT



VICINITY MAP
 NOT TO SCALE

PROJECT INFORMATION:

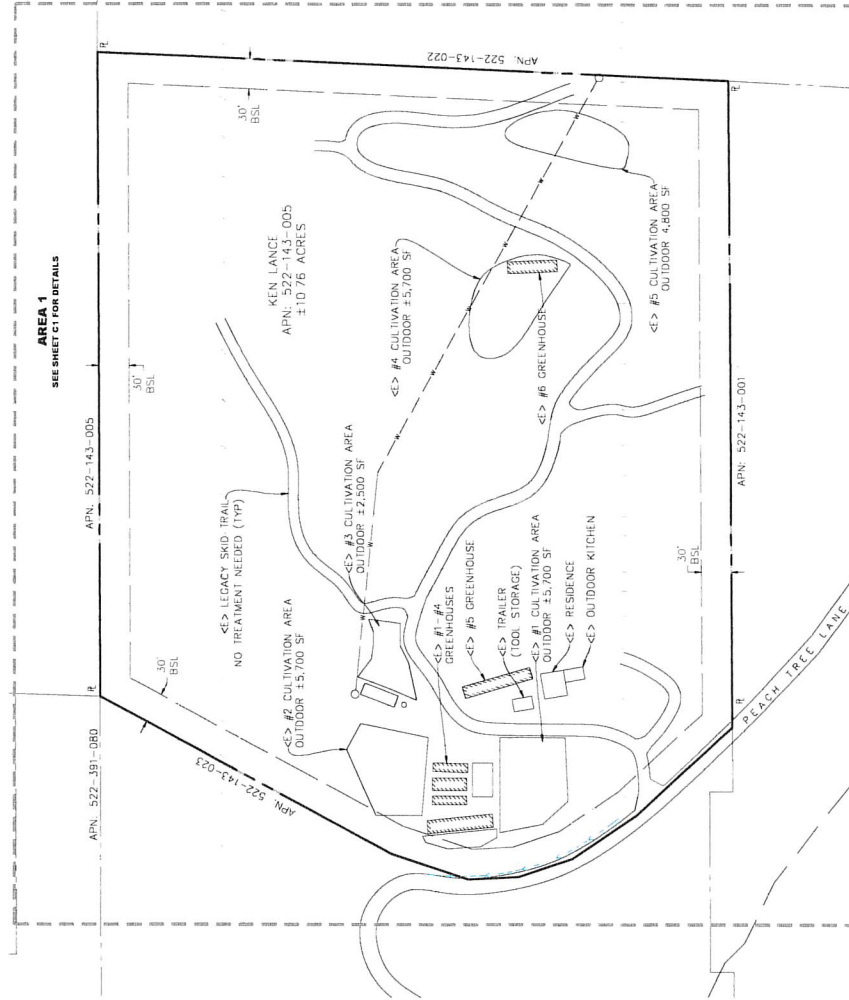
CLIENT:
 KENNETH LANCE
 P.O. BOX 483
 WILLOW CREEK, CA 95573

OWNERS AGENT:
 MANHARD CONSULTING
 1111 BROADWAY SUITE A
 EUREKA, CA 95501
 (707) 444-3800

SITE ADDRESS:
 APN: 522-143-024
 200 PEACH TREE LN
 WILLOW CREEK, CA 95573

INDEX OF SHEETS

SHEET NO.	DESCRIPTION
C0	PLOT PLAN, VICINITY MAP, & PROJECT NOTES
C1	AREA 1 MAP



PLOT PLAN
 11x17 SHEET 1"=120'
 0 30 60 120
NORTH

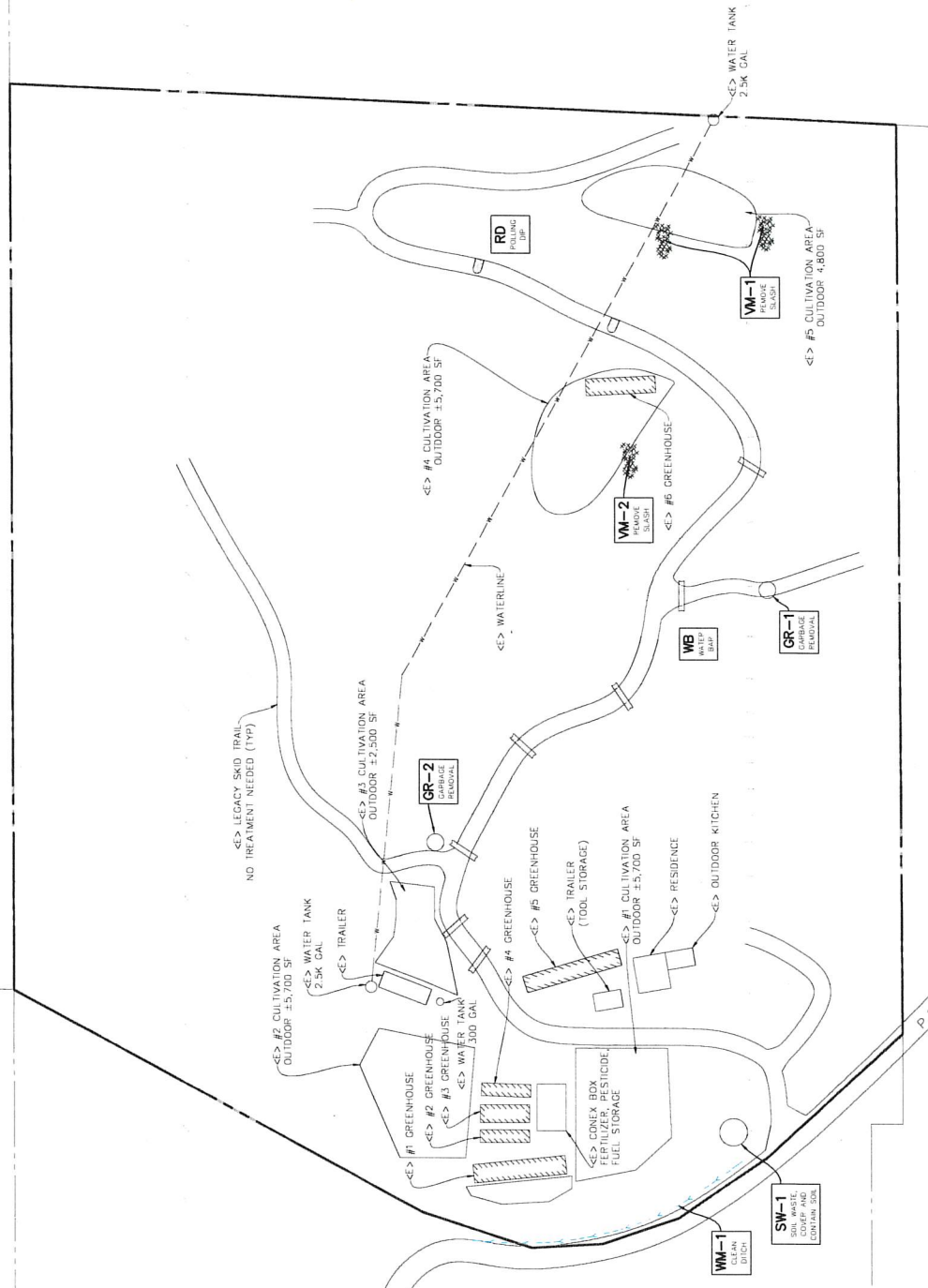
NOTE: LOCATIONS OF
 PROPERTY BOUNDARY LINES
 ARE APPROXIMATE

LANCE **WRPP AREA 1** **APN: 522-143-024**

LEGEND	
	OVERLAND FLOW
	DIPINAGE
	WATERCOURSE
	USGS CONTOUR
	ARMORED SECTION OF ROAD
	ROLLING DIP
	GRAVEL CHECK DAM
	PROPOSED
	EXISTING
	OUTSLOPE
	INSLOPE
	PHOTO POINT
	CUT/FILL SLOPE
	CULVERT
	WATER BAR

AREA 1
 11x17 SHEET: 1"=80'
 0 20 40 80
 NORTH

NOTE: LOCATIONS OF
 PROPERTY BOUNDARY LINES
 ARE APPROXIMATE



LANCE / APN: 522-143-024
 200 PEACH TREE LN, WILLOW CREEK, CA 95673
 WRPP AREA 1

Manhard CONSULTING
 10110 Lake Blvd, Suite 200, Willow Creek, CA 95673
 (916) 939-1100
 Fax: (916) 939-1101
 Email: info@manhardconsulting.com
 Website: www.manhardconsulting.com

SHEET
 11
 LANCE WCC-01
 11x17 SHEET: 1"=80'



ARCATA-EUREKA AIRPORT TERMINAL
MCKINLEYVILLE
FAX 839-3596

AVIATION 839-6401

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

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

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

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

NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-0540
PARKS 445-7651
ROADS & EQUIPMENT MAINTENANCE 445-7421

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

LAND USE 445-7205

ROAD EVALUATION REPORT INSTRUCTIONS

PURPOSE: The *Road Evaluation Report* is intended as a way for an applicant to document the condition of the access road(s) serving the subject property for cannabis projects that require a Conditional Use Permit (CUP), Special Permit (SP), or Zoning Clearance Certificate (ZCC). This report is not intended to be used for any other type of Planning & Building Department permit application. This will enable Public Works staff to determine if the existing roadway network [excluding on-site driveway(s)] is suitable to accommodate the proposed use on the subject property.

In rural areas, a category 4 road is usually adequate for most uses. If the road is paved and has a centerline stripe it is considered by the Department to be a category 4 road. In urban and suburban areas, the road may also need to accommodate other road users (pedestrians, bicycles, equestrians, etc.). When roads meet or exceed this standard, the roadways can typically accommodate increased traffic. This evaluation is accomplished by the applicant completing Part A of the *Road Evaluation Report*.

When the roadways do not meet a category 4 standard, there is a question that road may not be able to accommodate traffic from the proposed use. The goal is to evaluate roads that do not meet road category 4 standards in order to determine if the roads can accommodate increased traffic. This evaluation is accomplished by the applicants engineer completing Part B of the *Road Evaluation Report*.

In lieu of constructing road improvements to meet a category 4 road standard, the Department may approve a *Neighborhood Traffic Management Plan*. A neighborhood traffic management plan may include (but is not limited) the following elements: restricting the times that project traffic will use the road to off-peak hours; combining trips to reduce the volume of project traffic; carpooling to reduce the volume of project traffic; the use of signs and CB radios to coordinate traffic using the road(s); etc. The Department's criteria for approving a *Neighborhood Traffic Management Plan* is based upon site specific conditions; sound engineering judgment; the proposed ADT and DHV of the roads; the need to accommodate other road users (pedestrians, bicycles, equestrians, and other cannabis projects using the road, etc.); and the frequency and quantity of traffic associated with the proposed use. The applicant's Civil Engineer can address this in Part B of the *Road Evaluation Report*.

There may be other cannabis projects that use the same access road(s) as your project. Part B of the *Road Evaluation Report* needs to address the cumulative impacts from your project and all other cannabis projects that will also use the same road(s). There may be benefits of applicants collectively working together with one engineer to complete the *Road Evaluation Reports* for all of the projects.

(continued on next page)

RECEIVED

APR 11

Humboldt County
Planning Division

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

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

Applicant Name: Kenneth Lance APN: 11550

Planning & Building Department Case/File No.: CUP 16288

Road Name: Peach Tree (complete a separate form for each road)

From Road (Cross street): Patterson

To Road (Cross street): Peach Tree

Length of road segment: .22 miles Date Inspected: 4-4-18

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

Check one of the following:

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

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

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

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

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

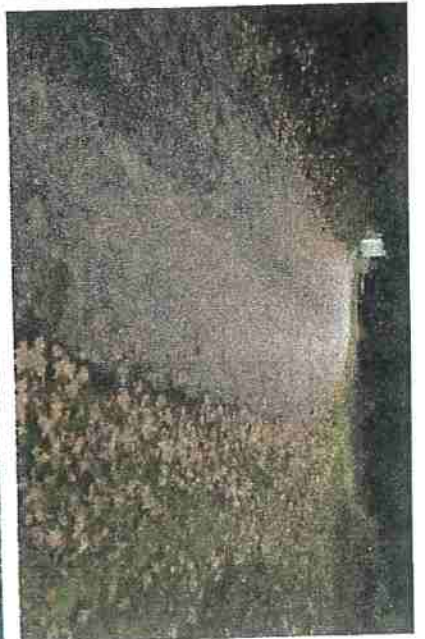
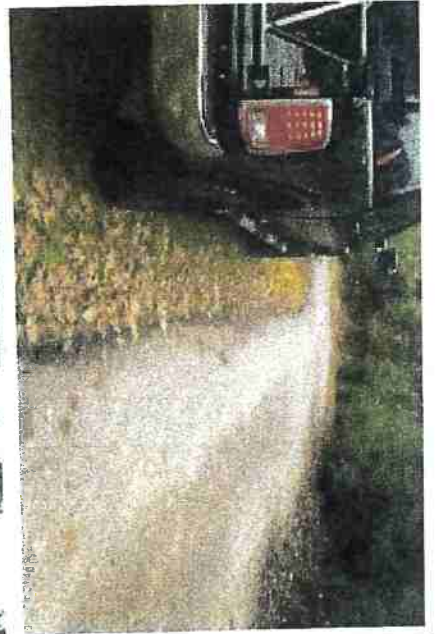
Signature

Date

Name Printed

Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.2105.







PRIVATE OWNER
APN 522-391-080

BLM
APN 216-075-006

PRIVATE OWNER
APN 522-143-022

PATTERSON ROAD

NO EVIDENCE OF ANY
"SCHOOL BUS STOP" WAS
OBSERVED AT INTERSECTION

PEACH

PRIVATE OWNER
APN 522-143-023

(N 23°58'15" E 287.04')

(N 89°41'30" E 659.34')

(N 0°11'00" E 654.15')

LANCE
2014-11164
APN 522-143-024

301'
401'
267'
298'

CANNABIS
GARDEN BEDS

CANNABIS
GARDEN BEDS

BUILDING

DRIVEWAY

SEE BOOK 26 OF PARCEL
MAPS, PAGES 104-106
FOR PROPERTY LINE
DIMENSIONS

PRIVATE OWNER
APN 522-143-001

(N 89°47'45" E 607.06')

SCALE: 1" = 150'



NOTE

THIS EXHIBIT PREPARED BY DYLAN KOLSTAD, PLS
8152, DECEMBER 3, 2018 BASED ON FIELD SURVEY
ON NOVEMBER 29, 2018, IN ORDER TO DOCUMENT
LOCATION OF CANNABIS CULTIVATION AREAS SITES
ON LANDS OF LANCE WITH RESPECT TO PUBLIC
LAND TO THE NORTH AND REPORTED "BUS STOP"
(NONE WAS FOUND) TO THE WEST. BOUNDARY
LINES SHOWN BASED ON FOUND SURVEY
MONUMENTS SET BY BOOK 26 OF PARCEL MAPS,
PAGES 104-106, HUMBOLDT COUNTY RECORDS.

LEGEND

BOUNDARY LINES OF LANCE
PROPERTY

ADJACENT BOUNDARY LINES

(S 89°34'44" E
1370.70')

APN

DATA PER BOOK 26 OF
PARCEL MAPS, PAGES 104-106,
HUMBOLDT COUNTY RECORDS
ASSESSOR'S PARCEL NUMBER

BOUNDARY EXHIBIT

SHEET 1 OF 1

KOLSTAD LAND SURVEYORS

PO BOX 594
BAYSIDE, CA

95524

VOICE (707) 822-2718
FAX (707) 822-5636

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	✓	Conditional Approval	Attached
Division Environmental Health	✓	Conditional Approval	Attached
Public Works, Land Use Division	✓	Conditional Approval	Attached
CalFIRE	✓	Comments	Attached
Klamath-Trinity Joint Unified School District	✓	Recommend Denial	Attached
California Department of Fish & Wildlife	✓	Comments	Attached
US Forest Service - Six Rivers National Forest	✓	Recommend Denial	Attached
Humboldt County Sheriff	✓	Approved	On file
Northwest Information Center	✓	Comments	On file and confidential
Tsnungwe Council	✓	Comments	On file and confidential
Hoop Valley Tribe		No Response	
Willow Creek Community Services District		No Response	
Willow Creek Fire Protection District		No Response	
Humboldt County Agricultural Commissioner		No Response	
Humboldt County District Attorney		No Response	
North Coast Regional Water Quality Control Board		No Response	
North Coast Unified Air Quality Management District		No Response	
State Water Resources Control Board – Division of Water Rights		No Response	
Humboldt County Counsel		No Response	

Tom

12/13



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING

3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7245



12/8/2021

Project Referred To The Following Agencies:

NWIC, Cal Fish & Wildlife, Tsnungwe Council, Building Inspections, Environmental Health, PW Land Use, School District: Klamath-Trinity, County Counsel, Hoopa Valley Tribe, RWQCB, NCUAQMD, District Attorney, AG Commissioner, CSD: Willow Creek, CA Division of Water Rights, FPD: Willow Creek, US Forest Service: Six Rivers, CalFire, Sheriff, Building Inspections

Applicant Name Green Gate, Inc. **Key Parcel Number** 522-143-024-000

Application (APPS#) PLN-11550-CUP **Assigned Planner** Megan Acevedo

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: 12/23/2021

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

only grading has been permitted, see
checklist

DATE:

PRINT NAME:

12-22-2021

Tom Dobarstein



COUNTY OF HUMBOLDT
Planning and Building Department – Current Planning
3015 H Street, Eureka, CA 95501 ~ PHONE (707) 445-7541
PROJECT TRANSMITTAL

APPLICANT KEY PARCEL 522-143-024-000 **DATE** 12/8/2021 **CONTACT** Megan Acevedo **APPS#** PLN-11550-CUP

PROJECT INFORMATION

SUBJECT Green Gate Gardens - Existing 20K outdoor

PROJECT TYPE Conditional Use Permit (CCLUO1), Special Permit (CCLUO1)

PROJECT DESCRIPTION A Conditional Use Permit for an existing 20,000-square-foot outdoor cannabis cultivation area is requested. The proposed project includes a 3,750-square-foot nursery. Cultivation activities extend from April to November annually. Water for domestic and irrigation use is provided by the Willow Creek Community Services District. The Applicant estimates 132,500 gallons of water is required to meet operational needs. There is 2,800 gallons of water storage in hard-sided tanks on-site to meet fire protection requirements. Processing activities are limited to drying in an existing shed. Once dried, the harvested cannabis will be taken off-site to a licensed processing facility. The Applicant estimates 4 employees are required during peak operations. Power to the subject parcel is provided by PGE. A Special Permit is requested for a setback reduction to public lands.

PROJECT LOCATION

The project is located in Humboldt County, in the Willow Creek area, on the North side of Peach Tree Lane, approximately .17 miles East from the intersection of Peach Tree Lane and Patterson Road, on the property known as 200 Peach Tree Lane.

PRESENT PLAN DESIGNATIONS Residential Agriculture (RA); 2017 General Plan; Density: 5-20 acres per unit; Slope Stability: Low Instability (2)

PRESENT ZONING
AG-B-7(5)

KEY PARCEL NUMBER 522-143-024-000

ADDITIONAL PARCEL #S

APPLICANT INFORMATION

Name Green Gate, Inc.
Address 1 Kenneth Lance
Address 2 P.O. Box 583
City Willow Creek **State** CA **Zip** 95573
Phone **E-Mail** greengate200@gmail.com

OWNER INFORMATION

Name Lance Kenneth
Address 1
Address 2 Po Box 583
City Willow Creek **State** CA **Zip** 95573
Phone **E-Mail**

AGENT INFORMATION

Name
Address 1
Address 2
City **State** **Zip**
Phone **E-Mail**

ADDITIONAL PROJECT INFORMATION

ADDITIONAL OWNERS

DECISION MAKER Planning Commission

ENVIRONMENTAL REVIEW REQUIRED? No

MAJOR ISSUES None

STATE APPEAL STATUS Project is NOT appealable to the California Coastal Commission

PRELIMINARY CEQA FINDINGS

CEQA EXEMPTION SECTION



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:

Accela Record No: PLN-11550^{-CUP} APN: 522-143-024

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

☒ Site plan appears to be accurate.

☐ Site plan is not accurate, submit revised site plan showing the following items:

- ☐ All grading including ponds and roads,
- ☐ Location of any water course including springs,
- ☐ All structures including size and use and all setbacks from each other, above stated items, and property lines.

☐ _____

☐ _____

☐ Existing operation appears to have expanded as follows: ?

☐ Proposed new operation has already started. ?

☐ Development is near a wet area. If yes, distance from development: _____

☐ Development is near a Stream side Management Area (SMA). If yes, distance from development: _____ no

☐ Recommend approval based on the condition that all required grading, building, plumbing, electrical, and mechanical permits and or Agricultural Exemptions are obtained.

☐ Other Comments: only grading has been permitted.
Needs permits for green houses, elec, plumbing
& Mech.

Name: Tom Poberstein

Date: 12-22-2021

Note: Please take photographs and save them to the Planning Accela record number.

TVCE



67 WALNUT WAY
WILLOW CREEK, CA 95573
P (530) 629-3000
F (530) 629-3011

DATE OF ISSUE
NOVEMBER 2021

SCALE
AS SHOWN

PROJECT NO.
R01

DRAWING NO.
C00.1

REV

DATE

DESCRIPTION

DWN BY

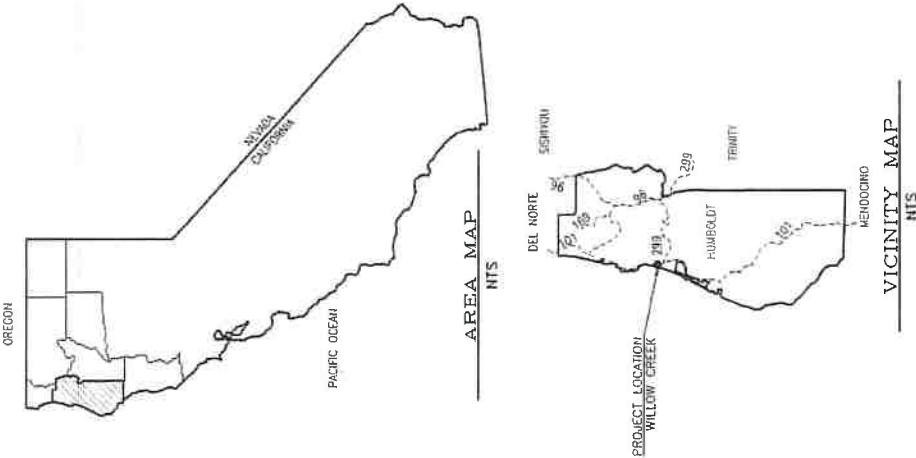
DES BY

CHK BY

APP BY

67 WALNUT WAY
WILLOW CREEK, CA 95573
P (530) 629-3000
F (530) 629-3011

SITE PLAN
KEN LANCE
200 PEACH TREE
WILLOW CREEK, CA 95573
APN: 522-143-024
HUMBOLDT COUNTY, CALIFORNIA

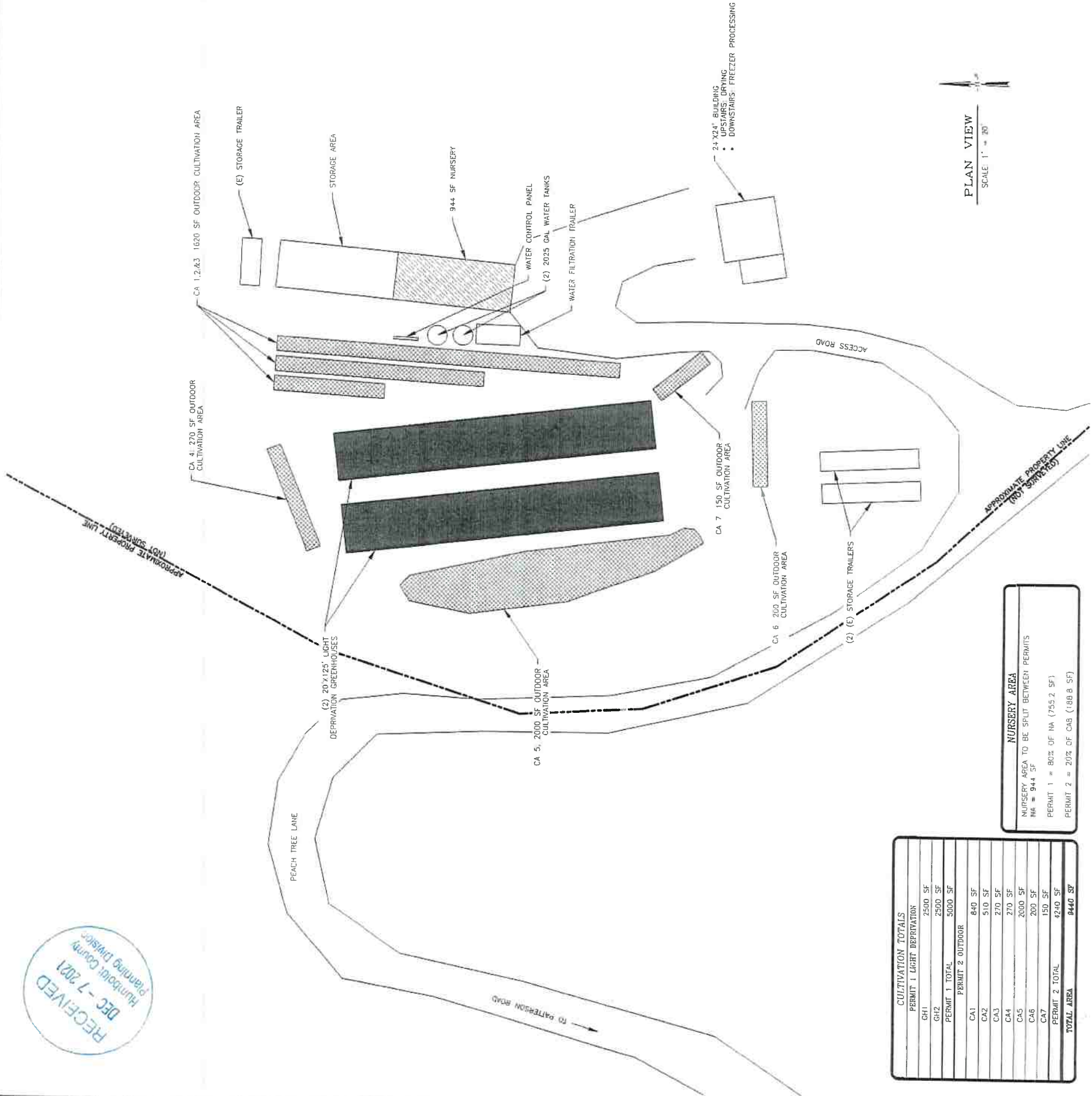


DIRECTIONS FROM WILLOW CREEK
TURN ONTO COUNTRY CLUB ROAD AND CONTINUE FOR 0.9 MILES. TURN LEFT ONTO PATTERSON ROAD AND CONTINUE FOR 2.0 MILES. TURN RIGHT ONTO PEACH TREE LANE AND CONTINUE FOR 0.2 MILES. THE DESTINATION WILL BE ON THE LEFT.

SRA REQUIREMENTS
PROVIDE ADEQUATE WATER STORAGE AND DELIVERY AS OUTLINED BY SRA ORDINANCE AND CALFIRE REQUIREMENTS
PROVIDE ADEQUATE TURN AROUND AND PULLOUTS AS OUTLINED BY SRA ORDINANCE REQUIREMENTS AND CALFIRE REQUIREMENTS

CONTRACTOR ALERT!
CONTRACTOR MUST CONTACT USA DIG AT 800-227-2600 AT LEAST 72 HOURS BEFORE ANY EARTHWORK OF ACTIVITIES THAT MAY IMPACT EXISTING UNDERGROUND UTILITIES
EXISTING UTILITY ALIGNMENTS BOTH HORIZONTALLY AND VERTICALLY MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY CONSTRUCTION ACTIVITIES.

GENERAL NOTES
WATER: WCCED
WASTEWATER: ONSITE
POWER: PG&E
PHONE: FRONTIER
CREEKS/STREAMS: NONE
TREES TO BE REMOVED: NONE
GRADING: NONE
ACRES: 11
ZONING: AG-8-7(5)



PLAN VIEW
SCALE: 1" = 20'

CULTIVATION TOTALS	
PERMIT 1 LIGHT DEPRIVATION	
GH1	2500 SF
GH2	2500 SF
PERMIT 1 TOTAL	5000 SF
PERMIT 2 OUTDOOR	
CA1	840 SF
CA2	510 SF
CA3	270 SF
CA4	270 SF
CA5	2000 SF
CA6	200 SF
CA7	150 SF
PERMIT 2 TOTAL	4240 SF
TOTAL AREA	9440 SF

NURSERY AREA
NURSERY AREA TO BE SPLIT BETWEEN PERMITS
NA = 944 SF
PERMIT 1 = 80% OF NA (755.2 SF)
PERMIT 2 = 20% OF NA (188.8 SF)

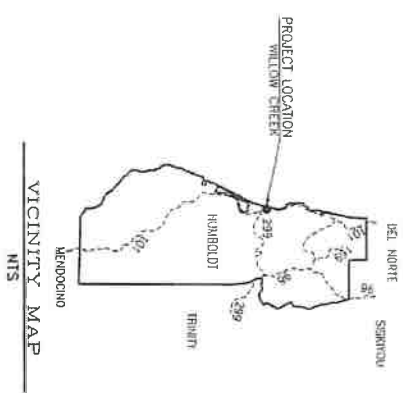
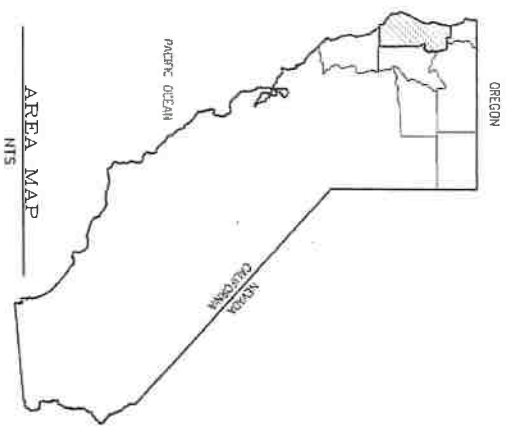


67 WALNUT WAY
PO BOX 1567
WILLOW CREEK, CA 95573
P:(530)825-3000
F:(530)828-3011

[illegible]

HUMBOLDT COUNTY, CALIFORNIA

DRAWING NO.
C00.0



WATER: WCLSD	ACRES: 11
WASTEWATER: WASTESIT	ZONING: AG-B-7(5)
POWER: PCKE	
PHONE: FRONT	
CREEKS/STREAMS: NONE	
TREES TO BE REMOVED: NONE	
CROWDING: NONE	



PLAN VIEW
SCALE 1" = 50'



12-13-2021
PLN-11550-CUP
APN: 522-143-024
"24'x24' Building"
looking south



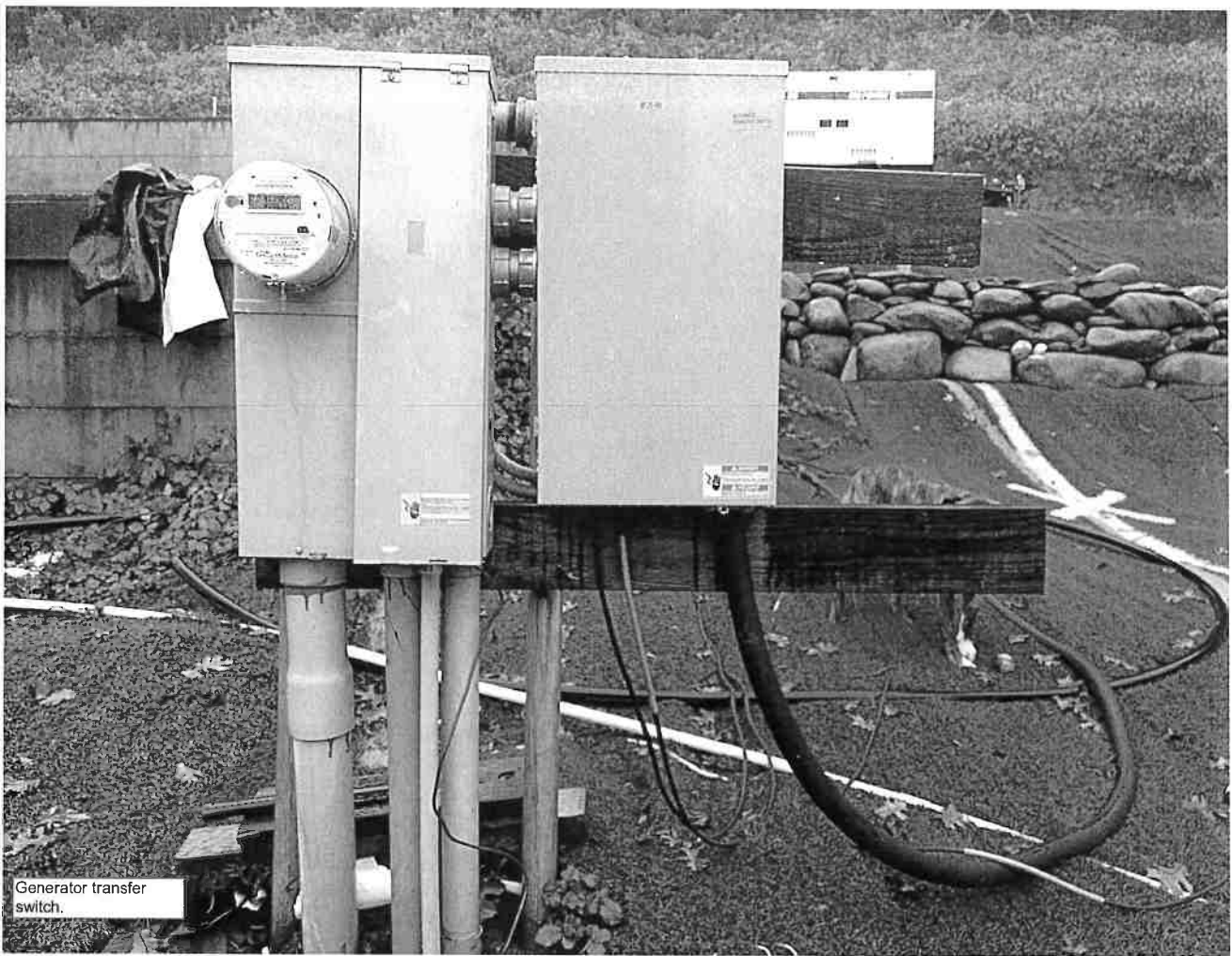
East elevation
PLN-11550-SP Green Gate Gardens, LLC



South elevation



West elevation



Generator transfer switch.



Light Dep GHs looking northeast



Light dep GH





West side of Light Dep.
GH, looking north.



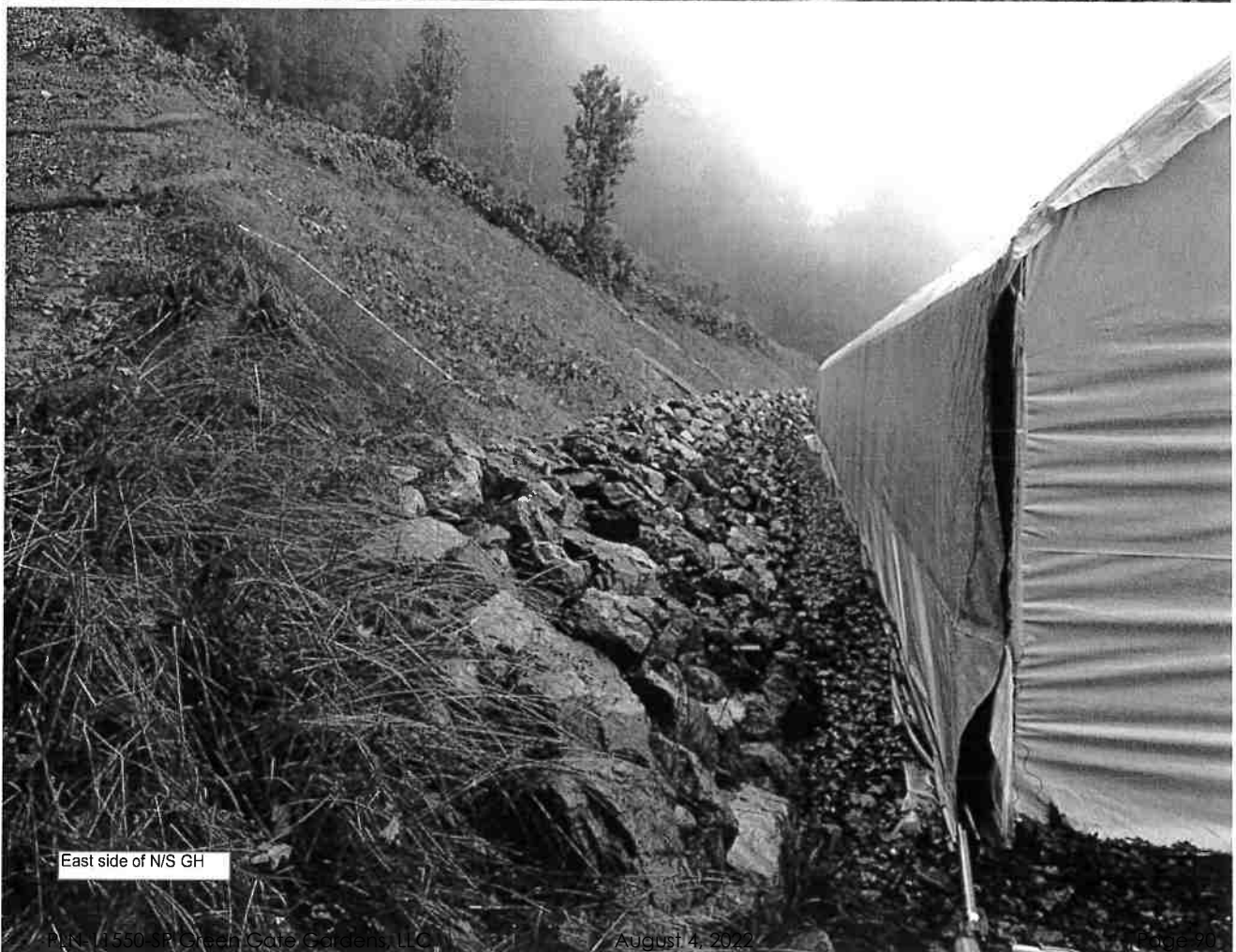
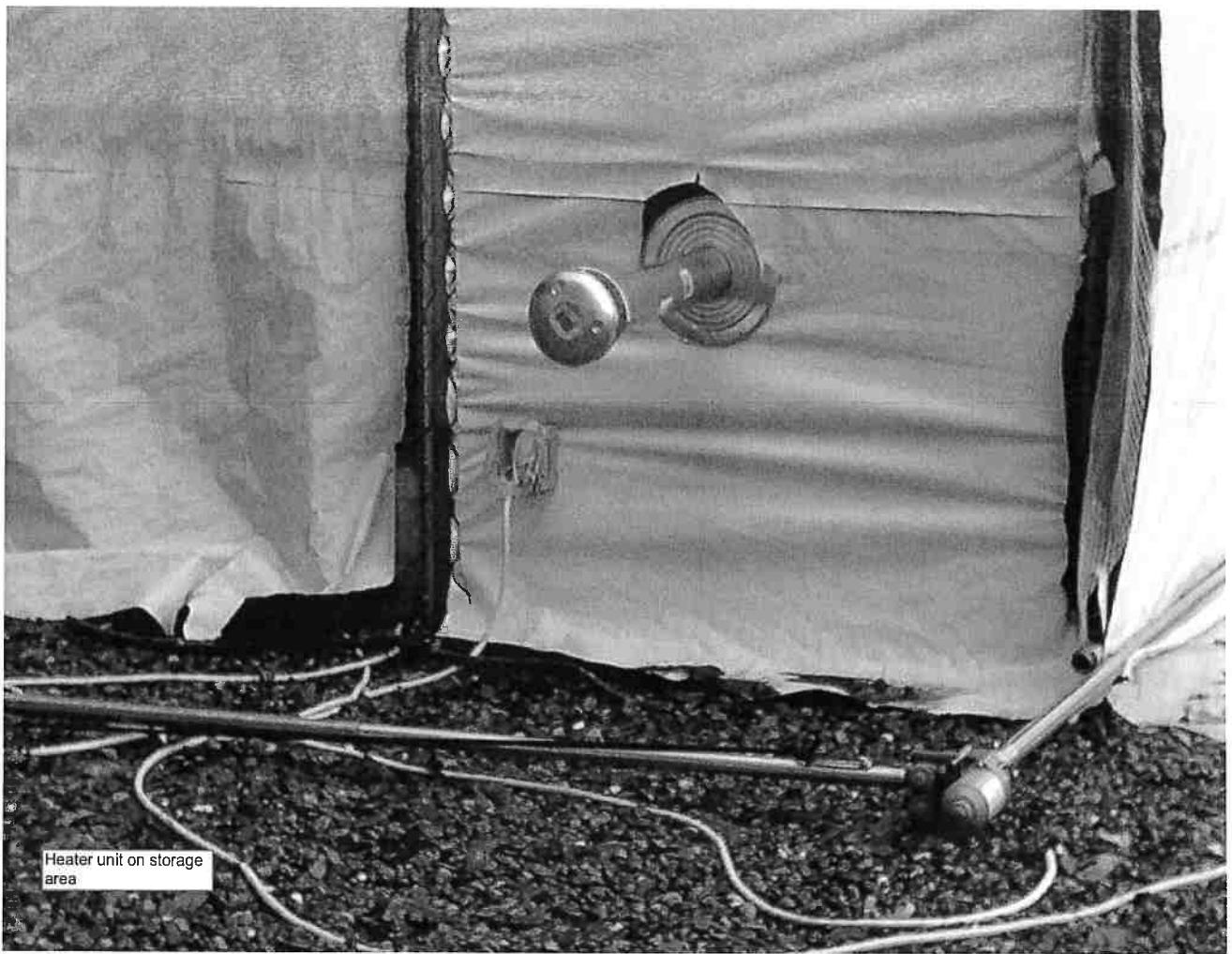
Looking north



East side of Light Dep.
GH, looking north.



North end of Nursery/
storage GH, looking
south

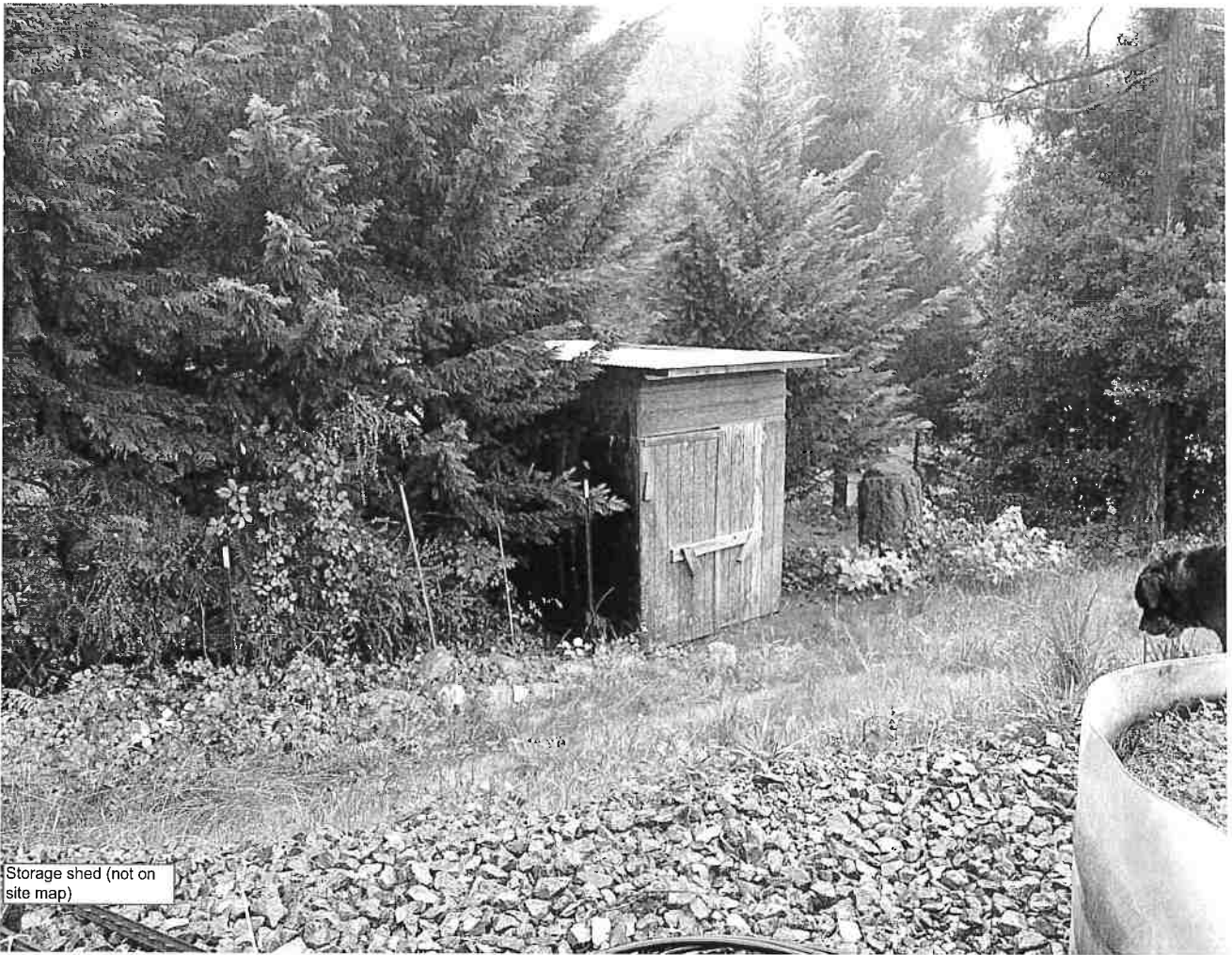




CA 5, outdoor
cultivation



CA 5, outdoor
cultivation



Storage shed (not on site map)



Storage trailer



Tank not in use.



SE of drying structure,
not on site map.



CA 1,2 & 3. Outdoor cultivation, looking north.



CA 1,2 & 3. Outdoor cultivation, looking south

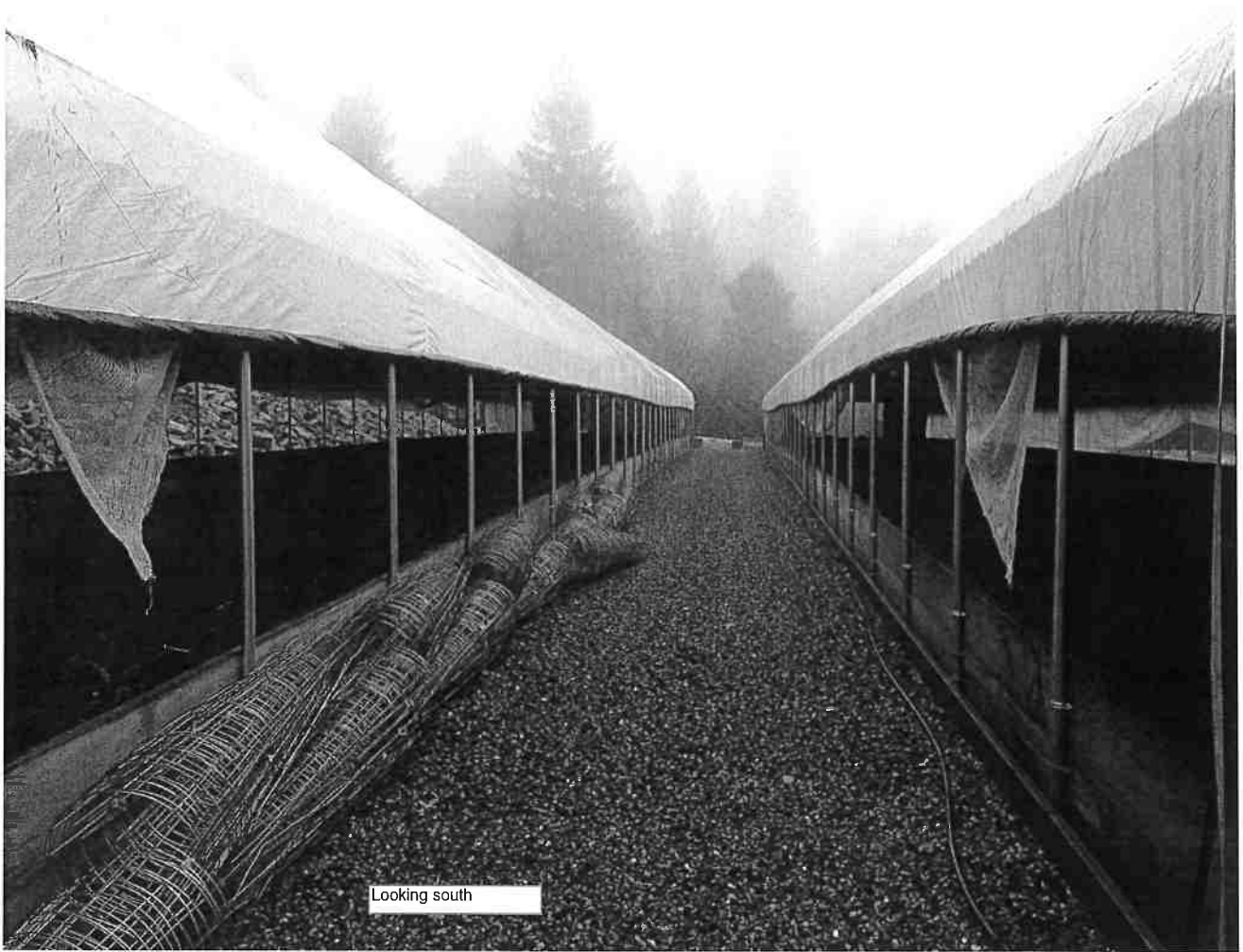


North end of Light Dep.
GHs.

CA 4, outdoor cult.



CA 5, Outdoor Cult.
Looking south



Looking south



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

PROJECT REFERRAL TO: Health and Human Services Environmental
Health Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, Northwest Information Center, Hoopa Valley Tribe, Tsnungwe Council, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Humboldt County Sheriff, Willow Creek Community Services District Community Services District, Klamath-Trinity Joint Unified School District, Division of Water Rights, Willow Creek Fire Protection District, California Department of Fish and Wildlife, Six Rivers National Forest

Applicant Name Green Gate, Inc. Key Parcel Number 522-143-024-000

Application (APPS#) 11550 Assigned Planner Caitlin Castellano (707) 268-3731 Case Number(s) CUP16-288

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

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

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

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

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

We have reviewed the above application and recommend the following:

Approval

Comments:

Response Date: 9/25/2018 Recommendation By: Benjamin Dolf



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION 839-5401

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

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

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

FROM: Kenneth M. Freed, Assistant Engineer *KMF*

DATE: 9-11-2018

RE:

Applicant Name	<i>Green Gate, Inc.</i>
APN	<i>522-143-024</i>
APPS#	<i>11550</i>
CASE#	<i>CUP16-288</i>

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:

Applicant has submitted a road evaluation report, dated 04/04 /2018, with Part A –Box **2** checked, certifying that the road is developed to road Category 4 standards.

Intersection of access road with the County road does not meet county standards. The intersection encroachment shall be improved to meet County standards.

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 11550

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

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

☒ COUNTY ROADS- DRIVEWAY (PART 1):
The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and or Department of Public Works policies. Notes:

NOTE: The existing access road intersection with the County road does not meet County standards and will need to be modified.

☐ COUNTY ROADS- DRIVEWAY (PART 2):
Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches.

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

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

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

☐ COUNTY ROADS- DRIVEWAY (PART 3):
The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

☐ COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:
Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

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

☒ COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:
All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

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

☒ COUNTY ROADS- PRIVATE ROAD INTERSECTION:
Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

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

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

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

// END //

From: Poli, Chris@CALFIRE
To: HUU.CEQA@CALFIRE
Cc: [Planning Clerk](#)
Subject: CUP; APN 522-143-024-000; APPS# 11550; willow creek; Green Gate INC
Date: Friday, June 1, 2018 11:19:44 AM

No comments at this time

Chris Poli
Forester I - RPF #2930
CAL FIRE
Trinidad Resource Management
Humboldt-Del Norte Unit
P.O. Box 749
Trinidad, CA 95570
Office [\(707\) 677-0761](tel:(707)677-0761)
Cell [\(707\) 599-0609](tel:(707)599-0609)

Every Californian should conserve water. Find out how at:
SaveOurWater.com · Drought.CA.gov



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



5/17/2018

PROJECT REFERRAL TO: Klamath-Trinity Joint Unified School District

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, Northwest Information Center, Hoopa Valley Tribe, Tsnungwe Council, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Willow Creek Fire Protection District Fire Protection District, Humboldt County Sheriff, Willow Creek Community Services District Community Services District, Klamath-Trinity Joint Unified School District, Division of Water Rights, Willow Creek Fire Protection District

Applicant Name Green Gate, Inc. **Key Parcel Number** 522-143-024-000

Application (APPS#) 11550 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-288

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 6/1/2018

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: We have bus stops @ peach tree lane

DATE: 5/21/18

PRINT NAME: Unissie Ammon

Acevedo, Megan

From: Melissa Ammon <mammon@ktjUSD.k12.ca.us>
Sent: Monday, July 18, 2022 1:53 PM
To: Acevedo, Megan; Dana Miguelena; Billie Sanderson
Subject: RE: School Bus Stop Map Request for Green Gate Gardens AppNo.11550

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hi Megan,

Yes, this area looks to be far enough off the main road of our bus stops. Missie

From: Acevedo, Megan <macevedo@co.humboldt.ca.us>
Sent: Monday, July 18, 2022 1:51 PM
To: Dana Miguelena <dmiguelena@ktjUSD.k12.ca.us>; Melissa Ammon <mammon@ktjUSD.k12.ca.us>; Billie Sanderson <bsanderson@ktjUSD.k12.ca.us>
Subject: RE: School Bus Stop Map Request for Green Gate Gardens AppNo.11550

Dana, thank you for the assistance!

Missy, if you could please get this information to me as soon as you possibly can, it would be much appreciated. I do have the project scheduled to go to the August 4th hearing date, and I will need this information to finalize the Staff Report.

Thank you!



Megan Acevedo
Planner II
[Cannabis Services Division](#)
[Planning and Building Department](#)
707-441-2634

From: Dana Miguelena [<mailto:dmiguelena@ktjUSD.k12.ca.us>]
Sent: Thursday, July 14, 2022 4:45 PM
To: Melissa Ammon <mammon@ktjUSD.k12.ca.us>; Billie Sanderson <bsanderson@ktjUSD.k12.ca.us>
Cc: Acevedo, Megan <macevedo@co.humboldt.ca.us>
Subject: Fw: School Bus Stop Map Request for Green Gate Gardens AppNo.11550

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hi Missy,

Can you review the attached map for Megan and let her know if there is a bus stop there.



California Department of Fish and Wildlife
CEQA: Project Referral Comments

Applicant: Green Gate		Date: 7/22/19	
APPS No.: 11550	APN: 522-143-024	DFW CEQA No.: 2018-0226	Case No. PLN-11550-CUP
<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing		Proposed: <input type="checkbox"/> Mixed light (SF): <input checked="" type="checkbox"/> Outdoor (SF): 20,000 <input type="checkbox"/> Indoor (SF):	

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

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

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

- ☒ Referral materials suggest that this proposed project utilizes outdoor and mixed-light cultivation techniques. CDFW requests that the Cultivation Operations Plan be revised to reflect the accurate project activities.
- ☒ CDFW requests clarification pertaining to the use of fans in newly constructed (Post 2015) greenhouse structures.
- ☒ Aerial imagery and referral materials suggest that grading and tree removal may have occurred on parcel between 2014 and 2016. Please provide evidence of one or more of the following: a valid grading permit or a less-than-3-acre conversion exemption or timberland conversion permit, approved by CAL-FIRE. If grading was conducted without proper permits, CDFW may recommend remediation of impacted area, in whole or part, and/or mitigation.
- ☒ CDFW requests clarification pertaining to the two prior cultivation sites on the eastern portion of the parcel, as information provided appears contradictory. 1) Will the two eastern sites continue to be used for cultivation? 2) If used for cultivation, will grading be required to construct greenhouses? 3) If the two eastern cultivation sites are no longer proposed for cultivation activities, will these areas be restored, as closely as possible, to their pre-cultivation condition (e.g. resloped and replanted)? 4) If proposed for use, as indicated in the WRPP (but not elsewhere in referral materials), what will the regrading plan include?

Thank you for the opportunity to comment on this Project.

Sincerely,

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



File Code: 1500
Date: September 11, 2018

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



Dear County Planner:

The USDA Forest Service (Forest Service) recommends denial of the following applications for a County Condition Use Permit because the operations would involve the transportation of cannabis across National Forest System (NFS) lands:

Tonic Inc. #13348
Green Gate #11550
RBC Holdings LLC #10891
Humboldt Homegrown Collective # 13052 & #10857
Rambling Rose MBC #12421
Three Creek Holdings LLC #13160

Cannabis is a Schedule 1 drug under Title II of the Comprehensive Drug Abuse Protection and Control Act of 1970. Use, cultivation, and transportation of cannabis on NFS lands is therefore illegal. This includes transportation of cannabis across existing right of ways on federal lands such as county road and state highways.

Enclosed is a copy of a letter previously submitted to Humboldt County Planning that further explains our position on the subject.

Sincerely,


for TED O. MCARTHUR
Forest Supervisor

Enclosure: Letter to Humboldt County dated August 29, 2018
cc: Nolan Colegrove





United States
Department of
Agriculture

Forest
Service

Pacific Southwest Region
Six Rivers National Forest

1330 Bayshore Way
Eureka, CA 95501
707-442-1721
TDD: 707-442-1721
Fax: 707-442-9242

File Code: 1500

Date: August 29, 2018

Michelle Nelson
Planning and Building Department
Humboldt County
3015 H Street
Eureka, CA 95501

Dear Ms. Nelson:

Thank you for providing the USDA Forest Service with the opportunity to provide input to Humboldt County's land use regulations governing cannabis cultivation on private property as they relate to National Forest System (NFS) lands.

The use, cultivation and transportation of cannabis on Forest Service lands is illegal. The Comprehensive Drug Abuse Protection and Control Act of 1970, and more specifically Title II of the act (the Controlled Substances Act), lists cannabis as a Schedule 1 drug. The Forest Service does not have discretion to permit activities on NFS lands that will violate the Controlled Substances Act or any other federal law. The Forest Service cannot authorize any activities related to cannabis operations on public land, such as the cultivation, production, transportation, or distribution of supplies or product.

We recommend that applicants for county cannabis permits who are adjacent to or near Forest Service lands have their parcels surveyed by a professional land surveyor to ensure their operations are not trespassing upon or causing impacts to federal lands. Individuals that cause resource damage, including soil erosion and contamination to Forest Service administered lands from illicit acts including the manufacture of cannabis, may be subject to federal criminal and/or civil action. Permit applicants should be aware that transporting cannabis across an existing right of way on federal lands to access a private parcel, is also illegal under federal law, and violators could face federal criminal action.

We appreciate the opportunity to comment on the county's cannabis-use regulations. If you need further information on this subject, please contact me at (707) 441-3531.

Sincerely,

MICHAEL A. GREEN
Acting Forest Supervisor





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

RECEIVED
AUG 30 2018

8/28/2018

PROJECT REFERRAL TO: Six Rivers National Forest

BY:_____

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Hoopa Valley Tribe, Tsnungwe Council, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Humboldt County Sheriff, Klamath-Trinity Joint School District, Six Rivers National Forest

Applicant Name Tohnic Inc **Key Parcel Number** 522-044-003-000

Application (APPS#) 13348 **Assigned Planner** Caitlin Castellano (707) 268-3731 **Case Number(s)** CUP16-1119

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 9/12/2018

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: 11 Sept 2018

PRINT NAME: Michael Green

Tohnic INC
CUP 16-1119
Roads Brannon Mtn County Road

RECEIVED
SEP 17 2018
Humboldt County
Planning Division

