



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: September 15, 2022

To: Humboldt County Zoning Administrator

From: David J. R. Mack, AICP, Contract Planner (Harris & Associates)

Subject: **Heavy Ratchet LLC Special Permit**
Application Number PLN-12292-SP
Assessor's Parcel Number (APN) 210-117-024
5735 Forest Route 1N08

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Please contact David J. R. Mack, AICP, Planner (Harris & Associates) at 831-320-0413 or by email at david.mack@weareharris.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date September 15, 2022	Subject Special Permit	Contact David Mack, AICP
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Project Description: Heavy Ratchet, LLC seeks a Special Permit for 8,248 square feet (SF) of existing outdoor cannabis cultivation within three (3) greenhouses (GH), including: GH1 2,400 SF, GH2 2,400 SF, and GH3 3,448 SF. Propagation occurs in one (1) 1,120 SF structure that contains the nursery and drying/storage/processing facilities. The project also includes the decommissioning and restoration of a prior cannabis grow area (*Cultivation Site 1*) as shown on the site plan. Upon decommissioning, this grow area will not be used, and a restocking plan will be implemented (**Condition 18**).

Irrigation water is supplied by an existing 500,000-gallon rain catchment pond. Total estimated annual water use is 75,300 gallons/year (9.12 gallons/SF) as shown in the table below. Water is stored in the pond and in seven (7) tanks for a total storage capacity of 12,700 gallons. One existing 50,000-gallon water bladder was decommissioned and removed from the site. The project will utilize direct water supply systems to limit irrigation needs and reduce waste.

January-March: No Water Use

	<i>Cult. Area – 8,248 ft²</i>		<i>Total Gal.</i>
<i>April</i>	<i>1,300</i>	<i>seedling</i>	<i>1,300</i>
<i>May</i>	<i>4,500</i>	<i>veg</i>	<i>4,500</i>
<i>June</i>	<i>11,500</i>	<i>veg</i>	<i>11,500</i>
<i>July</i>	<i>14,500</i>	<i>veg/flwr</i>	<i>14,500</i>
<i>August</i>	<i>17,000</i>	<i>flwr/veg</i>	<i>17,000</i>
<i>September</i>	<i>16,500</i>	<i>veg</i>	<i>16,500</i>
<i>October</i>	<i>10,000</i>	<i>flwr</i>	<i>10,000</i>

The project requires up to eighteen (18) employees, both full-time and part-time, overseeing the cultivation, processing, and drying operations. Two on-site generators currently supply power: one (1) 6-kW diesel generator and one (1) 8-kW diesel generator. The project is conditioned to transition from generator power to an alternative source of power no later than December 31, 2025 (**Condition 17**, in keeping with prior Humboldt County approvals

Project Location: The site is located off US Forest Service 1N08 Road at Buck Mountain, Mad River, in the southeast quarter of the southwest quarter of Section 26, Township 01 North, Range 05 East, Humboldt Meridian.

Present Plan Land Use Designations Residential Agriculture (RA); 20-160 acres/unit; High Slope Instability (3)

Present Zoning: FR-B-5(40) or Forest Resources, 40 acre minimum

Record Number: PLN-12292-SP

Assessor's Parcel Number: 210-117-024

Applicant

Heavy Ratchet LLC
c/o Nikolay Vasilev
PO Box 8092
Red Bluff, CA 96080

Owner

Heavy Ratchet LLC
PO Box 8092
Red Bluff, CA 96080

Agents

N/A

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

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

Major Issues: No major issues/concerns were identified for this project.

Heavy Ratchet, LLC

Record Number: PLN-12292-SP

Assessor's Parcel Number: 210-177-024

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 Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permits and adopt the Resolution approving the Heavy Ratchet, LLC project as recommended by staff subject to the recommended conditions.

Executive Summary Heavy Ratchet, LLC seeks a Special Permit for 8,248 square feet (SF) of existing outdoor cannabis cultivation within three (3) greenhouses (GH), including: GH1 2,400 SF, GH2 2,400 SF, and GH3 3,448 SF. Propagation occurs in one (1) 1,120 SF structure that contains the nursery and drying/storage/processing facilities. The application is conditioned to comply with the Humboldt County nursery standard of 10% of the cultivation area; therefore, no more than 825 SF of nursery area is allowed (**Condition 16**). The project also includes the decommissioning and restoration of a prior cannabis grow area (Cultivation Site 1) as shown on the site plan. Upon decommissioning, this grow area will not be used.

The project is located at the headwater of Dairy Creek, at 4,200 feet in elevation, on the west side of Buck Mountain, approximately three miles upstream of its confluence with Little Van Duzen River, a drainage that enters the Van Duzen River.

The present land use designation is Residential Agriculture (RA), as defined in the Humboldt County 2017 General Plan Update; and the parcel is zoned as Forestry Recreation (FR). Drying, storage, and processing occurs in one (1) 1,120 SF structure that also contains a small nursery. The project requires up to eighteen (18) employees, both full-time and part-time. Employees will be local residents and do not require on-site housing.

Two on-site generators currently supply power: one (1) 6-kW diesel generator and one (1) 8-kW diesel generator. The project is conditioned to transition from generator power to an alternative source of power by no later than December 31, 2025 (**Condition 17**), in keeping with prior Humboldt County approvals.

Water Resources

Irrigation water is supplied by an existing 500,000-gallon rain catchment pond. Total estimated annual water use is 75,300 gallons/year (9.12 gallons/SF) as shown in the table below. Water is stored in the pond and in seven (7) tanks for a total storage capacity of 12,700 gallons. One existing 50,000-gallon water bladder was decommissioned and removed from the site. The project will utilize direct water supply systems to limit irrigation needs and reduce waste.

January-March: No Water Use

	Cult. Area – 8,248 ft ²		Total Gal.
April	1,300	seedling	1,300
May	4,500	veg	4,500
June	11,500	veg	11,500
July	14,500	veg/flwr	14,500
August	17,000	flwr/veg	17,000
September	16,500	veg	16,500
October	10,000	flwr	10,000

An existing onsite spring will be used for domestic purposes only, and will not supply any irrigation water

for the cannabis operation. The applicant is required to install water-monitoring devices on the spring to ensure no water is drawn/used for irrigation purposes (**Condition 15**).

A Water Resource Protection Plan (WRPP) (WDID: 1B170371CHUM) has been created in order to protect the water resources within the project area through annual site inspection, monitoring, and reporting of Tier 2 discharges to the North Coast Regional Water Quality Control Board (NCRWQCB) pursuant to Order No WQ-2019-0001-DWQ. Onsite monitoring shall occur during the following activities: 1) Prior to the start of the water season on October 15, in order to evaluate site winterization and preparedness for storm water runoff; and 2) Following any rainfall event with an intensity of 3 inches of precipitation within 24 hours. The applicant is conditioned to meet the monitoring requirements and recommendations outlined in the WRPP (**Condition 9**).

A Lake and Streambed Alteration Agreement (LSAA) notification has been approved by the California Department of Fish and Wildlife (CDFW) (Permit No. 1600-2017-0770-R1), which authorizes the applicant to upgrade three (3) undersized stream crossings, remove sediment from a Class III stream (three locations), and one point-of-diversion (POD) for domestic water use. The LSAA does not allow for diversion of water for irrigation/cannabis use. Corrective actions shall be completed by the deadlines identified in the LSAA (**Condition 10**).

Biological Resources

Leopardo Wildlife Associates prepared a *"Biological Assessment for Heavy Ratchet LLC Cannabis Cultivation Project"* report in September 2019. The Assessment included a search of the CNDDDB (California Natural Diversity Database) and the California Department Fish and Wildlife's (CDFW) List of Special Animals (2018), which identified Northern Spotted Owl Territories HUM0174 and HUM0548 (last detected in 2011), and three other special status plants within 1.3 miles of the project site. The three special status plants are the Mad River fleabane daisy (*Erigeron maniopotamicus*), Tracy's sanicle (*Sanicula tracyi*), and Yolla Bolly Mtns. Bird's-foot trefoil (*Hosackia yollabollensis*).

Field inspections conducted in July 2019 concluded that the project area/parcel was likely clear-cut in the mid-1900s and then logged at least twice since that time. The stand structure associated with the project site is not suitable for nesting Northern Spotted Owls (NSO)s, and the last detection of NSOs in the nearby sites were recorded in 2011. Therefore, no impacts to NSOs are anticipated to result from the project. The survey also confirmed the absence of wetlands/other sensitive habitats within 50 feet of operations, and determined that noise levels associated with generator use and greenhouse fans were found to be below the 50 decibel (dB) at 100 feet, or edge of habitat threshold established by CDFW for cannabis cultivation sites.

The Assessment concludes, *"no plant or animal community will be impacted by the proposed cannabis cultivation activities in a manner that would be CEQA significant"*. The Assessment did not identify any recommendations or required conditions of approval.

Tribal Cultural Resource Coordination

A Cultural Resources Investigation Report was prepared by Archaeological Research and Supply Company (Nick Angeloff) in February 2018. The report included assessment of resources within the project site and outreach to the Bear River Band of the Rohnerville Rancheria.

The Report concludes, *"There are zero (0) previously recorded historical or prehistoric era resources identified during this survey. The record search showed three (3) previous surveys and no (0) previously recorded archaeological sites within ½ mile of the subject property."*

Erika Cooper, the THPO for the Bear River Band, expressed via email on March 29, 2021, that she had no specific concerns for the subject property due to the negative survey report. However, she requested the application of the inadvertent discovery protocol condition, which has been applied to the project (**Condition 11**).

Access

The project site is located in eastern Humboldt County, Section 26, Township 1 North, Range 5 East, Humboldt Meridian. The project site is approximately four and a half (4-1/2) miles south southeast of the

unincorporated community of Dinsmore. A Road Evaluation Report was prepared for the project by David Nicoletti, PE, QSD/QSP, which analyzed three roadway segments: Fire Service Road 1N10 from Fire Service Road 1N08 to Highway 36; Fire Service Road 1N08 from Gate to Fire Service Road 1N10; and Private Drive from Cultivation Area to Gate.

The Road Evaluation Report determined the following:

1. Private Drive from Cultivation Area to Gate is not a Category 2 Road. To make the segment a Category 2 road, the slopes above 16% would need to be flattened to 16% or less, and the width of the Private Drive would be required to be 12-feet minimum. Additionally the construction of waterbars and culvert sizing verification is recommended.
2. Fire Service Rd 1N08 from Gate to Fire Service Rd 1N10 is not a Category 4 roadway or equivalent. To make this segment a Category 4 or equivalent, it is recommended to verify sizing and fix crushed and clogged culverts, flatten steep grades at the locations, fix erosion issues along the roadway, and construct waterbars and rolling dips.
3. Fire Service Rd 1N10 from Fire Service Rd 1N08 to Highway 36 is an equivalent to a Category 4 roadway with widths approximately 20 feet, grades under 16%, positive drainage, pullouts at curves, and pavement. No additional recommendation/improvements required.

The Humboldt County Department of Public Works (DPW) reviewed the Road Evaluation Report and recommended that all recommendations in the Road Evaluation Report for non-county maintained roads shall be constructed and implemented (**Condition 12**).

Timber Conversion

The subject parcel includes areas that have undergone tree and vegetation removal to facilitate cannabis cultivation. A Timberland Conversion Evaluation Report was prepared by Timberland Resource Consultants (July 22, 2019) and documented a total of 1.67 acres of timberland conversion. Conversion occurred at the following sites: Cultivation Area (CA) 1 (0.28 acre) and CA 2 (1.39 acre). This conversion does not exceed the three-acre conversion exemption maximum. A Restocking Plan was prepared by Timberland Resource Consultants, which the applicant is conditioned to implement (**Condition 18**).

The report identified several recommendations to address unpermitted timber removal at these locations, summarized as follows:

- CA-1: The site shall be decommissioned and restored. Restoration shall include replanting of conifers and hardwoods as specified in the "Restocking Plan" prepared by Timberland Resource Consultants.
- CA-2: The "Restocking Plan" includes plans for restoration of a portion of this area, as specified in the Plan.

Environmental Review and Recommendations

Environmental review for this project was conducted in July 2022. Based on the results of that analysis, staff finds that all aspects of the project have been considered in the IS/MND that was adopted for the Commercial Cannabis Land Use Ordinance, and has prepared an addendum to this document for consideration by the Zoning Administrator (See Attachment 2 for more information). Staff recommends that the Zoning Administrator describe the application as a part of the consent agenda; survey the audience to see if any person would like to discuss the application and, if no one requests discussion, make all the required findings based on the evidence in the record; and approve the application subject to the conditions identified.

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-12292-SP
Assessor's Parcel Number: 210-117-024**

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

WHEREAS, Heavy Ratchet LLC applied for a Special Permit for 8,248 square feet (SF) of existing outdoor cannabis cultivation, with appurtenant propagation and drying activities.

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on September 13, 2016. The proposed project does not present substantial changes that would require major revisions to the MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on **September 15, 2022**, and reviewed, considered, and discussed the application for the requested 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 8,248 square feet (SF) of pre-existing outdoor cannabis cultivation within three (3) greenhouses (GH), including: GH1 2,400 SF, GH2 2,400 SF, and GH3 3,448 SF. Propagation occurs in one (1) 1,120 SF structure that contains the nursery and drying/storage/processing facilities. Irrigation water is supplied by an existing 500,000-gallon rain catchment pond. Total estimated annual water use is 75,300 gallons/year (9.12 gallons/SF). Water is stored in the pond and in seven (7) tanks for a total storage capacity of 12,700 gallons. Two on-site generators currently supply power: one (1) 6-kW diesel generator and one (1) 8-kW diesel generator.

EVIDENCE: a) Project File: PLN-12292-SP

- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been met. The Humboldt County Zoning Administrator has considered the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on September 13, 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) Leopardo Wildlife Associates prepared a "Biological Assessment for Heavy Ratchet LLC Cannabis Cultivation Project" report in September 2019. The Assessment included a search of the CNDDDB (California Natural Diversity Database) and the California Department Fish and Wildlife's (CDFW) List of Special Animals (2018), which identified Northern Spotted Owl Territories HUM0174 and HUM0548 (last detected in 2011), and three other special status plants within 1.3 miles of the project site. The three special status plants are the Mad River fleabane daisy (*Erigeron maniopotamicus*), Tracy's sanicle (*Sanicula tracyi*), and Yolla Bolly Mtns. Bird's-foot trefoil (*Hosackia yollabollensis*). Field inspections conducted in July 2019 concluded that the project site/parcel was likely clear-cut in the mid-1900s and then logged at least twice since that time. The stand structure associated with the project site is not suitable for nesting Northern Spotted Owls (NSOs) and the last detection of NSOs in the nearby sites were recorded in 2011. Therefore, no impacts to NSOs are anticipated to result from the project. The survey also confirmed the absence of wetlands/other sensitive habitats within 50 feet of operations, and determined that noise levels associated with generator use and greenhouse fans were found to be below the 50-decibel (dB) at 100 feet, or edge of habitat threshold established by CDFW for cannabis cultivation sites. The Assessment concludes, "no plant or animal community will be impacted by the proposed cannabis cultivation activities in a manner that would be CEQA significant". The Assessment did not identify any recommendations or required conditions of approval.
- d) A Cultural Resources Investigation Report was prepared by Archaeological Research and Supply Company (Nick Angeloff) in February 2018. The report included assessment of resources within the project area and outreach to the Bear River Band of the Rohnerville Rancheria. The Report concludes, "There are zero (0) previously recorded historical or prehistoric era resources identified during this survey. The record search showed three (3) previous surveys and no (0) previously recorded archaeological sites within ½ mile of the subject property." Erika Cooper, the THPO for the Bear River Band, expressed via email on March 29, 2021, that she had no specific concerns for the subject property due to the negative survey report; however, she requested the application of the inadvertent discovery protocol condition, which has been applied to the project (**Condition 11**).

FINDINGS FOR SPECIAL USE PERMITS

- | | |
|-------------------|--|
| 3. FINDING | The proposed development is in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program. |
| EVIDENCE | <ul style="list-style-type: none"> a) General agriculture is a use type permitted in the Forest Resources (FR) zoning designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes and is consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complementary to the Open Space Plan and its Open Space Action Program. |
| 4. FINDING | The proposed development is consistent with the purposes of the existing Residential Agriculture (RA) land use zone in which the site is located. |

- EVIDENCE**
- a) Residential Agriculture (RA) is intended for large lot lands that could incorporate residential and agricultural uses. All general agricultural uses, including cannabis cultivation, are principally permitted in this zoning district.
 - b) Humboldt County Code (HCC) section 314-55.4.6.1.2.3.2 allows up to 43,560 SF of cultivation with a Special Permit on a parcel ten (10) acres or larger in size. The application for 8,248 SF of outdoor cultivation on a 40-acre parcel is consistent with this section.

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

- EVIDENCE**
- a) The CMMLUO allows cannabis cultivation, up to 43,560 SF on parcels over 10 acres, to be permitted in areas zoned Forestry Recreation (FR) [HCC 314-55.4.6.1.2(b)],
 - b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration by grant deeds recorded with the County of Humboldt on May 20, 2015 (Doc No. 2015-009637-3).
 - c) Irrigation water is supplied by an existing 500,000-gallon rain catchment pond. Total estimated annual water use is 75,300 gallons/year (9.12 gallons/SF). Water is stored in the pond and in seven (7) tanks for a total storage capacity of 12,700 gallons
 - d) The subject parcel includes areas that have undergone tree and vegetation removal to facilitate cannabis cultivation. A Timberland Conversion Evaluation Report was prepared by Timberland Resource Consultants (July 22, 2019) and documented a total of 1.67 acres of timberland conversion. Conversion occurred at the following sites: Cultivation Area (CA) 1 (0.28 acre) and CA 2 (1.39 acre). This conversion does not exceed the three-acre conversion exemption maximum. A Restocking Plan was prepared by Timberland Resource Consultants, which the applicant is conditioned to follow (**Condition 18**).
 - e) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any offsite residence, and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.

6. FINDING The cultivation of 8,248 SF of cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

- EVIDENCE**
- a) The project area is in a rural part of the County where the typical parcel size is over 40 acres, and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
 - b) The location of the proposed cannabis cultivation is more than 300 feet from

the nearest off-site residence.

- c) Irrigation water is supplied by an existing 500,000-gallon rain catchment pond.
- d) A Water Resource Protection Plan (WRPP) (WDID: 1B170371CHUM) has been created in order to protect the water resources within the project area through annual site inspection, monitoring, and reporting of Tier 2 discharges to the North Coast Regional Water Quality Control Board (NCRWQCB) pursuant to Order No WQ-2019-0001-DWQ. Onsite monitoring shall occur during the following activities: 1) Prior to the start of the water season on October 15, in order to evaluate site winterization and preparedness for storm water runoff; and 2) Following any rainfall event with an intensity of 3 inches of precipitation within 24 hours. The applicant is conditioned to meet the monitoring requirements and recommendations outlined in the WRPP (**Condition 9**).

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 contains one (1) existing residential unit. The approval of cannabis cultivation on this parcel will not conflict with the operation or use of the existing residential unit onsite.

8. FINDING

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

EVIDENCE

The project site is located in the Van Duzen Planning Watershed, which under Resolution 18-43 is limited to 425 permits and 146 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 117 permits and the total approved acres would be 40.19 acres of cultivation.

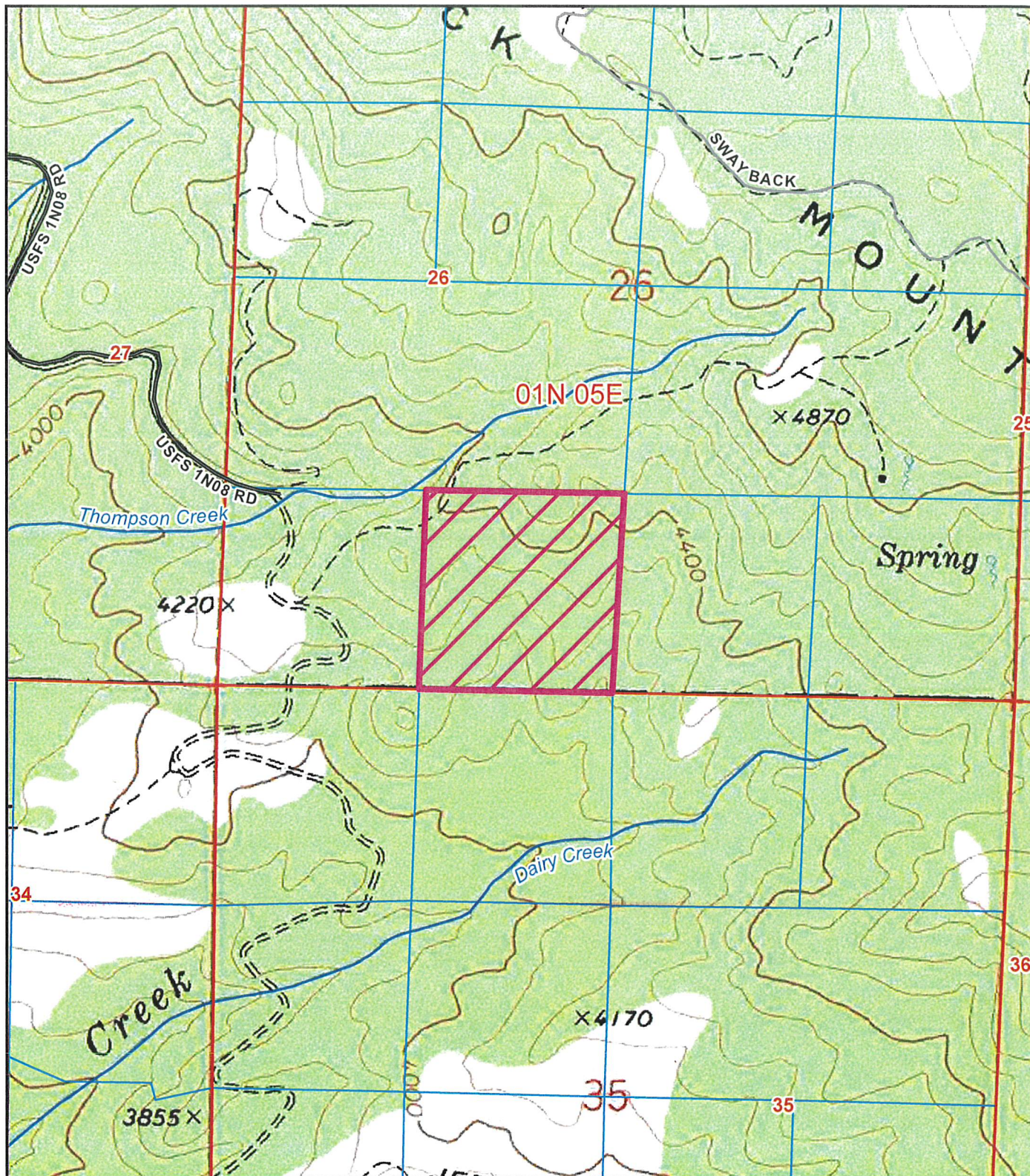
DECISION

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 approve the Special Permits for Heavy Ratchet, 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 September 15, 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 Commission at a meeting held on the date noted above.

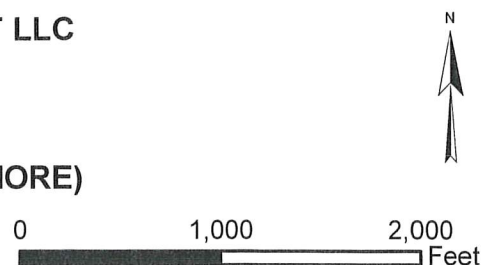
John Ford, Director
Planning and Building Department

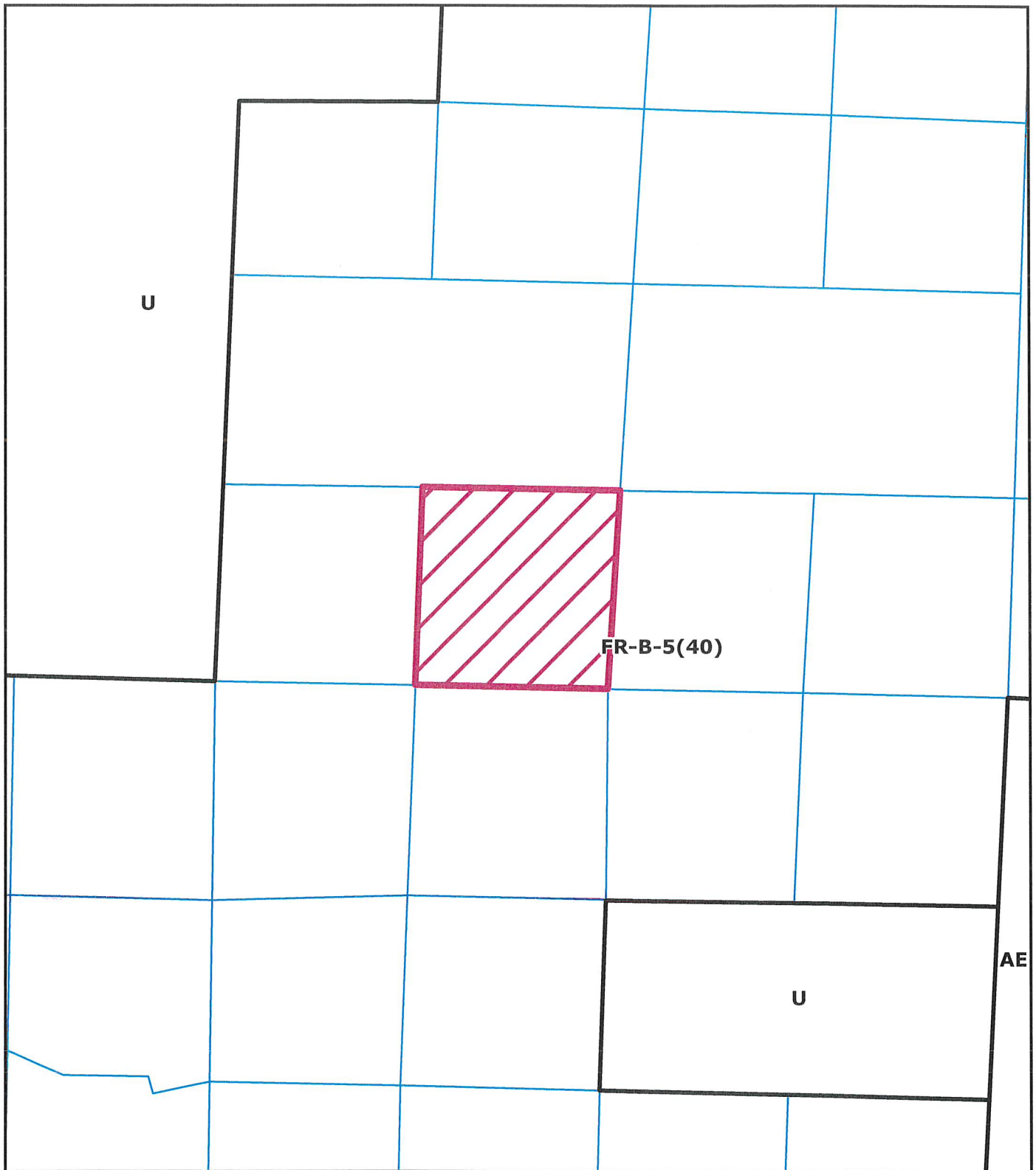


TOPO MAP
PROPOSED HEAVY RATCHET LLC
DINSMORE AREA
CUP-16-609
APN: 210-117-024-000
T01N R05E S26 HB&M (DINSMORE)

Project Area = 

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



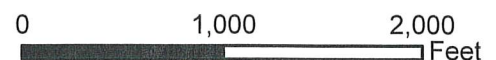


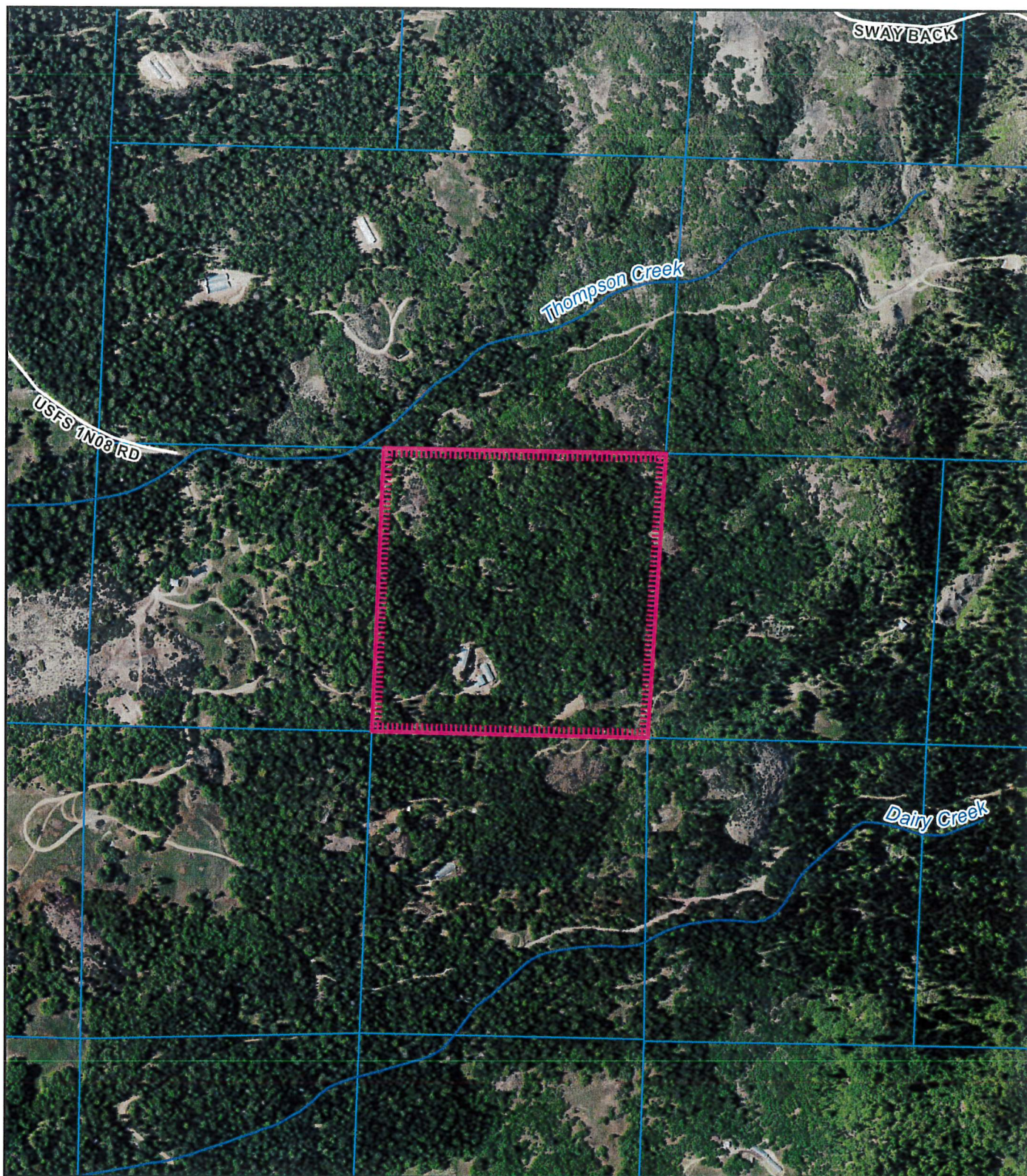
Project Area = 

**ZONING MAP
PROPOSED HEAVY RATCHET LLC
DINSMORE AREA
CUP-16-609
APN: 210-117-024-000
T01N R05E S26 HB&M (DINSMORE)**



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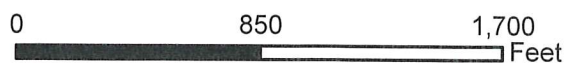


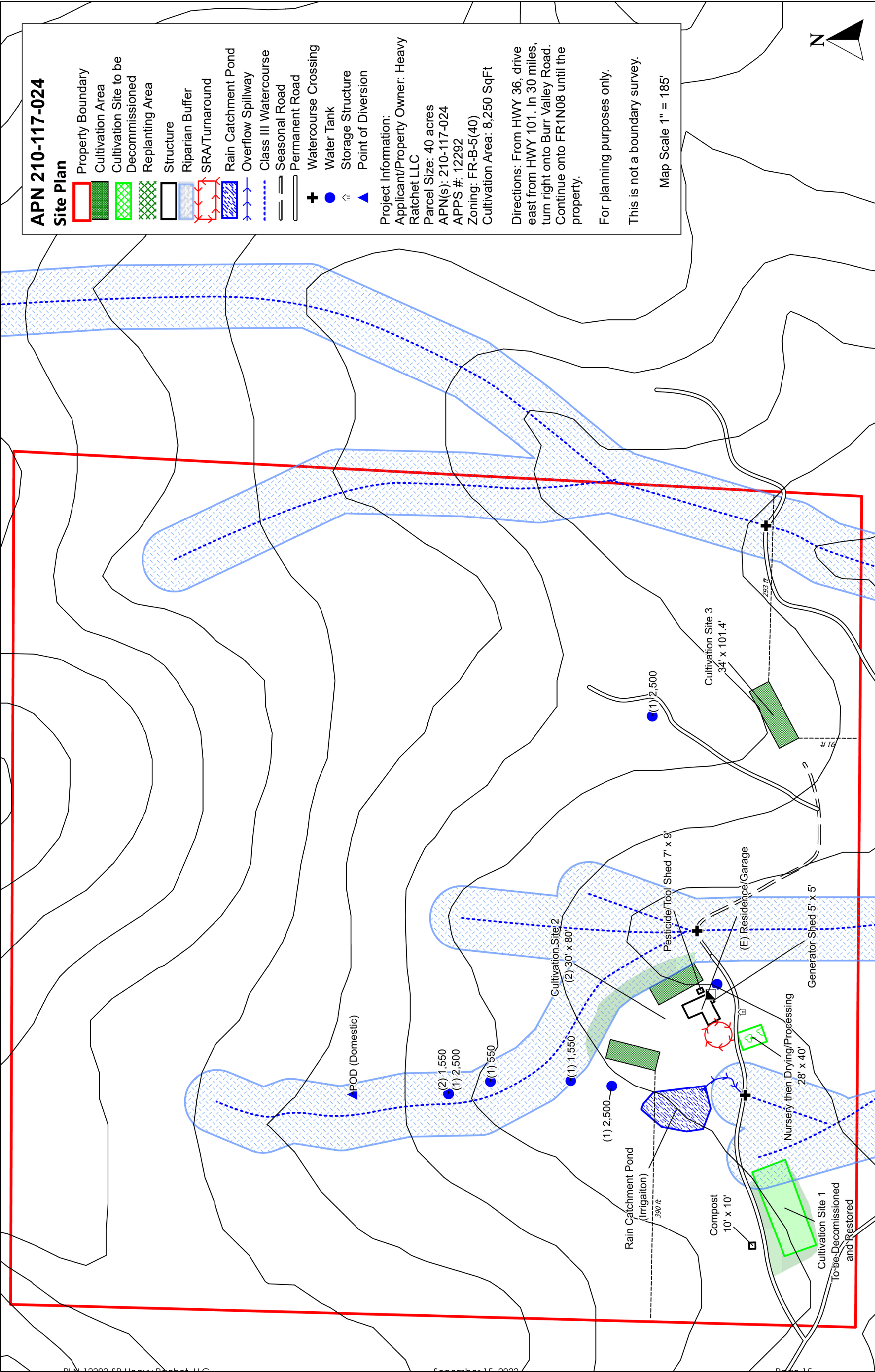


Project Area = 

**AERIAL MAP
PROPOSED HEAVY RATCHET LLC
DINSMORE AREA
CUP-16-609
APN: 210-117-024-000
T01N R05E S26 HB&M (DINSMORE)**

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.





APN 210-117-024

Site Plan

- Property Boundary
- Cultivation Area
- Cultivation Site to be Decommissioned
- Replanting Area
- Structure
- Riparian Buffer
- SRA/Turnaround
- Rain Catchment Pond
- Overflow Spillway
- Class III Watercourse
- Seasonal Road
- Permanent Road
- Watercourse Crossing
- Water Tank
- Storage Structure
- Point of Diversion

Project Information:
Applicant/Property Owner: Heavy Ratchet LLC
Parcel Size: 40 acres
APN(s): 210-117-024
APPS #: 12292
Zoning: FR-B-5(40)
Cultivation Area: 8,250 SqFt

Directions: From HWY 36, drive east from HWY 101. In 30 miles, turn right onto Burr Valley Road. Continue onto FR1N08 until the property.

For planning purposes only.

This is not a boundary survey.

Map Scale 1" = 185'



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 the staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use, and at the 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. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, 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 #26. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity including, but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons, existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan.
7. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.
8. Processing activities shall be supported by an approved onsite wastewater treatment system from the Humboldt County Department of Environmental Health (DEH). Applicant must obtain a permit for, and install, an approved onsite wastewater treatment system to support the processing location and either install approved septic systems or provide portable toilets to cultivation areas.

9. The applicant shall meet the monitoring requirements of the Water Resources Protection Plan (WRPP) prepared by Timberland Resource Consultants, in October 2017. Onsite monitoring shall occur by Stillwater Science during the following activities: 1) Prior to the start of the water season on October 15, in order to evaluate site winterization and preparedness for storm water runoff; and 2) Following any rainfall event with an intensity of 3 inches of precipitation within 24 hours.
10. The applicant shall comply with the completed Lake and Streambed Alteration Agreement (LSAA) that has been reviewed and issued by the California Department of Fish and Wildlife (CDFW) (Permit Notification No. 1600-2017-0770-R1). The owner/applicant/operator shall implement all required conditions and/or preventative actions for project encroachments identified within the LSAA. All conditions and/or preventative actions shall be completed by the deadlines identified in the LSAA. The LSAA permit conditions include: conducting work during the dry season (June 1 through October 31); notification to CDFW of work 7 days prior to commencement; prohibition of live stream work; maintaining up and down stream fish passing(s); storage and clean-up requirements; implementation of escape ramps in trenches; and prohibition of plastic netting. Other conditions requiring vegetation removal and staging/storage of equipment are required as well.
11. The applicant shall implement the Inadvertent Discovery Protocol In the event that historical artifacts or human remains are encountered during any activities within the project area. A qualified professional archaeologist shall be contacted immediately and work stopped, in order to inspect and clear the project area for all further activities. If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 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.
12. COUNTY ROADS – PART 1 – All recommendation in the Road Evaluation Report(s) for non-county maintained road(s) shall be constructed/implemented to the satisfaction of the Planning & Building Department prior to commencing operations, final sign-off for a building permit, or approval for business license. A grading permit may be required; check with the Building Division of the Planning and Building Department for any permit requirements.
13. 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.
14. 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.
15. Within thirty (30) days of project approval, the owner/applicant/operator shall install water-monitoring devices on the spring/point of diversion to track water usage and ensure no water is drawn for irrigation purposes. Spring/point of diversion water is only allowed to be used for domestic purposed in association with the on-site residence. All diversions for irrigation purposes shall cease immediately upon project approval.
16. Within 30 days of project approval, the Owner/Applicant/Operator shall submit a revised site plan, showing that the nursery area complies with the Humboldt County standard of 10% of the cultivation

area; therefore, no more than 825 SF of nursery area is allowed. The revised site plan shall be submitted to the Director of Humboldt County Planning and Building for review and approval.

17. The use of generators as a primary power source for cannabis related activities shall cease by December 31, 2025. The applicant shall either connect to a utility or have an alternative source of power starting January 1, 2026.
18. The Owner/Applicant/Operator shall decommission and restore the entirety of Cultivation Area 1 (as shown on the June 10, 2021 site plan) subject to the recommendations of the Restocking Plan, prepared by Timberland Resource Consultants in July 2019.

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

1. The combination of background, and greenhouse fan or other operational equipment created noise must not result in the harassment of Foraging Bat species or Northern Spotted Owl, and is required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CCLUO 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. The applicant is to limit the use of heavy equipment during nesting season February 1st through August 15th.
2. All artificial light utilized in mixed-light greenhouses shall be limited to 6 watts per square foot, with no wattage limit in the ancillary propagation greenhouse. All artificial lighting shall be fully contained within structures such that no light escapes (i.e., through the use of 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 (refer to <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>). Standards include, but are not limited to: Light shall 1) be shielded and downward facing, 2) 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 be placed where needed.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment and noise levels have been repaired, inspected, and corrected as necessary.
4. The use of synthetic netting for purposes of erosion control is prohibited. To minimize the risk of wildlife entrapment, the applicant shall not use any erosion control materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers at all times, and disposed at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. Invasive plant species shall be eradicated and managed at existing and proposed cultivation areas for the duration of the project lifespan.

9. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
10. All components of the 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. Any changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. When offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
11. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO and MAUCRSA, as applicable to the permit type.
12. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
13. The permittee shall have possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
14. The permittee shall be in compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
15. The permittee shall ensure confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
16. The permittee shall maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
17. The permittee shall comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
18. The permittee shall comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
19. The permittee shall consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).

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

Performance Standards for Cultivation and Processing Operations

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

- (3) Poison control contacts.
 - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
29. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
 - b. Location where processing will occur
 - c. Number of employees, if any
 - d. Employee Safety Practices
 - e. Toilet and handwashing facilities
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
 - g. Drinking water for employees
 - h. Plan to minimize impact from increased road use resulting from processing
 - i. On-site housing, if any
30. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CCLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
31. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a re-inspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request re-inspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
32. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
33. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.
34. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CCLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- a. Identifying information for the new owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;

- c. The specific date on which the transfer is to occur;
- d. Acknowledgement of full responsibility for complying with the existing permit; and
- e. Execution of an Affidavit of Non-diversion of Cannabis.

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

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CCLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CCLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #B.11 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #B.29 and B.30 of the Ongoing Requirements/Development Restrictions, above.
3. The applicant shall be aware that the Federal Government considers the cultivation of cannabis to be an illegal activity. This project is accessed by using roads that pass-through lands owned by the Federal Government. The Federal Government may not allow the applicant to use these roads to transport cannabis. In such case, Humboldt County will not provide relief to the applicant. Approval of this permit does not authorize transportation of cannabis across Federal lands.

ATTACHMENT 2

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

**Commercial Medical Marijuana Land Use Ordinance Mitigated Negative Declaration (MND)
(State Clearinghouse # 2015102005), January 2015**

**APN 210-117-024
5735 Forest Route 1N08, Dinsmore, CA
County of Humboldt**

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

July 2022

BACKGROUND

Purpose of Addendum

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 MND have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous EIR or 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 EIR or 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 EIR or 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 EIR or MND; B) significant effect previously examined will be substantially more severe than shown in the previous EIR or 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 EIR or MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Project History

The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. The CMMLUO was considered a "project" under CEQA and thus required analysis for potential environmental impacts. Therefore, the CMMLUO regulations were developed and adopted in concert with the environmental analysis and MND that was adopted for the ordinance in 2016.

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 and 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. 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." As applications are filed for new or differing cultivation activities, the "modification" to the CMMLUO is evaluated for consistency and compliance with the CMMLUO MND.

Modified Project Description

Heavy Ratchet, LLC ("Applicant/Owner") seeks approval for a Special Permit for 8,248 square feet (SF) of pre-existing outdoor cannabis cultivation, within three (3) greenhouses (GH), including: GH1 2,400 SF, GH2 2,400 SF, and GH33,448 SF. Propagation occurs in one (1) 1,120 SF structure that contains the nursery and drying/storage/processing facilities. Irrigation water is supplied by an existing 500,000-gallon rain catchment pond. Total estimated annual water use is 75,300 gallons/year (9.12 gallons/SF). Water is

stored in the pond and in seven (7) tanks for a total capacity of 12,700 gallons. Two on-site generators currently supply power: one (1) 6-kW diesel generator and one (1) 8-kW diesel generator.

Leopardo Wildlife Associates prepared a "Biological Assessment for Heavy Ratchet LLC Cannabis Cultivation Project" report in September 2019. The Assessment included a search of the CNDDDB (California Natural Diversity Database) and the California Department Fish and Wildlife's (CDFW) List of Special Animals (2018), which identified Northern Spotted Owl Territories HUM0174 and HUM0548 (last detected in 2011), and three other special status plants within 1.3 miles of the project site. The three special status plants are the Mad River fleabane daisy (*Erigeron maniopotamicus*), Tracy's sanicle (*Sanicula tracyi*), and Yolla Bolly Mtns. Bird's-foot trefoil (*Hosackia yollabollensis*). Field inspections conducted in July 2019 concluded that the project site/parcel was likely clear-cut in the mid-1900s and then logged at least twice since that time. The stand structure associated with the project site is not suitable for nesting Northern Spotted Owls (NSOs), and the last detection of NSOs in the nearby sites were recorded in 2011; therefore, no impacts to NSOs are anticipated to result from the project. The survey also confirmed the absence of wetlands/other sensitive habitats within 50 feet of operations, and determined that noise levels associated with generator use and greenhouse fans were found to be below the 50 decibel (dB) at 100 feet, or edge of habitat threshold established by CDFW for cannabis cultivation sites. The Assessment concludes, "no plant or animal community will be impacted by the proposed cannabis cultivation activities in a manner that would be CEQA significant". The Assessment also did not identify any recommendations or any required conditions of approval.

A Cultural Resources Investigation Report was prepared by Archaeological Research and Supply Company (Nick Angeloff) in February 2018. The report included assessment of resources within the project area and outreach to the Bear River Band of the Rohnerville Rancheria. The Tribal Historic Preservation Officer (THPO) for the Bear River Band requested a copy of the draft report be submitted to the tribe. The Report concludes "There are zero (0) previously recorded historical or prehistoric era resources identified during this survey. The record search showed three (3) previous surveys and no (0) previously recorded archaeological sites within ½ mile of the subject property." Erika Cooper, the THPO for the Bear River Band, expressed via email on March 29, 2021, that she had no specific concerns for the subject property due to the negative survey report; however, she requested the application of the inadvertent discovery protocol condition, which has been applied to the project (**Condition 11**).

The subject parcel includes areas that have undergone tree and vegetation removal to facilitate cannabis cultivation. A Timberland Conversion Evaluation Report was prepared by Timberland Resource Consultants (July 22, 2019) and documented a total of 1.67 acres of timberland conversion. Conversion occurred at the following sites: Cultivation Area (CA) 1 (0.28 acre) and CA 2 (1.39 acre). This conversion does not exceed the three-acre conversion exemption maximum. A Restocking Plan was prepared by Timberland Resource Consultants, which the applicant is conditioned to follow (**Condition 18**).

The modified project is consistent with the adopted MND for the CMMLUO, because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. These include ensuring supplemental lighting and security lighting adheres to Dark Sky Association standards, and ensuring project related noise does not harass nearby wildlife, which will limit impacts to biological resources as a result of light and noise.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigation measures. The proposal to authorize the continued operation of 8,248 square feet (SF) of pre-existing outdoor cannabis cultivation, within three (3) greenhouses. Greenhouse 1 (GH1) measures 2,400 SF; Greenhouse 2 (GH2) measures 2,400 SF; and Greenhouse 3 (GH3) measures 3,448 SF 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 significant 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:

- Revised Site Plan prepared by Timberland Resource Consultants, dated June 10, 2021.
- Cultivation and Operations Plan prepared by Timberland Resource Consultants, dated January 2022.
- Correspondence from Bear River Band of the Rohnerville Rancheria (Erika Cooper), dated March 29, 2021.
- Lake and Streambed Alteration Agreement (LSAA) No. 1600-2017-0770-R1, dated July 3, 2020.
- Biological Assessment for Heavy Ratchet LLC, prepared Leopardo Wildlife Associates, dated September 18, 2019
- Cultural Resources Investigation of the Dinsmore Vasilev Property, prepared by Archaeological Research and Supply Company, dated September 2018.
- Timber Conversion Evaluation for APN 210-117-024, prepared by Timberland Resource Consultants, dated July 22, 2019.
- Restocking Plan for APN 210-117-024, prepared by Timberland Resource Consultants, dated July 20, 2019.

Other CEQA Considerations

Staff has applied a condition requiring the applicant to comply with the 10% nursery/propagation threshold used by Humboldt County (**Condition 16**). The applicant has requested a propagation/nursery area of 1,120 SF (13.5% of the 8,248 SF cultivation area) which is above the 10% threshold being recommended by Humboldt County.

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

See **Purpose** statement above.

For every environmental topic analyzed in this review, the potential environmental impacts of the current project proposal, **Heavy Ratchet, LLC (12292)**, would be the same or similar, with no substantial increase in severity, than the initial CMMLUO 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, **Heavy Ratchet, LLC (12292)**. 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
Application Report of 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. **(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. (Site Plan prepared by Timberland Resource Consultants, dated June 10, 2021, **Map 4**)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan prepared by Timberland Resource Consultants – January 2022 – **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 – **On file**)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. **(On file)**
8. If any onsite or offsite component of the cultivation facility (including access roads, water supply, grading or terracing) impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife (Notification Permit No. 1600-2017-0770-R1). **(On file)**
9. If the source of water is a well, a copy of the County well permit, if available. **(Not applicable)**
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. **(Not applicable)**

11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. **(On file)**
12. Acknowledgment that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section, in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. **(On file)**
13. Acknowledgment that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). **(On file)**
14. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). **(On file)**



EDITS
11/25/2020

*Operations Manual
for
Heavy Ratchet, LLC
Cultivation Project
8/15/17*

Produced By:



732 5th St. Suite H & I, Eureka, CA, 95501°(707)798-6199°agdynamix.com

Executive Summary

Project sponsor is Heavy Ratchet, LLC, a California Limited Liability Company whose purpose is to conduct agricultural activities within the State of California. The company is a dual member for-profit entity.

Sponsor proposes employment of eighteen (18) people that will support cultivation, processing, and packaging activities. This model would set a healthy precedent for the Mad River community by setting a sound agricultural standard for this emerging industry.

The applicant is applying with the county for a Special Permit for up to 10,000-sq. ft. of pre-existing outdoor cultivation. Applicant also wishes to receive a timely issuance of a M-Type 2 license for small outdoor cultivation.

The project is located on parcel No. 210-117-024 on approximately 40.38 acres of U zone. The Sponsor wishes to seek a provisional approval for a Use Permit for pre-existing outdoor cultivation totaling ~~12,000~~^{12,438}-sq. ft., consisting of four ~~(4)~~³ greenhouse areas, which includes two (2) 2,400-sq. ft. greenhouse areas, one (1) 3,450-sq. ft. greenhouse area, and one ~~(1) 3,750-sq. ft.~~ designated for cultivation activities. The site also includes one (1) 1,232-sq. ft. Agricultural Building that supports drying and nursery activities. Natural light supports Project cultivation activities, with an exception for supplemental lighting that supports nursery activities. Project is currently supported by one Honda 3000 watt gasoline generator, one (1) Honda-3 kW gasoline generator, one (1) 6-kW diesel generator, and one (1) 8-kW diesel generator.

The Project site's water is sourced from one (1) onsite spring. Applicant ~~proposes development for one (1) 500,000-gallon rainwater catchment pond to increase water storage.~~ The project is supported currently by one (1) 50,000-gallon bladder, twelve (12) onsite water storage tanks; five (1) 1,500-gallon, five (5) 2,500-gallon, one (1) 2,000-gallon, and one (1) proposed 2,500-gallon onsite water storage tanks.

The Sponsor has enrolled with the Waste Waiver Discharge program to facilitate compliance with the State Water Resources Control Board upon. The Initial Statement of Water Diversion and Use (ISWDU). A Lake and Streambed Alteration Agreement/Notification (LSA-1600) must be submitted for stream crossing upgrades and proposed pond overflow into watercourse.

Project Timeline

** Spring is used for Domestic ~~water~~ use only.*

Phase 1 (2017)

- Submit Grading Plan for Pond.
- Obtain Land Use Approval.
- Obtain Grading Permit.
- Relocate Garden Area within Stream Buffer Area.
- Submit Building Permit Plans.
- Submit Lake and Streambed Alteration Notification to the California Department of Fish and Wildlife.

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Phase 2 (2018)

- Obtain Building Permits.
- Make Improvements if Needed to Existing Infrastructure.
- Construct New Greenhouse to Host Relocated Cultivation Area.

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Project Overview

The Project concerns Parcel No. 210-117-024 in Mad River, California that is seeking provisional permitting for outdoor medical commercial cannabis cultivation with consideration of the phased approach to development. The Project features four (4) cultivation areas totaling 12,000 sq. ft. Cultivation and processing activities would occur on the central portion of the Parcel.

Summary

The Project parcel is zoned FR, which falls within the allowable zoning specified by the local authority. The Sponsor seeks permit approval for 12,000 sq. ft. of outdoor cultivation that is pre-existing, is supported by evidence, and involves natural light with an exception for nursery activities.

The Project features four (4) cultivation areas comprised of one (1) 3,450 sq. ft., two (2) 2,400 sq. ft., and one (1) 3,750 sq. ft. greenhouse cultivation areas. Also existing is one (1) 1,232 sq. ft. Agricultural Building designated for nursery activities.

Location Description

The proposed Project would occur on legal Parcel No. 210-117-024 at Buck Mountain, Mad River, CA, in the southeast quarter of the southwest quarter of Section 26, Township 01 North, Range 05 East, Humboldt Meridian.

Zoning

The property features zoning FR and the following characteristics:

- GIS acres: 40.38 acres.
- Coastal Zone: Outside.
- 100 Year Flood Zone: Outside.
- Alquist-Priolo Fault Hazard Zone: Outside.
- FEMA FIRM Flood Rating & Panel Number: Not applicable.
- Slope: <15% in most cultivation areas.
- Relative Slope Stability (Per General Plan Geologic maps): High Instability.

Soil Ratings

As per Humboldt County's Ordinance No. 2544, because the project is pre-existing, no prime agricultural soil rating requirement pertains.

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Project-Specific Factors

The following table details any potential effects to environmental elements related to the Project:

<input type="checkbox"/>	Aesthetics	<input checked="" type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
<input checked="" type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input checked="" type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input checked="" type="checkbox"/>	Hazards and Hazardous Materials	<input checked="" type="checkbox"/>	Hydrology/Water Quality
<input checked="" type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population/Housing	<input checked="" type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance

Mandatory Compliance Factors

In accordance with the State of California, it is a requirement that agricultural operations obtain the appropriate environmental filings to support land alterations, diversions, and discharges of affluent.

Water Sources

Water is sourced from an onsite spring (POD). Applicant proposes construction of one (1) 500,000-gallon rainwater catchment pond.

Initial Statement of Water Diversion & Use (ISWDU)

The ISWDU has been filed to secure applicants right to divert water from one (1) onsite spring (POD).

Small Domestic Use Registration (SDU)

Not available.

Small Irrigation Use (SIU)

Not applicable.

Lake and Streambed Alteration Agreements (LSAA-1600/1602)

It was determined that a LSAA-1600/1602 will be required for this Project because water is being diverted from one (1) onsite spring, and there will be an overflow plumbed to existing watercourse from a proposed pond, as well as stream crossing work to be performed. Periodic inspections may be conducted by a third-party agent, Timberland Resource Consultants (TRC), or CDFW to determine the need and application for filing.

Water Board Order: Waste Waiver Discharge (WWD)

Initial inspections by TRC regarding water usage and discharges have been conducted. The initial notice of intent and monitoring/reporting forms, under the WWD, have been filed with the North Coast Regional

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Water Quality Control Board (NCRWQCB). A reporting/recording system would be developed, monitored, and reported to comply with annual renewal requirements under this order.

Additional inspections (post enrollment) would be conducted by the TRC, with no current confirmation of when this inspection would occur. The proposed Project falls into Tier 2 due to the pre-existing cultivation site, canopy size, and water uses. The Project does not pose a notable threat to the environment due to several conditions that are documented in the WRPP.

Water Resource Protection Plan (WRPP)

A WRPP will be generated by the designated agency, TRC. This document is held by the third-party agent and applicant which maintained onsite to satisfy any request by the NCRWQCB. This ensures protection of nearby habitats via management of spoils, management of runoff/discharges, use of DPR-approved inputs, correct use of fertilizer, and proper storage of fungicides, pesticides, and fuels.

Department of Pesticide Regulation Requirements (DPR)

The Project would adhere to DPR requirements and limitations regarding pesticide, fungicide, and rodenticide inputs for cannabis cultivation and management of pests and/or disease. Quality and consumer-safe production requires medical cannabis cultivation inputs that are approved as environmentally sound and deemed safe for medical consumption.

Archaeological Inspections & Survey

There is no current archaeological inspection on file of which the permitting agent is aware. However, records may be accessible through Sonoma State University's Northwest Information Center (NWIC) and the local THPO.

Additional Compliance Factors

Bureau of Cannabis Control (BCC)

In 2015, the Legislature passed and the Governor signed into law three bills (Assembly Bills 243 and 266, and Senate Bill 643) that create a licensing and regulatory framework for medical cannabis through the Medical Cannabis Regulation and Safety Act. Later this was updated through the MAUCRSA, Senate Bill 94. This legislation created the Bureau Cannabis Control within the Department of Consumer Affairs. It also divided the responsibility for state licensing between three state entities – the CA Department of Food and Agriculture, the CA Department of Public Health, and the Bureau of Medical Cannabis Regulation, with the Bureau designated as the lead agency in regulating the cannabis industry in California. This agency is responsible for licensing concerning testing, retail, distribution, and microbusinesses.

Cal-Cannabis Cultivation Licensing

As directed by the Medical Cannabis Regulation and Safety Act and the Adult Use of Marijuana Act, the California Department of Food and Agriculture (CDFA) has written the proposed regulations to establish cannabis cultivation and processing licensing and a track-and-trace system, collectively referred to as Cal-Cannabis Cultivation Licensing.

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Office of Manufactured Cannabis Safety

OMCS was established in the Center for Environmental Health of the California Department of Public Health (CDPH) after the Governor signed into law the Medical Cannabis Regulation and Safety Act in 2015. The Act established a licensing and regulatory framework for the manufacturing, packaging, and infusion of medical cannabis in California.

The Medical Cannabis Regulation and Safety Act created the Bureau of Medical Cannabis Regulation in the Department of Consumer Affairs, and tasked the following Departments to establish regulations for the medical cannabis industry:

CA Department of Consumer Affairs (Bureau of Cannabis Control): to license transporters, distributors, dispensaries, and testing laboratories.

CA Department of Food and Agriculture (Cal-Cannabis Cultivation Licensing): to license cultivators and will also be responsible for implementing the Track-and-Trace System for plants from cultivation to sale.

CA Department of Public Health (Office of Manufactured Cannabis Safety): to license manufacturers of cannabis.

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Performance Standards

Performance standards include nuisance mitigation (for noise, odors, light, and other potential hazards of the Project), setback requirements, and a consent to inspect.

Setback Requirements

The proposed Project area meets all setbacks required by the local authority and adheres to all other setbacks from neighboring parcels and property boundaries.

Nearby parcel residences are more than 300' from the proposed cultivation space (applicable only to parcels of five (5) acres or less). There are no known schools, school bus stops, public parks, places of religious worship, or Tribal cultural resources that are known within 600' to 1,320' of the cultivation area. Additionally, a 30' setback from the PG&E pole and 12' of overhead lines and property borders is satisfied.

Setbacks from nearby waterways will adhere to the NCRWQCB and the CDFW's setback requirements. It is deemed that Environmentally Sensitive Habitat areas will not be impacted by the proposed Project.

Nuisance Mitigation

The Project would mitigate the potential for or existing nuisances, including through odors, lights, sounds, and other nuisances that extend beyond the boundaries of an adjacent property, with adherence to State and local (County and/or municipality) regulations pertinent to this Project.

Best mitigation efforts:

- Odor: Scrubbers.
- Light: Escape shielding.
- Sound: Buffering.

Generator Use

Project is supported by one (1) Honda-3000-watt gasoline generator, one (1) 3 kW, one (1) 6kW, and one (1) 8-kW diesel generators.

Consent to Inspect

This section hereby grants to the relevant authority an authorization to conduct an annual compliance inspection with a minimum notice of 24 hours. The inspection would be conducted by officials during regular business hours (Monday-Friday, 9:00 am-5:00 pm), excluding holidays.

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Cultivation Plan

The Cultivation Plan adheres to robust standards promulgated under the DPR and regulated under the CDFA, and in accordance with DCA's consumer standards maintained by the Department of Public Health (DPH).

In preparation for future certification related to organically produced product, the Cultivation Plan also follows National Organic Program (NOP) standards. The input guidelines established by the DPR are in accordance with certification regarding organically produced product requirements and follow a whole-farm BMP plan for management of land, crops, and end products.

Summary

The Project proposes ^{8,248}~~12,000~~ sq. ft. of M-Type 3 pre-existing outdoor cultivation in the form of four (4) garden areas on 40.38 acres of FR zoning that would be serviced by natural light with an exception for supplemental lighting that will support nursery activities.

Water for the proposed Project would be sourced from twelve (12) onsite water storage tanks totaling 28,500 gallons and one (1) 50,000-gallon water bladder that are supported by one (1) onsite spring. Applicant proposes the development of one (1) 500,000-gallon rainwater catchment pond. A WRPP will be available for further information regarding site-specific conditions, mitigation measures, and remediation efforts.

Cultivation Schedule

The following table details the annual cultivation schedule, comprised of one (1) harvests per year, with breakdown by area. Water figures are indicated in gallons.

Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Area 1	Cover	Cover	Cover	Veg	Veg	Veg	Bloom	Bloom	Bloom	Cover	Cover	Cover
Area 2	Cover	Cover	Cover	Veg	Veg	Veg	Bloom	Bloom	Bloom	Cover	Cover	Cover
Area 3	Cover	Cover	Cover	Veg	Veg	Veg	Bloom	Bloom	Bloom	Cover	Cover	Cover
Area 4	Cover	Cover	Cover	Veg	Veg	Veg	Bloom	Bloom	Bloom	Cover	Cover	Cover
Water	0	0	0	6000	8000	10000	15000	20000	22500	0	0	0

*Water use as estimated.

Winterization Plan

During the fallow months, exposed ground would be cropped with green cover and native vegetation seed to protect against erosion and denitrification of the soil. Green manures would be incorporated into the native soils to enhance productivity during the forthcoming planting season.

Water Resources

Water for the proposed cultivation Project would be sourced from one (1) onsite Spring to support domestic water needs. Applicant proposes construction of one (1) 500,000-gallon rainwater catchment pond that will support the site's commercial irrigation activities.

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To mitigate runoff from cultivation activities, high-retention soil mediums and special irrigation techniques would be employed.

Irrigation Plan

Applicant is using a direct water supply system and would consider design and implementation of a water conservation irrigation methodology.

Emergency Water Plan

In the event of a water emergency, the proposed Project currently features adequate water storage to support the project site in the event of emergency from one (1) onsite spring, twelve (12) water storage tanks, one (1) 50,000-gallon water bladder, and one (1) proposed 500,000-gallon rainwater catchment pond. Existing and future water systems development is noted on the site plan (see *Site Plan/WRPP Map*).

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Operational Plan

The Operational Plan covers many aspects of the business, including location, organization, and a description of the Project's business sponsor that includes its mission, vision, and values. It also includes a description of what is produced by the Project, including sales and marketing efforts.

Summary

The Operational Plan details use of the organization's resources in pursuit of the strategic plan. It prescribes specific activities and events to be undertaken to implement strategies. It is a plan for the day-to-day management of the organization (encompassing a one-year period). An operational plan should not be formulated without reference to a strategic plan. Operational plans may evolve from year to year with business growth. The chief executive, lead staff, and third parties of or for the organization often produce the Operational Plan.

The products produced by the Project would have the primary designated use of the treatment of patients with varying ailments. Medical cannabis products would be distributed to qualified medical cannabis consumers via wholesale outlets and retail dispensary locations.

Business Organization

Heavy Ratchet, LLC is a sole member Limited Liability Company (LLC) operating under entity number 201421210180 that features two members. The members are responsible for delegating primary activities pertinent to the organization's daily and future management.

Management Team

Nikolay Vasilev, Co-Member.

Severin Stoyanov, Co-Member.

Business Description

The primary goal of Heavy Ratchet, LLC is, within the State of California, to conduct agricultural activities and produce specialty agricultural products.

Mission

Heavy Ratchet is a for-profit entity with the mission of producing high-grade specialty cannabis agricultural products to support the medical cannabis supply chain for California-based retail dispensary outlets.

Vision

Heavy Ratchet adheres to a sustainable and homestead-driven, integrative farming model that includes standards related to organically produced crops and onsite agricultural resource sustenance. The company's model integrates sustainable living and production principles with cannabis cultivation.

Values

Heavy Ratchet values the need for prudent land management strategy, social equity, and the quality production of cannabis to supply medical consumers and the treatment of their conditions. The company is committed to operating within full compliance of local, County, and State regulations.

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Products

Heavy Ratchet LLC would produce specialty agricultural cannabis and nursery stock to support the onsite cultivation of high-grade organically produced cannabis flower products that are tested and assured for quality. Cultivation byproducts of additional value would be sold to permitted manufacturers (for the processing of extracts, concentrates, and topical products).

The primary designated use of the raw medical cannabis (flower) produced would be the treatment of patients with varying ailments. Premium-grade medical cannabis can be consumed via multiple methods, including inhalation, ingestion, and dermal (topical) applications. Cannabis has proven to deliver positive efficacy for myriad ailments, conditions, and symptoms. Research is underway regarding additional benefits of medical cannabis.

Sales & Marketing

Heavy Ratchet, LLC's product would be distributed to medical cannabis consumers via wholesale outlets and retail dispensary locations and ancillary marketplaces. The quality, testing thresholds, and branding would target consumers who lead a Lifestyle of Health and Sustainability (LOHAS) and who prefer premium organically produced medicine.

Chain of Custody

Heavy Ratchet, LLC adheres to a robust system of chain of custody for recordkeeping and sourcing potential contamination of seed/nursery product, flower product, trim, or value-added byproducts. This system would serve to verify responsibility for and liability of products during cultivation, processing, distribution, and wholesale/retail sales.

Packaging

After testing and processing, products would be packaged per quality control standards and in tamper-proof packaging that does not appeal to minors. Products packaged in larger volumes would be distributed directly to consumers and retail outlets. Individual consumer labelling may be applied at the distributor or retailer level, after transfer of ownership in the chain of custody. If the business chooses to protect its branding through the Agricultural Commissioner, products would be individually packaged and labelled within the County of origin.

Distribution

Heavy Ratchet, LLC will secure trading outlets for its products through existing local distribution networks. These distribution networks service retail dispensary outlets that seek licensure within their respective jurisdictions, as well as the State licensing platform under the CDFA. The established patient base has created a demand and fulfills the need for many medical cannabis products from multiple licensed suppliers within the State of California.

Track and Trace Standards

As per the Track and Trace provisions as of June 27th, 2017 under the Medical Adult Use Cannabis Regulation and Safety Act (MAUCRSA), Senate Bill 94.

Chapter 6.5. Unique Identifiers and Track and Trace

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26067. (a) The department, in consultation with the bureau, shall establish a track and trace program for reporting the movement of cannabis and cannabis products throughout the distribution chain that utilizes a unique identifier pursuant to Section 26069, secure packaging, and can provide information that captures, at a minimum, all the following:

- (1) The licensee receiving the product.
- (2) The transaction dates.
- (3) The cultivator from which the product originates, including the associated unique identifier pursuant to Section 26069.

(b) (1) The department, in consultation with the State Board of Equalization, shall create an electronic database containing the electronic shipping manifests to facilitate the administration of the track and trace program, which shall include, but not be limited to, the following information:

- (A) The variety and quantity or weight of products shipped.
- (B) The estimated times of departure and arrival.
- (C) The variety and quantity or weight of products received.
- (D) The actual time of departure and arrival.
- (E) A categorization of the product.
- (F) The license number and the unique identifier pursuant to Section 26069 issued by the licensing authority for all licensees involved in the shipping process, including, but not limited to, cultivators, manufacturers, distributors, and dispensaries.

Transportation

All products would be transported through either the permitted cultivator to processing or distribution and/or via a licensed transporter to trading partners that are authorized to distribute cannabis products to end consumer outlets (when applicable). These transporters would be responsible for adhering to guidelines that involve (but are not limited to) permitting, weights and measures, packaging/packing/labeling, verification of packing and freight volumes, and liability insurance that covers product loss resulting from unintentional diversion or emergency.

Transporters would be responsible for fulfilling contractual deadlines and ensuring delivery of products in a timely fashion to maintain positive standing with trading partners and protect the quality of a product that features a limited shelf life.

SB-643, Chapter 719, § 19302.1 (d): "The DCA shall have the sole authority to create, issue, renew, discipline, suspend, or revoke licenses for the transportation, storage unrelated to manufacturing activities, distribution, and sale of medical marijuana within the State and to collect fees regarding

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activities the BMCR regulates. The bureau may create licenses in addition to those identified in this chapter that the bureau deems necessary to effectuate its duties under this chapter.”

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Processing Plan

The Processing Plan covers many aspects of the end stage cultivation workflow employed by the business to harvest, dry, trim, cure, package, and assure the quality of medical cannabis products. Quality assurance efforts include sanitation, dust control, and environmental standards necessary for optimal processing.

Background

Summary

As promulgated under various regulatory agencies, including but not limited to the Labor Commissioner (LC) and Wage and Hour Division (WHD), Employment Development Department (EDD), the Agricultural Labor Relations Board (ALRB), United States Department of Agriculture (USDA), the Food and Drug Administration (FDA), California Department of Food and Agriculture (CDFA), and are responsible for varying aspects of government labor laws, quality control, minimum wage and hours laws, administrative responsibilities, and health and safety regulations that govern processing and day labor activities related to Agricultural industries.

Project Details

All Processing activities will be supported by a pre-existing 2,300-sq. ft. two story residence. Processing will take place in the garage. Drying and nursery activities are to be conducted within existing shed structure.

Cultivation activities undergo a common process flow that involves cultivation, to harvest, drying, to testing, grading/sorting, curing, to testing, packaging, to testing again (distributor level), and end sales. This is in efforts to ensure robust quality control; the business would employ stringent grading and sorting of medical cannabis product during harvest to eliminate any contaminated product from end supply.

Project Processing Environment

The proposed project processing environment will consist of processing activities being conducted in a within the garage of the existing residence.

It is expected that structures for this project would support a maximum of eighteen (18) people during peak processing activities. Applicant may propose additional structural development to accommodate enhanced operational needs.

Housing

The Plot Plan includes a personal residence that is not extended to employees.

Any housing provided to employees for this Project will be subject to CCR regulations found in the *Source Guide for Federal & State Requirement for Employees and Migrant Housing*.

Administrative

Administrative elements of the Project include payroll, recording and reporting, chain of custody, safety procedures and protocols, product safety materials, labor and subcontractor issues, and quality assurance/control of product.

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Labor Management

The primary organization that is currently responsible for the recordkeeping of employees (both seasonal and permanent) would be Heavy Ratchet, LLC. All records maintained by Heavy Ratchet, LLC would be made available upon request.

The organization has considered payroll options for peak times of the season during which employment periods would be up to several months in duration (particularly during the harvesting, processing, and packaging stages of cultivation). An outside entity may be responsible for soliciting, recruiting, and hiring employees.

The designated entity is responsible for ensuring property, business, and workplace compliance under the guidelines of the following departments:

- Bureau of Medical Marijuana Regulation (BMCR).
- California Department of Food & Agriculture (CDFA).
- County Agriculture Commissioner (CAC).
- County Planning Department (CPD)/Community Planning (CP)/Development Department (DD).
- Department of Industrial Relations (DIR).
- Department of Labor, Wage, and Hour Division (DL-WHD).
- Department of Pesticide Regulation (DPR).
- National & California Agricultural Labor Relations Board (NALRB/CALRB).
- Occupational Safety and Health Administration (OSHA).
- U.S. Department of Labor (US-DOL).

Recording & Reporting

All employee records for hours worked and reported would be kept onsite or via a payroll recordkeeping center and submitted to the managing payroll department to ensure timely reporting. Requests for review of payroll records would be the sole responsibility of the managing human resources agent (upon request and under certain lawful circumstances).

Quality Assurance & Control of Product

Quality assurance efforts encompass sanitation, climate control, dust control, and a variety of environmental standards. Quality control measures include monitoring, testing, harvesting, drying, curing, grading, sorting, packaging, secure storage, and distribution procedures.

In 2011, the Food and Drug Administration tasked the U.S. Department of Agriculture (USDA) to co-create with the U.S. Department of Health and Human Services (USDHHS) and the Center for Food Safety and Applied Nutrition (CFSAN) a program to implement Good Agricultural Practices (GAPs) and Good Handling Practices (GHPs). The goal was to mitigate food safety hazards and set standards and management regulations for processing facilities to ensure quality and consumer safety of agricultural products when handled in processing environments.

Found in the April 2011 *Guide to Minimize Microbial Food and Safety Hazards for Fresh Fruit and Vegetables* (authored by the USDA, USDHHS, and CFSAN) is discussion about the fundamental procedures

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that should be developed and implemented. This document features a list of principles applied to the workplace in efforts to meet these standards and is as follows:

- Accountability for product quality.
- Controls for workplace sanitation.
- Employee hygiene.
- Minimization of microbial exposures.
- Operating procedures.
- Packaging procedures and protocols.

Chain of Custody

Agricultural businesses must adhere to a rigorous chain of custody system for product management and the identification of contamination in all raw and finished products.

Monitoring

Pre/post-harvest workflow would be monitored on a predetermined schedule and involve documentation of the condition of the product during its active stage of monitoring.

Harvesting

During harvest, a labor crew would be required to assist with light physical labor, including walking, crouching, lifting, and some climbing.

Testing Procedure

All product testing would be conducted by an approved (certified) third-party laboratory. This would encompass testing for potency and purity, including the presence of pesticides, fungicides, and harmful micro biologics.

Drying/Curing

Product would be harvested at maturity and dried and cured in a climate-controlled environment. The primary equipment used would include dehumidifiers, fans, and heaters.

Grading/Sorting

Products would be graded based on testing results, maturity, and specific intended use (flower, manufacturing of extracts, concentrates, topical products, etc.)

Processing

Product would be harvested, trimmed, dried, and cured in a manner best suited to the specific environmental factors of the crop. This would include both visual inspections by master cultivators and data collection and analysis (via automated sensors).

Packaging

Packaging would adhere to the guidelines for package type, quantity/weights, warning labels, and stamping procedures.

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Health & Safety

The first response emergency contact phone number is 9-1-1. Hospitals are Redwood Memorial Hospital 707-726-1001 (Fortuna) and St. Joseph Hospital at 707-445-8121 (Eureka). The American Association of Poison Control Centers (AAPCC) can be reached at 800-222-1222.

Job Hazard Analysis

Labor duties would vary throughout the harvesting, drying, processing, and packaging stages of the operation. With each task, an analysis would be conducted to identify potential hazards associated with a task, including weather conditions, the physical aptitude of employees, tools utilized, and potential exposure to chemicals and other substances. Identification of these hazards is intended to mitigate potential job hazards and help ensure employee adherence to safety practices.

Injury Illness Prevention Plan

It is required by the DIR that every employer shall establish, implement, and maintain an effective Injury and Illness Prevention Plan (IIPP).

Components of an IIPP include:

- Employee compliance with safe and healthy work practices.
- Investigation of injuries and/or illnesses.
- Procedures for correction of unsafe/unhealthy conditions, work practices, and/or procedures.
- Procedures to identify and evaluate workplace hazards.
- Responsible person(s) and contact information.
- Safety training.
- System for communication with employees.
- Thorough safety program recordkeeping and document retention practices.

Heat Illness Prevention Plan

Written protocols regarding heat illness prevention would be available to employers, managers, supervisors, and employees regarding how to prevent and handle heat illness incidents.

To prevent heat illness to employees in the field, several factors must be considered:

- Ambient temperature (measured via thermometer or weather report).
- Crew size.
- Excessive clothing.
- Other relevant exposures.
- Presence of personal protective equipment or additional sources of heat.
- Work shift duration.

The following heat illness factors would be considered:

- Accessibility of drinking water.
- Accessibility of shade (via protective structures).
- Periodic rest breaks.

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- Reminders to employees to remain hydrated.

Hazard Communication Policies

Hazard communication is important to ensure the safety of all onsite employees, contractors, and subcontractors. Potential and known hazards would be made clear prior to conducting tasks and activities. Implementing this procedure is important to ensure that employees, contractors, and subcontractors are informed about the relevant risks associated with certain onsite tasks and the reduction of liabilities against the employer for improper use of equipment, machinery, and tools.

Emergency Procedures

Emergency procedures include the availability of eye washing stations and detailed procedures for dealing with chemical spills. In the event of an emergency, certain protocols would be developed and followed regarding fire evacuation plans, earthquake safety, and other emergency scenarios.

Chemical Handling

Any input products used onsite would be accompanied by MSDS and Chemical Inventory Lists that would be available to inspectors and employees and maintained onsite.

In the event of emergency spills, call 9-1-1 and then report to the Office of Environmental Safety (OES) and California State Warning Center (CSWC) at 800-852-7550 or 916-845-8911 and identify proper steps to isolate the incident and cleanup.

Eye Washing Station

Often, chemicals used onsite provide MSDS sheets that indicate the need for applicators to utilize an eye washing station after exposure. The eye washing station must be positioned within 200' of the cultivation area and any areas where chemicals, fertilizers, or pesticides would be used or administered for various applications.

Employee Accident Policies

An investigation would be conducted to determine next steps.

The company adheres to protocols for employee accident reporting. The manager is responsible for documenting any onsite incidents using *Form 5020*, including:

- Address of accident/event site.
- Description of accident/event and if the accident scene/instrumentation has been altered.
- Employer's name, address, and telephone number.
- Law enforcement agencies present at the accident/event site.
- Location of medical treatment.
- Name and address of injured employee(s).
- Name and job title of reporting party.
- Name of contact person at accident/event site.
- Nature of injuries.
- Time and date of accident/event.

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Accidents need to be reported immediately to Cal/OSHA in Redding at 530-224-4743.

Contact the business' medical provider, the employee's designated medical provider, or 9-1-1, depending on the severity of the incident. Follow up with contact to the California Division of Workers' Compensation (CDWC).

Personal Protective Equipment Policies

Application of pesticides and fungicides requires personal protective equipment, including respirators, Tyvek suits, and gloves. It is the applicator's responsibility to ensure safety in the field. The farm manager is responsible for furnishing, applying, and informing of the appropriate uses associated with such products.

Applicators are required to acquire an Operator ID through the Agriculture Commissioner via the Pesticide Handling Training Program (PHTP). This would involve training applicators about labels, cautions, and recommended Personal Protective Equipment (PPE). Pesticide PPE would be stored onsite and separately from fertilizers, pesticides, and fungicides. Restricted Entry Intervals (REI) would be imposed and posted after application of chemicals to prevent exposures.

Additional PPE provided onsite for any processing labor would include access to gloves and dust masks by employees during drying, processing, and packaging.

It is the responsibility of managers/supervisors to ensure that PPE policies are followed during appropriate working conditions. In the event of product application by an employee, the applicator must be designated an operator ID and is required to employ the proper PPE during application, as well as abide by label warnings in the event of exposure, poisoning, or a spill.

Processors may be required by State law to employ PPE equipment for the duration of their shifts to ensure no exposure to and/or contamination from a product.

All laborers must be made aware of REI and tangible notification of the recommended REI after the application of pesticides, fungicides, and other chemical applications.

Occupancy & Structural Guidelines

The general environments in which laborers would work include the field and within the proposed processing building. The environments in which any agricultural activity would occur would follow all guidelines (per agricultural and labor oversight agencies). The facility would need to meet commercial building standards in accordance with California Building Codes and would be made compliant with the American with Disabilities Act (ADA) and Architectural Barriers Act (ABA).

Any housings, buildings, and structures would be subject to California Building Code (CBC), including possible permitting requirements, inspections, and certificate(s) of occupancy. Additionally, specific exemptions exist that pertain to agricultural standards under the Occupational Safety and Health Administration (OSHA) and in conformance with the Occupational Safety and Health Guidelines (OSHG) (unless the Project meets certain exemptions, such as being a family-owned and operated business, does not offer temporary labor housing, or employs fewer than 10 employees at any given time). In other such cases, the site would need to comply with OSHA Guidelines pertaining to agricultural employment.

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Notification of Occupancy & Terms

As per the DIR and the US-DOL, all notices and labor postings would be provided and visible to all onsite employees. Any notification of occupancy status and terms of employee occupancy would be posted in compliance with all local, State, and Federal laws governing agricultural employers under the following regulatory bodies and regulations:

- California Agricultural Labor Relations Act (CALRA).
- California Occupational Safety & Health Administration (Cal/OSHA).
- Department of Industrial Relations (DIR).
- State and National Agricultural Labor Relations Board (CLRB & NLRB).
- U.S. Department of Labor (US-DOL).

Maintenance of Sanitary Facility

To help ensure the quality of finished product, a clean working environment would be maintained during the drying, curing, processing, and packaging stages of cultivation. Among other benefits, this would prevent potential contamination between crop batches. All product would be batch tested prior to processing. In the event of a recall, it would be assured that each batch or variety has not become contaminated during these stages within the processing facility.

Dust Control Measures

In the event of high dust levels, all processing environments would maintain clean working areas to prevent potential dust exposure to employees.

To ensure product quality and to prevent potential contamination of processing environments, certain dust control measures would be implemented. These measures would include maintenance of sanitary working environments and possible implementation of air filtration systems.

Water Access & Facilities

The Project site would provide employees with access to the following facilities/resources within reasonable proximity to work areas:

- Handwashing facilities (*processing area*).
- Onsite potable water (*cultivation area*).
- Restroom facilities (*processing area*).

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Contingency Plan

In accordance with specifications provided by the DEH and the California Unified Program Act (CUPA)—to meet the business plan criteria required to ensure compliance with regulations that are intended to protect public health and the environment—this section addresses water production (including well construction) and the handling of onsite wastewater, solid waste, and hazardous materials.

Summary

The Contingency Plan addresses onsite wastewater and hazardous wastes, solid waste removal and recycling, water production and well construction, hazardous materials handling, agricultural product storage, and chemical spill procedures and handling guidelines.

Material Safety Data Sheets (MSDS) for all fertilizers, soil amendments, and pesticides would be made available onsite. If requested, all equipment maintenance performed onsite would be listed/described. Per California Department of Food and Agriculture (CDFA) regulations, chemicals would be stored separately from fuels, oils, and similar products. Fertilizers and pesticides, specifically, would be stored in locked containment within an outdoor structure.

Chemical spills would be handled and reported per directions in the Project's Chemical Spill Procedure.

Common waste products that would be used or generated onsite include:

- Fertilizers.
- Fuels.
- Household chemicals.
- Human refuse.
- Human waste.
- Pesticides/herbicides/fungicides.

To ensure mitigation of potential pollution of grounds, nearby waterways, and ecological habitats, the proper treatment, storage, removal, and overall security of potentially polluting products would be ensured via use of dedicated areas and containers that are covered and watertight.

Project Waste Management

The sections below address the Project-specific details, impacts, and procedures for handling waste products.

Project Specific Details

A garage supports the site's processing activities, while the 1,232-sq. ft. agricultural structure supports drying and nursery activities. Project is supported by one (1) Honda 3000 watt generator, one (1) Honda-3kw, one (1) 6Kw, and one (1) 8Kw diesel generator.

The Sponsor has identified that the operation requires eighteen (18) employees during peak staffing to perform seasonal work activities. It is estimated that peak staffing would occur for a duration of approximately one (1) to three (3) months (cumulative) throughout the active working parts of the season.

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Onsite Wastewater/Hazardous Wastes

The proposed Project location is equipped with a septic system that is plumbed to the main residential structure. Employees would utilize the primary septic system for regular uses. Now, no record of permit or data exists regarding age or specifications of the system. Further inspections may be required to identify the septic system's ability to support increased use during peak seasonal work times and whether it requires an upgrade to meet commercial standards.

Waste Management Standards

As per the CCR, Title 8, § 3457, which addresses field sanitation standards, the cultivation site is required to provide access to waste facilities within one-quarter (1/4) mile or a five (5) minute walk, whichever is shorter.

If the primary septic system is not within this accessibility threshold, a portable facility or pit privy may be provided in lieu of septic to support waste activities. The standards for portable waste facilities are as follow:

- Toilet facilities: Shall be always operational, maintained in a clean and sanitary condition, and kept in good repair. Records of service and maintenance shall be retained for two years.
- Chemical toilet wastewater tank: Shall be constructed of durable, easily cleanable material and have a minimum tank capacity of forty (40) gallons. Construction shall prevent splashing on the occupant, field, or road.
- Chemical tanks: Contents shall be disposed of by draining or pumping into a sanitary sewer, an approved septic tank of sufficient capacity, a suitably sized and constructed holding tank approved by the local health department, or any other method approved by the local health department.
- Privies: Shall be moved to a new site or taken out of service when the pit is filled within two (2) feet of the adjacent ground surface. When the privy is moved, the pit contents will be covered with at least two (2) feet of well-compacted dirt.

Hazardous Materials Handling

The Project is supported by one (1) Honda-3kw gasoline generator, one (1) 6,000-Kw diesel generator, and one (1) 8,000-Kw diesel generator. Fuels to supply the domestic energy needs of the structures or cultivation activities are required. Other fuels may be used for small equipment and machinery and may include gasoline, oils, and diesel. All fuels used for equipment would be stored per the (CUPA) fuel and chemical storage guidelines.

To meet environmental health standards, applicants must maintain a list of and describe all compressed gases, cleaners, and sanitizers (including, but not limited to, household chemicals, bleach, and alcohol) and document quantities stored onsite. Fuels, pesticides, and other agricultural/household chemicals are required to be stored in locked containment, separate from other input products. Any substance in use shall be accompanied by a posted notification that clearly identifies its nature. To prevent spills onto ground surfaces, any motors, fuel containers, etc. would be stored in drop pans and within an enclosed area.

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Hazardous Material Standards

Quantities that trigger disclosure are based on the maximum amount onsite at any one time, as follows:

- 55 gallons, 500 pounds, or 200 cubic feet (for 30 days or more at any time during a year).
- Any amount of hazardous waste.
- Category I or II pesticides.
- Explosives.
- Extremely hazardous substances (above the planning threshold).

MSDS for all fertilizers, soil amendments, and pesticides (including organically produced examples) would be furnished and made available onsite. Compressed gases, cleaners, and sanitizers are stored on the premises in the quantities outlined in the *Gases and Cleaners* inventory list that is maintained onsite.

Applicants are required under CUPA guidelines to list/describe all equipment maintenance performed onsite (including changing oil, antifreeze, etc.). Upon request, applicant will furnish information regarding ongoing maintenance of small machinery and equipment that is necessary to support cultivation activities.

Project Equipment Inventory

- Two (2) Propane Heaters
- Stihl Chainsaw
- 2-3 Electric Water Pumps
- One (1) Honda Miranda Gas Water Pump
- Honda-3000-watt Gasoline Generator
- 6kW Diesel Generator
- 8kW Diesel Generator
- 3kW Diesel Generator
- 1 Set of Rouby 5-pc. Drilling Tools
- 2 Kerosene/Diesel Heaters (95/135 BTUs)
- Gas-Powered Grass Cutter/Weed Whacker
- 1997 Ford F-150 Pickup Truck
- 3 PC Electric Pressure Washer

Maintenance

Onsite.

Project Product Inventory

Household Chemicals (Processing Garage)

- Isopropyl Alcohol: 5 gallons
- Bleach- 3 Gallon

Fuels/Oils (Chemical storage)

- Proposed 500-Gallon Diesel Tank (Contained)
- Two (2) Large 10-gallon Propane Tanks
- Two (2) 7-Gallon Propane Tanks

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- Two (2) 4-Gallon Propane Tanks
- 10W30: 2.5 Gallons
- 5W40: 2.5 Gallons
- Two-Stroke Oil: 2.6 oz.
- Chain Oil: 2.6 oz.

Fertilizers/Pesticides/Fungicides/Rodenticides (Proposed Fertilizer/Chemical Storage)

- 20 Gallons-General Organics- Bio-Bud
- 5 Gallons-General Organics- Bio-Marine
- 2 Gallons-General Organics- Bio-Root
- 20 Gallons-Botanicare
- 5 Gallons-Cal Mag
- 2 Gallons-Silica
- 2 Gallons-Clearex
- 5 Gallons-Advanced Overdrive
- 2 Gallons-Age Old Grow
- 5 Gallons-Neem
- 1 Bottle of Trifecta

Agricultural Product Storage

As per the DPR (enforced by CDFA or the local Agriculture Commissioner), Projects that utilize pesticides and fertilizers must meet guidelines pursuant to CCR, § 6670, Title 3, Division 6, *Pesticide, and Pesticide Control Operations*. General guidelines dictate that chemicals are to be stored separately from fuels, oils, and similar products. Fertilizers and pesticides would be stored in locked containment within an enclosed outdoor structure.

Chemical Spill Procedure/Handling

In the event of emergency spills, the incident would be reported to the Cal OES State Warning Center at 800-852-7550 or 916-845-8911. The California Highway Patrol must be notified via 9-1-1 of spills occurring on highways in the State. The *Chemical Spill Procedure* would be followed and emergency services also contacted via 9-1-1. The procedure would follow the California Office of Emergency Services (Cal OES) *California Hazardous Materials Spill/Release Notification Guidance* (February 2014) and the (EPA) (Pacific Southwest, Region 9) *Chemical Spills Prevention and Preparedness* webpage.

In the State of California, many statutes require emergency notification of a hazardous chemical release, including:

- California Labor Code § 6409.1 (b).
- Government Code § 51018, 8670.25.5 (a).
- Health and Safety Code § 25270.8, § 25510.
- Public Utilities Code § 7673 (General Orders #22-B, 161).
- Title 42, U.S. Code § 9603, 11004.
- Vehicle Code § 23112.5.
- Water Code § 13271, § 13272.

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In addition to statutes, several agencies have notification or reporting regulations:

- Title 8, CCR, § 342.
- Title 13, CCR, § 1166.
- Title 14, CCR, § 1722 (h).
- Title 17, CCR, § 30295.
- Title 19, CCR, § 2703, 2705.
- Title 22, CCR, § 66265.56 (j), § 66265.196 (e).
- Title 23, CCR, § 2230, 2250, 2251, 2260.
- Title 40, CFR, § 263 esp. § 263.30.
- Title 49, CFR, § 171.16.

Solid Waste Removal/Recycling

All garbage will be contained within a holding structure and is to be removed no less than once per week. All waste and/or recycling materials will be processed by a permitted solid waste/recycling facility. The facility designated to receive waste products for this project is Eel River Resource Recovery.

Water Production/Well Construction

Water for the proposed cultivation Project would be sourced from one (1) spring to supply one (1) 50,000-gallon water bladder and twelve (12) onsite water storage tanks consisting of; five (1) 1,500-gallon, five (5) 2,500-gallon, one (1) 2,000-gallon, and one (1) proposed 2,500-gallon onsite water storage tanks. Sponsor proposes construction of one (1) 500,000-gallon rainwater catchment pond to increase storage amount intended for agricultural uses and fire suppression (see plot plan for proposal).

Approximated water use for activities are denoted within the *Cultivation Schedule* under the Cultivation Plan below. Monthly monitoring and annual reporting must be implemented to identify actual total uses for domestic and cultivation activities.

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Security Plan

The Project's *Security Plan* includes product security, inventory management, and diversion prevention. Pertinent regulatory language includes the following:

Assembly Bill 604 (AB-604), Article 3, Mandatory Commercial Registration, § 26040 (5): "Security requirements, including, but not limited to, procedures for limiting access to facilities and for the screening of employees. The department shall require all registrants to maintain an accurate roster of any employee's name, date of birth, and relevant identifying information, which shall be available for inspection by the department or State or local law enforcement upon demand."

AB-604, Article 3, Mandatory Commercial Registration, § 26046 (a)(3): "Operating and inventory control procedures to ensure security and prevent diversion."

AB-604, Article 3, Mandatory Commercial Registration, § 26046 (a)(4): "Detailed operating procedures for the proposed facility, which shall include, but not be limited to, provisions for facility and operational security, prevention of diversion, employee screening, storage of medical cannabis, personnel policies, and recordkeeping procedures."

Summary

The Security Plan details efforts to prevent loss and diversion of medical cannabis product at all stages of its cultivation and processing, including drying, trimming, curing, processing, and packaging. Robust recordkeeping would be implemented and maintained for quality assurance, inventory management, and prevention of diversion.

Measures of Security

Several security measures would be involved in the comprehensive protection of medical cannabis product during the cultivation and processing lifecycles. These include exterior lighting, alarms, cameras and video capture, and the hardening of doors, windows, and fencing.

Security measures for this project would encompass, at a minimum:

Points of Security

- Locked gates at all entrance points
- Applicant proposes surveillance and monitoring systems to be installed in the future.

Inventory Management

A rigorous system of recordkeeping and reporting would be facilitated to adhere to the State's Track and Trace requirements of all cannabis products. This would include (but not be limited to) flower, trim, and stem to ensure zero diversion of product throughout processing.

To prevent loss and diversion, all cannabis products would be stored under locked containment during the drying, curing, and packaging phases of processing. Products would also be subject to conformance with a checks and balances system to ensure the prevention of unintentional diversion.

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Prevention of Diversion

The most vulnerable stage of product security is transit to retail outlets. The best way to ensure product safety and prevention of diversion and loss is to maintain adequate chain of custody records via the Agricultural Commissioner.

This would occur under the oversight of the CDFA, in congruence with SICPA's Track and Trace Program. Additionally, retail outlets would be informed of expected delivery quantities. This would include packing slips, tamper-evident seals, verification of credibility, liability coverage, and manifests provided by licensed transporters.

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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
Humboldt County Division of Environmental Health		No response	On file
Humboldt County Building Inspection Division	✓	Conditional approval	On file
Humboldt County Public Works, Land Use Division	✓	Conditional approval	On file
CAL FIRE	✓	Denial	On file
Northwest Information Center (NWIC)	✓	Comments	On file and confidential
Bear River Band of the Rohnerville Rancheria	✓	Comments	On file and confidential
California Department of Fish and Wildlife (CDFW)		No response	