



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: January 18, 2018

To: Humboldt County Planning Commission

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

Subject: **Stay Conscious, Inc. Conditional Use Permit**
Application Number 10839
Case Numbers CUP 16-087
Assessor's Parcel Numbers (APN) 524-016-010
PO Box 1654 Willow Creek, 95573

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Please contact Keenan Hilton, Planner, at 707-445-7541 or by email at hilton@co.humboldt.ca.us if you have any questions about the scheduled item.

AGENDA ITEM TRANSMITTAL

Hearing Date January 18, 2018	Subject Conditional Use Permit	Contact Keenan Hilton, Planner
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Project Description: A Conditional Use Permit (CUP) is requested for 26,250 square feet of existing outdoor cannabis cultivation and on-site processing. Product will be dried in the shop and be machine trimmed outdoors before being cured and stored. The water source used for irrigation is an existing permitted well on the property that provides water at a rate of 30 gallons per minute (Permit #15/16 -0804, developed 2016). The property currently has 5,600 gallons of water storage in two existing above ground storage tanks. The applicant plans to hire two to four agricultural employees during the season; however, their duties will not include processing. The applicant and his family members will process the cannabis. The parcel has a permitted 3-Acre Conversion Exemption from February 2014 (Exemption #I-14EX-044- HUM). The property enrolled as a Tier 2 discharger under the Commercial Cannabis Waste Discharge Regulatory Program administered by the North Coast Regional Water Quality Control Board (NCRWQCB).

Project Location: The project is located in the Willow Creek area, south of Willow Creek, approximately 1.5 miles west of the intersection of Highway 299 and Martin Road, on the property designated by APN 524-016-010.

Present Plan Land Use Designations: Timberland (T), Humboldt County General Plan (HCGP), Density: 160 to 40 acres per dwelling unit; Slope Stability: Moderate Instability (2).

Present Zoning: Timberland Production (TPZ)

Case Number: CUP16-087

Application Number: 10839

Assessor Parcel Number: 524-016-010

Applicant

Stay Conscious, Inc.
Attn: Jonathan Rappaport
PO Box 1654
Willow Creek, CA 95573

Owner

Jonathan Rappaport
PO Box 1654
Willow Creek, CA 95573

Agent

Kaylie Saxon
Green Road Consulting
1650 Central Ave., Suite C
McKinleyville, CA 95519

Environmental Review: California Environmental Quality Act (CEQA) Exemption Sections: 15301 (Existing Facilities) and Section 15333 (Small Habitat Restoration Projects) of the CEQA State Guidelines.

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

Major Issues: None.

STAY CONSCIOUS, INC.
Case Number CUP16-087
Assessor's Parcel Number 524-016-010

Recommended Commission 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 part of the consent agenda:

Find the project Categorically Exempt from environmental review pursuant to Sections 15301 and 15333 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Stay Conscious, Inc. Conditional Use Permit subject to the recommended conditions.

Executive Summary: Stay Conscious, Inc. is seeking a Conditional Use Permit (CUP) for an existing 26,250-square-foot (sf) outdoor commercial medical cannabis operation with on-site processing. Existing structures and facilities associated with cultivation and processing include a shop built in 2015 used for drying and curing the cannabis; a shed built in 2014 on the western portion of the site used for tool and nutrient storage, a second shed built in 2014 on the eastern portion of the site used for tool storage, three barns built in 2010 used for trimming and vegetative clones, a greenhouse used for vegetative growth and transition, a 5,000-gallon poly tank used for water storage, and a 600-gallon water storage tank used for water storage.

The 144.5-acre property used for medical cultivation activity is zoned Timberland Production (TPZ). The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) identified TPZ-zoned parcels five acres or larger as sites where existing cannabis cultivation activities could be allowed. Cultivation of between 10,000 sf and 1 acre is allowed subject to the issuance of a CUP. A CUP is a discretionary permit, meaning that to approve the requested cultivation area, the Planning Commission must consider whether the findings required for permit approval can be met for the described project.

Operations

Stay Conscious, Inc. will conduct cultivation activities beginning in the spring. The applicant will begin cracking seeds and cultivating small vegetative plants for future transplanting. Plants will be moved to their permanent outdoor locations by mid-May. The applicant plans to hire two to four employees only during the season for cultivation activities. No employee housing is proposed. Employees will commute to the project site.

Processing activities will be conducted by applicant, family, and collective members. No employees will be used for the processing component of the operation. Plants are harvested between October and November, depending on the applicant's schedule and the crop timing. Plants are harvested one at a time using hand shears and then taken to the shop where they are dried, machine trimmed, and cured. The applicant will participate in the Track and Trace program the County plans to implement.

Soil used for cultivation will be amended and reused until fully spent. Soil that is no longer viable for cultivation is taken to Wes Green in Arcata for disposal. All cultivation waste is stored in designated receptacles on site. All green waste will be piled and stored away from any water course. Green waste is composted on site.

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis. The applicant only uses organic fertilizers and amendments. Top dressing is discontinued at least one month prior to harvest. All fertilizers and amendments are stored in a storage shed on the property. The applicant plans to post instructions for storage of fertilizers and amendments as well as for cleaning up spills. The applicant keeps a spill kit on site.

The property is accessed by a single private road with one locked gate. Security cameras are installed around all cultivation areas, the shop, and all gates.

Water Sources and On-site Wastewater System

The water source for the existing cultivation is obtained via one permitted, on-site well and an unpermitted direct diversion of a Class III stream that is located on the southern portion of the property. The well is not hydrologically connected to surface water and is not subject to forbearance. Under the project, the applicant would discontinue the diversion and remove and remediate the area including any associated diversion infrastructure. Water storage includes a 5,000-gallon, hard storage tank and a 600-gallon, hard storage tank. Estimated annual water use for the property is 162,000 gallons.

Cultivation areas will be irrigated by hand in the mornings and/or evenings at agronomic rates, minimizing runoff and water use. The existing cannabis cultivation operation is enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB) as a Tier 2 discharger (WDID# 1B16575CHUM) and the applicant has a consultant-prepared Water Resource Protection Plan (WRPP).

The applicant will provide portable toilets and hand washing facilities for employees. The applicant plans to replace the portable toilets with permanent sanitation facilities in 2019.

Lighting and Electrical Service

Lighting in all outdoor cultivation areas, will be natural. Supplemental lighting is not proposed, as the project is strictly outdoor cultivation.

The applicant has a total of four generators on site: three 3,000-watt and one 2,000-watt covered generator. All generators are housed in enclosed structures and have decibel (dB) levels under 50 dB. Generator noise will be mitigated by distance attenuation and reduction due to the enclosures. The applicant has submitted product information for each generator. Generators will be used between two and six hours per day. The total expected annual generator use is approximately 800 hours. Additional information on generator use is available in the applicant's Operation Plan.

Timber Conversion

A The Less than Three Acre Conversion Exemption from CAL FIRE was issued on the property in 2014 and expired in 2015 (1-14EX-044-HUM issued on 2-12-14 and expired on 2-12-15). Based on aerial photograph analysis it appears that trees were removed at the site in 2016, after the expiration of the Less than Three Acre Conversion Exemption. To address this a condition has been added to require the applicant to supply a report prepared by a registered professional forester (RPF) and resolve the issue in consultation with CAL FIRE.

Staff Recommendation

Based on the on-site inspection, a review of Planning Division reference sources, and comments from all involved referral agencies, planning staff believes that the applicant has submitted evidence in support of making all the required findings for approving the CUP.

ALTERNATIVES: The Planning Commission could elect not to approve the project, require the applicant to submit further evidence, or modify the project. These alternatives could be implemented if the Commission is unable to make all the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning Commission staff does not recommend further consideration of the alternatives.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 18-**

**Case Number: CUP 16-087
Assessor's Parcel Number: 524-016-010**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves Stay Conscious, Inc. Conditional Use Permit request.

WHEREAS, Stay Conscious, Inc. submitted an application and evidence in support of approving the Conditional Use Permit to permit an existing 26,250-square-foot outdoor cultivation area with on-site processing; and

WHEREAS, the County Planning Division reviewed the submitted application and supporting substantial evidence and referred the application and evidence to involved reviewing agencies for site inspections, comments, and recommendations; and

WHEREAS, the project is exempt from environmental review per Section 15301 (Existing Facilities) and Section 15333 (Small Habitat Restoration Projects) of the CEQA Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all the required findings for approving the proposed Conditional Use Permit (Case Number CUP 16-087); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on January 18, 2018.

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Planning Commission that the following findings be and are hereby made:

1. The proposed project is exempt from environmental review pursuant to Section 15301 (Existing Facilities) and Section 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) State Guidelines; and
2. The findings in Attachment 2 of the Planning Division staff report for Case Number CUP 16-087 support approval of the project based on the submitted evidence; and
3. Approves the Conditional Use Permit Case Number CUP 16-087 as recommended and conditioned in Attachment 1 for Case Number CUP 16-087.

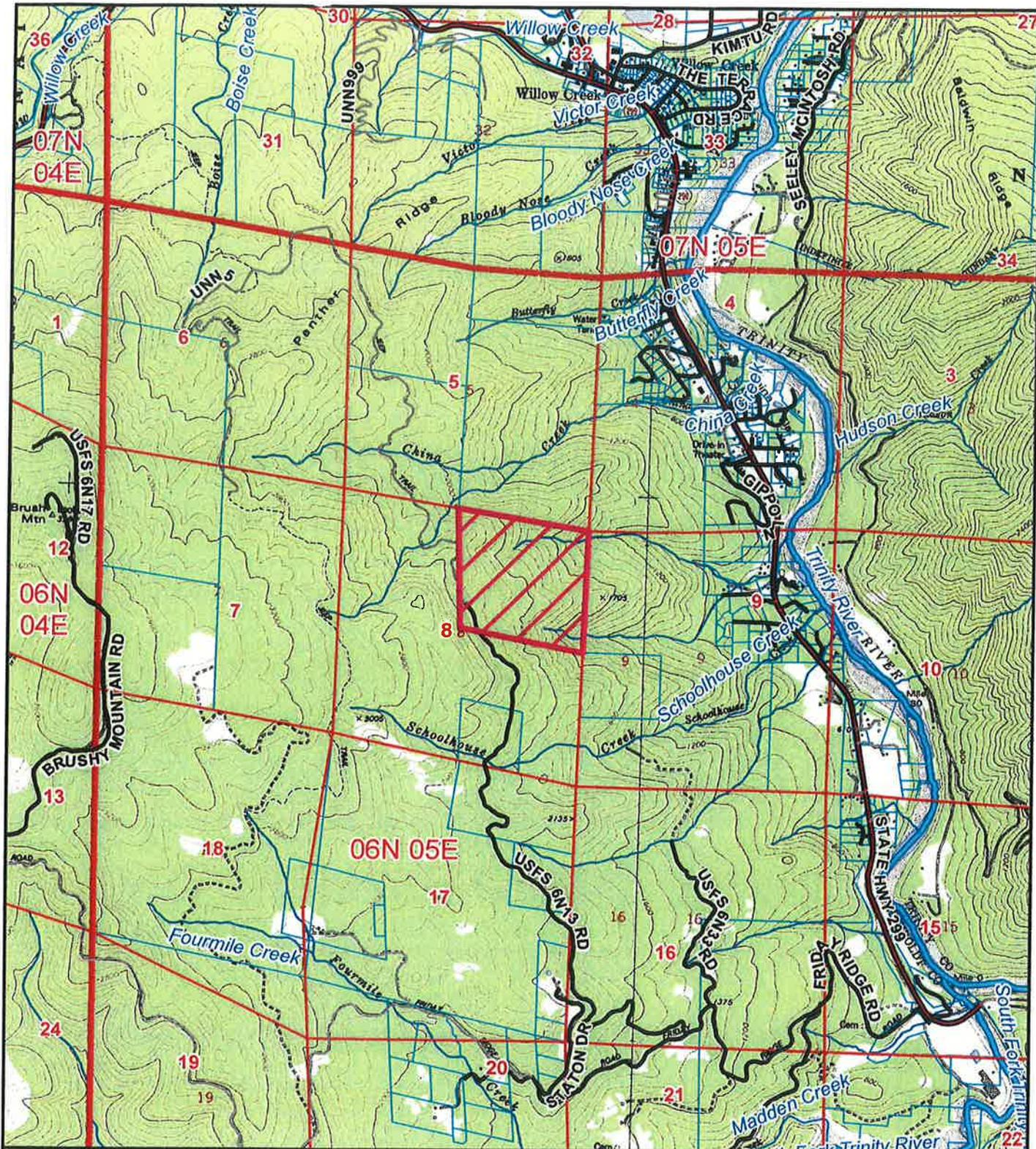
Adopted after review and consideration of all the evidence on January 18, 2018.

The motion was made by COMMISSIONER _____ and second by COMMISSIONER _____:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
DECISION:

I, John Ford, Secretary to the Planning Commission 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



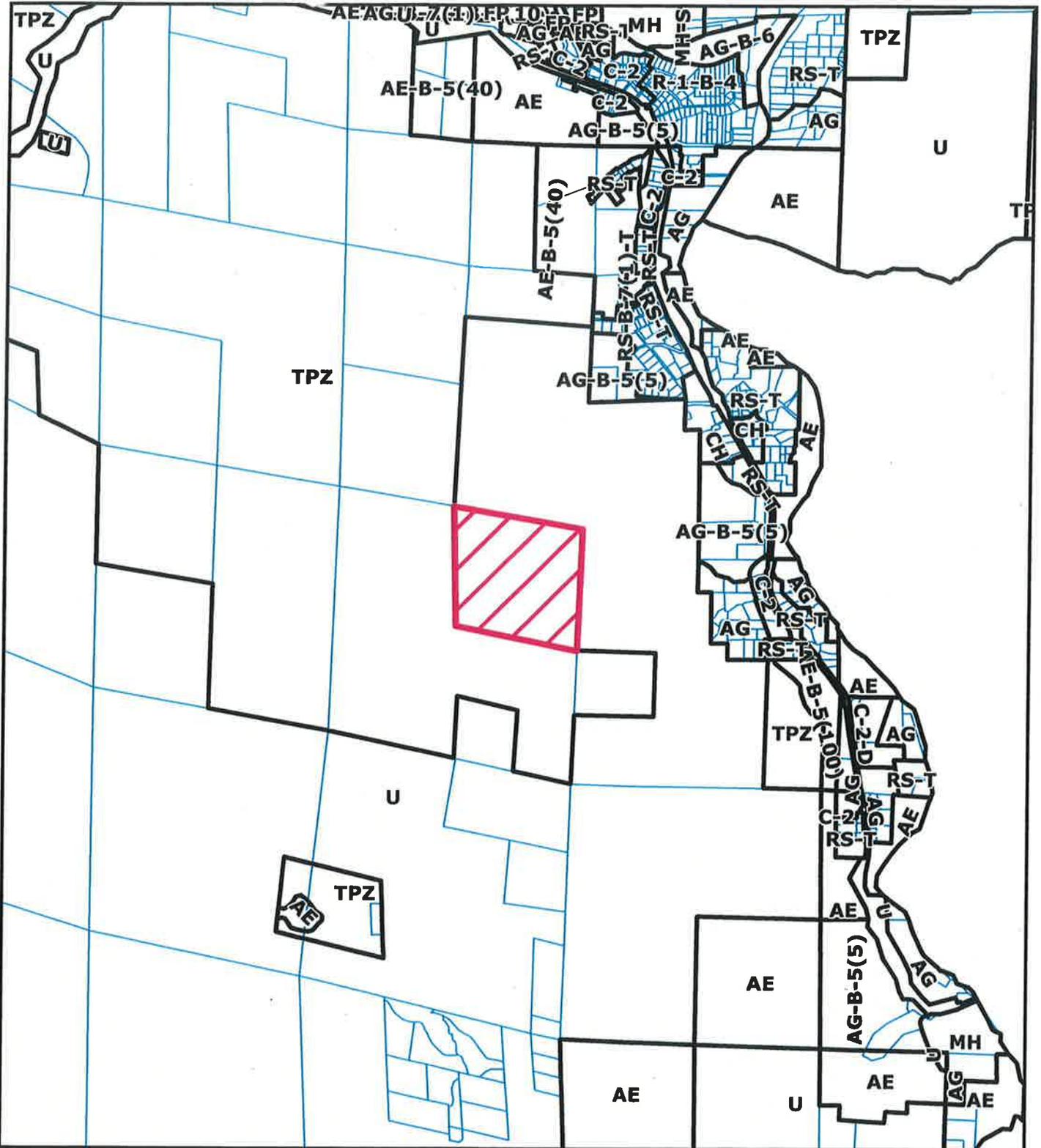
TOPO MAP
PROPOSED STAY CONSCIOUS, INC.
WILLOW CREEK AREA
CUP-16-087
APN: 524-016-010
T06N R05E S8 HB&M (WILLOW CREEK)

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.





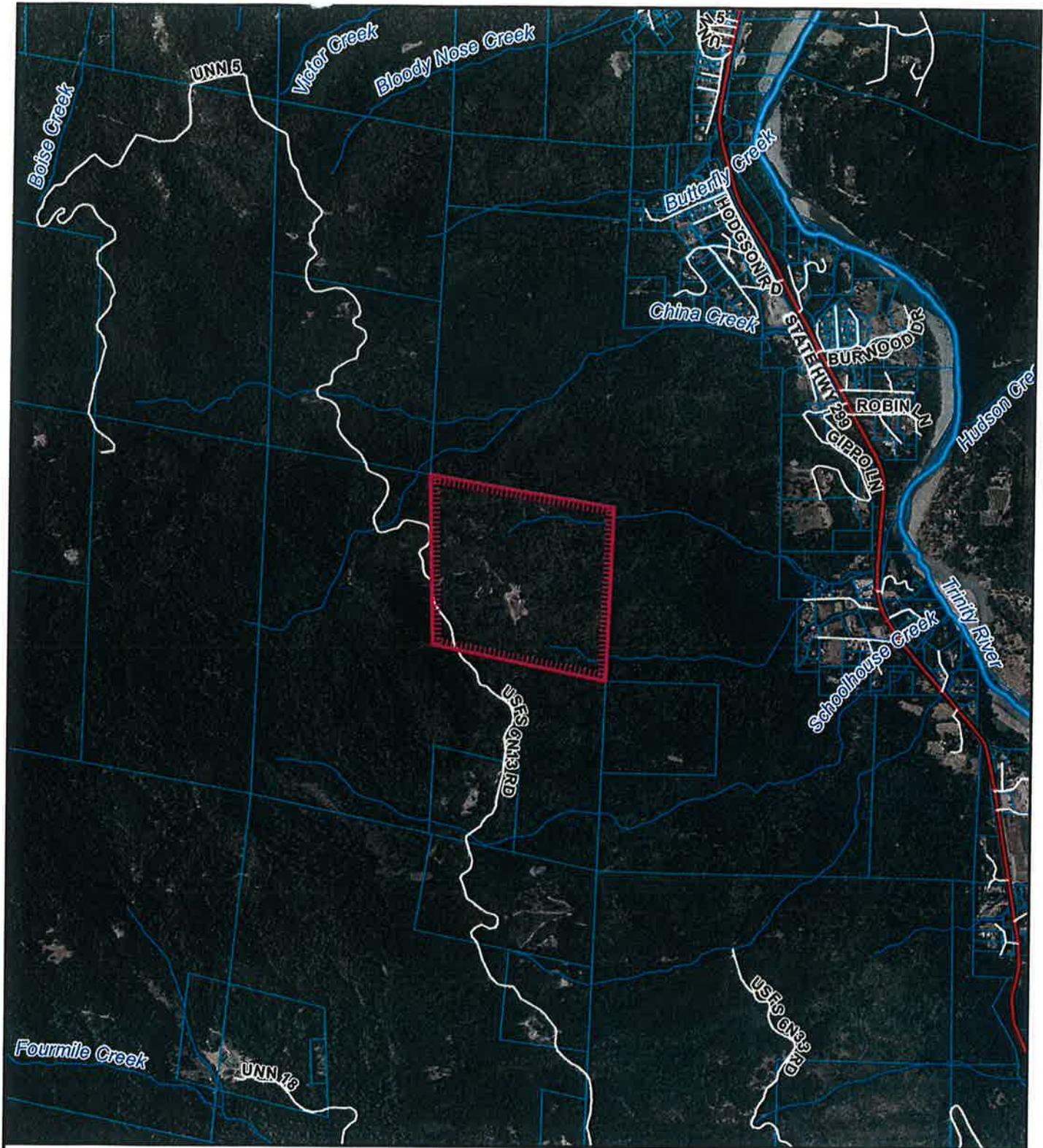
**ZONING MAP
 PROPOSED STAY CONSCIOUS, INC.
 WILLOW CREEK AREA
 CUP-16-087
 APN: 524-016-010
 T06N R05E S8 HB&M (WILLOW CREEK)**

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 = 

**AERIAL MAP
 PROPOSED STAY CONSCIOUS, INC.
 WILLOW CREEK AREA
 CUP-16-087
 APN: 524-016-010
 T06N R05E S8 HB&M (WILLOW CREEK)**



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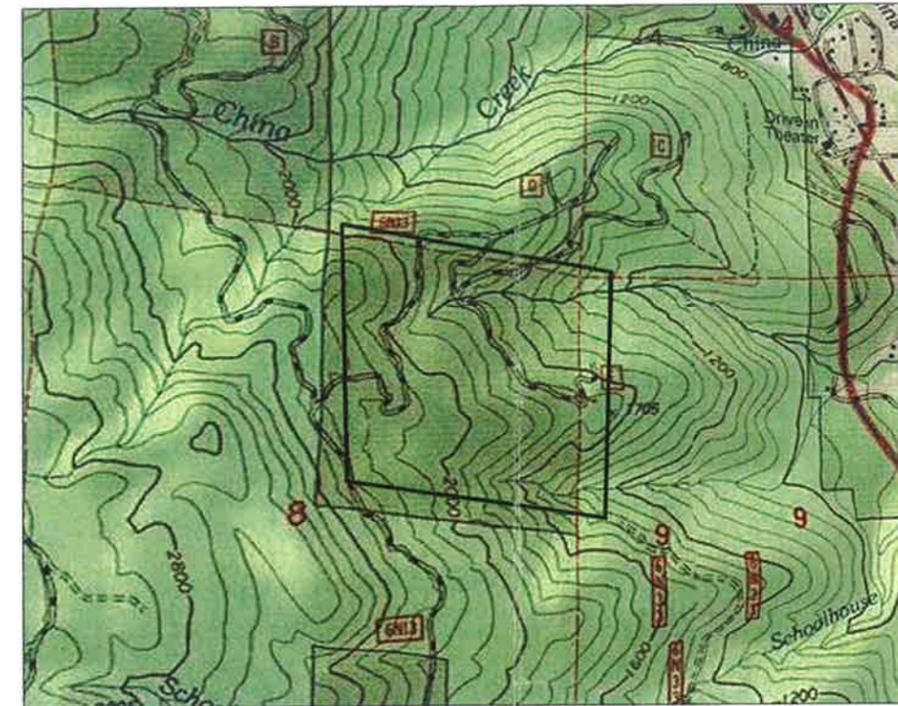


STAY CONSCIOUS, INC
APN: 524-016-10

PROJECT LOCATION



TOPOGRAPHY OF SITE



PROJECT INFORMATION

LAT/LONG: 40.9118, -123.6349
APN: 524-016-10
APPLICANT: STAY CONSCIOUS, INC.
PARCEL SIZE: ±140 ACRES
ZONING: TPZ
APPLICATION TYPE: TYPE 3 OUTDOOR

COASTAL ZONE: N
100 YEAR FLOOD: N

PROJECT DIRECTIONS

FROM: WILLOW CREEK, CA
 HEAD SOUTH ON CA-96 WEST TOWARD CA-299 EAST
 TURN LEFT ONTO CA-299 EAST (4 MI)
 TURN LEFT AT MARTIN RD.
 TURN RIGHT TOWARD COUNTY RTE 8L100/FRIDAY RIDGE RD.
 KEEP RIGHT
 TURN RIGHT TO STAY ON COUNTY RTE 8L100/FRIDAY RIDGE RD (1.5 MI)
 TURN RIGHT ONTO STATON DR. (1 MI)
 TURN RIGHT AT THE 1ST CROSS ST. ONTO STATON LN. (2 MI)
 KEEP RIGHT
 DRIVEWAY ON YOUR RIGHT

TRAVEL TIME

APPROXIMATELY: 8 MILES (23 MINUTES)

SHEET INDEX

CP-COVER PAGE
 D0-DOMESTIC USE OVERVIEW
 C0-CULTIVATION OVERVIEW

AGENT:
 KAYLIE SAXON
 GREEN ROAD CONSULTING INC
 1650 CENTRAL AVE. SUITE C
 MCKINLEYVILLE, CA 95519
 707-630-5041



PROPERTY LINES AND BUILDING LOCATIONS ARE APPROXIMATE AND BASED ON AERIAL MAPS AND GPS DATA TAKEN IN THE FIELD.



PROJECT INFORMATION

STAY CONSCIOUS, INC
 APN: 524-016-10
 COUNTY COVER PAGE

PROJECT
 ADDRESS
 SHEET INFO

REVISIONS

NO.	NOTES	DATE

DATE 11/9/18
 DRAFTER RP
 SCALE NOT TO SCALE

SHEET

CP

CULTIVATION OVERVIEW

APN: 524-016-10

CULTIVATION SITE MAP SUMMARY

SHOWS AND IDENTIFIES ALL BUILDINGS AND FEATURES THAT ARE ASSOCIATED WITH CULTIVATION AND/OR RESTORATION AREAS

CULTIVATION BUILDINGS AND USE

CULTIVATION AREA

CA #1= 4,861 FT²
 CA #2 = 20, 744 FT²
 CA #3 = 6,220 FT²

TOTAL OUTDOOR CULTIVATION AREA = 31,825 FT²

BUILDINGS	ACTIVITY/USE	YR BUILT
SHOP	DRYING	2015
SHED #1	STORAGE	2014
SHED #2	STORAGE	2015

SURROUNDING BUILDINGS

THERE ARE NO SCHOOLS, BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL CULTURAL RESOURCES WITH IN 600 FEET OF THE CULTIVATION SITE.

THERE ARE NO OFF SITE RESIDENCES WITHIN 300 FEET OF THE CULTIVATION SITE.



PROJECT INFORMATION

STAY CONSCIOUS, INC
 APN: 524-016-10
 CULTIVATION OVERVIEW

PROJECT ADDRESS SHEET INFO

REVISIONS

NO.	NOTES	DATE

DATE 11/9/18
 DRAFTER RP
 SCALE NOT TO SCALE

SHEET
 CO

ATTACHMENT 1
RECOMMENDED CONDITIONS OF APPROVAL

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

1. Within 60 days of project approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #2 – 19. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity. A letter or similar communication from the Building Division, verifying that all structures related to the cannabis cultivation are permitted, will satisfy this condition.
3. The applicant shall notify the California Department of Fish and Wildlife (CDFW) of all unpermitted stream crossings pursuant to Fish and Game Code 1602. A letter or similar communication from the CDFW will satisfy this condition.
4. The applicant shall implement all corrective actions detailed within the Water Resource Protection Plan (WRPP) developed for the parcel, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board (NCRWQCB) Cannabis Waste Discharge Regulatory Program. A letter or similar communication from the NCRWQCB verifying that all their requirements have been met will satisfy this condition.
5. The applicant shall prepare an R2 soils report and submit the report for the review and approval of the Building Inspection Division (BID). A letter or similar communication from the BID shall satisfy this condition.
6. The applicant shall provide the Division of Environmental Health (DEH) with inventory and volume information of fertilizers, amendments, and pesticides as well as respective hazmat information such as solar battery and fuel specifications that will be stored on site.
7. The applicant shall discontinue diversion from the Class III stream on the southern portion of the property prior to cultivation in 2018. The applicant shall coordinate a site inspection with the Planning and Building Department or a qualified biologist to confirm the abatement before initiating cultivation in 2018.
8. As part of the WRPP and as part of remediation of the water diversion that will be discontinued, the applicant shall secure a 1600 permit and any other permits required for any work that will be conducted within Streamside Management Areas (SMAs) located on the property. The applicant shall meet all the requirements of the Section 314-61.1 of the Humboldt County Zoning Code, including the preparation of a biological study and other technical studies as required for any work that will be performed within an SMA. A letter or similar communication from the CDFW verifying that all their requirements have been met will satisfy this condition.
9. The applicant shall submit a restoration report prepared by a qualified biologist prior to removal of cannabis associated infrastructure within the SMA of the unnamed Class III stream. This report shall meet the requirements of General Plan Standard BR-S8 and BR-S9 and Humboldt County Code Section 314-61.1.19 et seq. The applicant shall obtain all required

permits and implement the reports' recommendations within 10 days of the conclusion of removal of cannabis associated infrastructure. The restoration activity shall apply to all disturbed areas within the SMA and shall include success criteria for revegetation. The applicant shall submit monitoring reports prepared by a qualified biologist annually for the review and approval of the Planning Director for a period of three years.

10. The applicant shall secure permits and install an on-site sewage disposal system and restroom facility for use by employees. Portable toilet and handwashing facilities may be utilized during the construction of these permanent improvements. The applicant shall furnish receipts or other documentation to the DEH for the continual use of portable toilets for employees either through 2019 or until a permanent septic system is installed to their satisfaction. A letter or similar communication from DEH verifying that all their requirements have been met will satisfy this condition.
11. The applicant shall submit a revised Site Plan to Humboldt County Planning for the review and approval of the Planning Director. The revised Site Plan shall show the following: the location of three independently accessible on-site parking spaces to serve the cultivation and ancillary processing activities, location of all generators, and the former stream diversion labeled as such. No extraneous water sources (such as a pond) shall be included. The revised Site Plan shall meet the minimum requirements of Humboldt County Building's Plot Plan Checklist.
12. The applicant shall improve the intersection of the access road, U.S. Forest Service Road 6N13, and the County road, Friday Ridge Road, to meet county standards. The access road encroachment shall be improved to meet the County visibility ordinance and encroachment permit ordinance standards. This requires that the access road encroachment be paved for a minimum width of 20 feet and length of 50 feet. This condition shall be completed to the satisfaction of Department of Public Works prior to the commencement of operations, issuance of a building permit and Public Works approval for a business license.
13. The applicant shall secure any necessary permissions for commercial use of U.S. Forest Service road 6N13.
14. The applicant shall execute and file the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) with the Planning Division as required by the HCC and available at the Planning Division.
15. The applicant shall be compliant with Humboldt County'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.
16. Any on-site lighting existing or proposed in the future shall be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries.
17. The project area has been determined to have potential nesting, roosting or foraging habitat for Northern Spotted Owl (*Strix occidentalis caurina*). The following avoidance and minimization measure shall be implemented:
 - a) Prior to tree removal activities (limited to removal of hazard trees only), a qualified wildlife biologist with experience in Northern Spotted Owl protocol surveys shall complete a survey of the site to determine if there are trees that could provide nesting or roosting habitat for the Northern Spotted Owl. No tree that could provide suitable nesting or roosting habitat for this species shall be removed or altered.

- b) No work will occur in the Northern Spotted Owl nesting season (February 1st- July 31st) unless a wildlife biologist with experience in Northern Spotted Owl protocol surveys completes a biological assessment of the property to determine whether the area has Northern Spotted Owl presence and whether site specific avoidance measures are necessary to avoid any impact to the species. Any measures developed by the biologist must be adhered to during the nesting season.
 - c) No proposed activity generating noise levels 20 or more decibels above ambient noise levels or with maximum noise levels above 90 decibels may occur during the Northern Spotted Owl nesting season.
 - d) No human activities shall occur within a visual line-of – sight of 40 meters (131 feet) or less from a known nest location.
 - e) For the life of the project, the applicant shall submit annual monitoring reports prepared by a qualified wildlife biologist with experience in Northern Spotted Owl protocol surveys for the review and approval of the Planning Director.
18. Noise generated from generators shall not exceed 50 decibels (dB) at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer, as required by Section 314-55.4.11(o) of the Humboldt County Code. Prior to issuance of a building permit or the initiation of cultivation activities, whichever occurs first, the applicant shall provide documentation from a qualified professional demonstrating that the generators conform to the specified standard. Should the applicant propose to achieve noise attenuation by placing the generators inside a building(s), the applicant shall secure a building permit prior to construction.
19. To address the apparent timber conversion which occurred after the expiration of the issued a Less than Three Acre Conversion Exemption from CAL FIRE (1-14EX-044-HUM issued on 2-12-14 and expired on 2-12-15), a report prepared by a registered professional forester (RPF) shall be submitted to the Planning Division. The report must contain the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with the provisions of the Forest Practices Act. The Planning Division shall provide the report to CAL FIRE for comment. If no comments are received, the RPF recommendations in the report will become final and shall be implemented. In the event the that Cal Fire responds, the conversion that occurred after the expiration date of the Less Than Three Acre Conversion Exemption must be resolved to their satisfaction.
20. 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 Department will provide a bill to the applicant after the decision. Any and all outstanding Planning Department 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.

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

- 1. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.

2. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
3. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MMRSA, as applicable to the permit type.
4. 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 & Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort towards compliance can be shown within the two years following the issuance of the provisional clearance or permit, The Planning Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow for additional time to meet the outstanding requirements.
5. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MMRSA, and regulations promulgated thereunder, as soon as such licenses become available.
6. 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.
7. 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, Public Park, or Tribal Cultural Resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
8. Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. 2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
9. For cultivation area(s) for which no enrollment pursuant to NCRWQCB Order No. 2015-0023 is required by that Order, comply with the standard conditions applicable to all Tier 1 dischargers.
10. Comply with the terms of any applicable Streambed Alteration (1600) Permit obtained from the California Department of Fish & Wildlife.
11. 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.
12. 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 – Friday, 9:00 am – 5:00 pm, excluding holidays).
13. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
14. Pay all applicable application and annual inspection fees.
15. Water is to be sourced locally (on site) and trucked water shall not be allowed, except for emergencies. For purposes of this provision, "emergency" is defined as: "a sudden,

unexpected occurrence demanding immediate action." Permittee shall maintain a record of date(s), nature of the emergency, and the amount of trucked water delivered to demonstrate compliance with this standard.

16. The noise produced by a generator used for cannabis drying, curing, and processing shall not be audible by humans at neighboring residences. The decibel level for generators measured at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 50dB as measured at 100 feet from the generator or at the edge of the nearest Marbled Murrelet or Spotted Owl habitat, whichever is closer.
17. Where generators are used the applicant shall provide a noise pollution plan demonstrating that the proposed generator would not deliver noise pollution, which may affect fish and/or wildlife directly, or from a distance. To show conformance with Section 314-55.4.11.o), where generator use occurs in the vicinity of Marbled Murrelet or Spotted Owl species, the plan shall be evaluated in consultation with the Department of Fish and Wildlife. Conformance will be evaluated using auditory disturbance guidance prepared by the United States Fish and Wildlife Service. Should the applicant proposed to achieve noise attenuation by placing the generators inside a building(s), the applicant shall secure a building permit prior to construction.
18. For the life of the project, the applicant shall submit annual monitoring reports prepared by a qualified wildlife biologist with experience in Northern Spotted Owl protocol surveys for the review and approval of the Planning Director.
19. Storage of Fuel - Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
20. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
21. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner, when available.

Performance Standards for Cultivation and Processing Operations

22. Pursuant to the MMRSA, 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."
23. 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, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
24. Cultivators engaged in processing shall comply with the following Processing Practices:
 - I. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.

- II. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - III. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - IV. Employees must wash hands sufficiently when handling cannabis or use gloves.
25. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
- i. 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.
 - ii. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - 8) Operation manager contacts;
 - 9) Emergency responder contacts;
 - 10) Poison control contacts.
 - iii. 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.
 - iv. On-site housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
26. All cultivators shall comply with the approved Processing Plan as to the following:
- i. Processing Practices.
 - ii. Location where processing will occur.
 - iii. Number of employees, if any.
 - iv. Employee Safety Practices.
 - v. Toilet and handwashing facilities.
 - vi. Plumbing and/or septic system and whether or not the system is capable of handling increased usage.
 - vii. Drinking water for employees.
 - viii. Plan to minimize impact from increased road use resulting from processing.
 - ix. On-site housing, if any.
27. Permit Duration. Any Commercial Cannabis Cultivation CUP issued pursuant to this section shall expire after 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, lessees, and the permitted site have been found to comply with all conditions of approval.

If the inspector or other County official determines that the permittees, lessees, or site do not comply with the conditions of approval, the inspector shall serve the CUP or permit holder with a written statement identifying the items not in compliance, and the action that the

permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the Use 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.

28. 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.

Permittee further acknowledges and declares that:

- I. All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt shall be solely for medical purposes and all commercial cannabis products produced by me, my agents, or employees are intended to be consumed solely by qualified patients entitled to the protections of the Compassionate Use Act of 1996 (codified at Health and Safety Code section 11362.5); and
 - II. All cannabis or cannabis products under my control, or the control of my agents or employees, and cultivated or manufactured pursuant to local Ordinance and the California Medical Adult Use Cannabis Regulation and Safety Act will be distributed within the State of California; and
 - III. All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with the California Medical Adult Use Cannabis Regulation and Safety Act.
29. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- (1) Identifying information for the new Owner(s) and management as required in an initial permit application;
 - (2) A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - (3) The specific date on which the transfer is to occur; and
 - (4) Acknowledgement of full responsibility for complying with the existing Permit; and
 - (5) Execution of an Affidavit of Non-diversion of Medical Cannabis.
30. 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. If previously unidentified cultural resources are encountered during project implementation, avoid altering the materials and their stratigraphic context. A qualified professional archaeologist and the Tribal Historic Preservation Officers for the Hoopa and Tsungwe Tribes must be contacted to evaluate the situation. Project personnel should not collect cultural resources. Prehistoric resources include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat affected rock, or human burials. Historic resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies. The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082.

Although unlikely, if human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission and the designated Tribal Historic Preservation Officers for the Hoopa and Tsungwe Tribes must be contacted by the Coroner so that a "Most Likely Descendant" can be designated and further recommendations regarding treatment of remains is provided.

The applicant is ultimately responsible for ensuring compliance with this condition.

2. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
3. 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 1 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use conducted pursuant to the terms of the agreement and other time-specific development requirements set forth in Attachment 1 have been satisfied, the use shall be subject to the permit duration and renewal provisions set forth in Condition of Approval 27 of the Ongoing Requirements/Development Restrictions, above.
4. The Applicant is responsible for costs for post-project approval review for conformance with conditions 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 Department will send a bill to the Applicant for all staff costs incurred for review of the project for conformance with the conditions of approval. All Planning fees for this service shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

ATTACHMENT 2

Staff Analysis of the Evidence Supporting the Required Findings

Required Findings: To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

The County Zoning Ordinance, Section 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specifies the findings that are required to grant a Special Permit:

1. The proposed development is in conformance with the County General Plan;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations;
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity;
5. 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 (the mid-point of the density range specified in the plan designation).
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:
 - a) is categorically or statutorily exempt; or
 - b) has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
 - c) has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the State CEQA Guidelines have been made.

1. General Plan Consistency. The following table identifies the evidence which supports finding that the proposed action is in conformance with all applicable policies and standards in the Framework General Plan.

Relevant Plan Section(s)	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations 4.8</p>	<p>Timberland (T): Lands primarily suitable for the growing, harvesting and production of timber. Allowable uses include timber production, general agriculture, timber/agricultural products processing, natural resources uses, other uses</p> <p>Density range is 40 -160 acres/unit.</p>	<p>Compatible uses for Timberland (T) include grazing and agricultural uses. The Medical Marijuana Regulation and Safety Act (MMRSA), Health and Safety Code section 11362.777(a) provides that medical cannabis is an agricultural product, subject to extensive state and local regulation.</p> <p>The subject parcel is zoned Timber Production (TPZ). The proposed action would permit an existing agricultural use. The subject parcel is 144.5 acres and does not contain an existing dwelling unit.</p>
<p>Circulation Chapter 7</p>	<p>Goal: To develop, operate, and maintain a well-coordinated, balanced, circulation system that is safe, efficient and provides good access to all cities, communities, neighborhoods, recreational facilities and adjoining areas.</p> <p>Policy: New Development shall only be approved which will not significantly create or aggravate safety, capacity or parking problems on County roads.</p>	<p>Access to the site is directly off a paved County-maintained public road (Friday Ridge Road #8L100) and a U.S. Forest Service (USFS) Road (6N13).</p> <p>The Department of Public Works (DPW) concluded that the County-maintained public road (Friday Ridge Road) was adequate to serve the proposed use. USFS Road (6N13) also provides access to the site. The applicant has indicated that the entire road segment is developed to road category 4 standards.</p>
<p>Housing Chapter 8</p>	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory</p>	<p>The project does not involve residential development, nor is the project site part of the Housing Element Residential Land Inventory. However, the project will not preclude any future residential development. The project will 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.</p>

<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces (CO-G1,CO-G3).</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1, Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program.</p>	<p>The proposed project is located within Open Space Land Plan because the project site is planned Timberland and is zoned Timberland Production Zone. The project can be found consistent with the Open Space Action Plan because the proposed project is consistent with the allowable uses of the Land Use Designations. The project also restores land within streamside management area on land planned Timberland consistent with the preservation of natural resources within open space.</p>
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<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources).</p> <p>Related policies: BR-P1, Compatible Land Uses, BR-P5, Streamside Management Areas.</p>	<p>The CDFW did not provide specific comments regarding potential impacts to Northern Spotted Owls, however, according to the CDFW Spotted Owl Observations layer on the County GIS, there are reported Northern Spotted Owl observations on the property. The applicant must demonstrate that the noise can be attenuated below 50 dB sound output at 100 feet from the generator or at the edge of the nearest forest habitat, so that protected species are not harassed. These standards are set forth in Section 55.4.11 (o) of the CMMLUO.</p> <p>In addition, conditions of approval have been incorporated to insure Northern Spotted Owl in the area are not harassed by cultivation activities.</p> <p>The proposed action would permit an existing well. All other existing cultivations and related facilities on the subject parcel are more than 200 feet from a stream.</p> <p>The project includes several unpermitted stream crossings. The applicant is required to notify the California Department of Fish and Wildlife (CDFW) pursuant to Fish and Game Code 1602. This requirement has been included as a condition of approval.</p> <p>The project also requires remediation work within two Streamside Management Areas (SMAs) on the property: instream remediation work per the Water Resource Protection Plan (WRPP) and remediation of the unpermitted stream diversion. The applicant shall obtain a 1600 permit for all instream work prior to commencement of remediation and restoration activities. The standards in BR-S8 and BR-S9 shall apply. A biological study shall be prepared by a qualified biologist prior to commencing remediation work. These requirements have been included as a condition of approval for this permit.</p>
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<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations. (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation.</p>	<p>The project was referred to the Northwest Information Center, the Hoopa Tribe and the Tsnungwe Council. The Tsnungwe Council response requested an Archaeological study, which was prepared by ALTA Archaeological Consulting. No cultural resources were identified on the parcel. The professional archaeologists recommended the inadvertent discovery and encountering Native American remains protocols. These requirements have been added as conditions of approval.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.7</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-G2)</p> <p>Related policies: SR-S4. Light and Glare.</p>	<p>The project is sited more than 200 feet from State Highway 299. The application of the Scenic Highway standard (SR-S2) applies only to that portion of Highway 299 between Arcata and Willow Creek.</p> <p>Furthermore, Outdoor cannabis cultivation does not require lighting, and is prohibited. There is no ancillary lighting proposed as part of the project.</p> <p>Any on-site lighting existing or proposed in the future shall be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries.</p>

<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy. (WR-G1, WR-G2, WR-G7, WR-G8, WR-G9)</p> <p>Related policies: WR-P10. Erosion and Sediment Discharge; WR-P42. Erosion and Sediment Control Measures.</p>	<p>The Project site falls within Tier 2 of the North Coast Regional Water Quality Control Board's (NCRWQCB) Order No. 2015-0023 (Order), which requires preparation of a Water Resources Protection Plan (WRPP) to protect water quality from cannabis cultivation and related activities. The applicant has retained Green Road Consulting to prepare a WRPP. The WRPP will be prepared to describe and address the required elements and compliance with the 12 Standard Conditions established by the Order. The WRPP will identify areas where the Project site does not meet all 12 Standard Conditions and set a preliminary schedule prioritizing corrective actions to reach full compliance with the Order.</p>
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution. (WR-G6, WR-G9, WR G10)</p> <p>Related policies: WR-IM7. Basin Plan Septic Requirements; and IS-P17. On-Site Sewage Disposal Requirements.</p>	<p>There are no dwellings on the parcel.</p> <p>The applicant has agreed to install a permitted septic system, approved by the Division of Environmental Health (DEH), in 2019.</p> <p>In the interim, the applicant will use portable toilets for employees on site until a permitted septic system can be installed. This requirement has been added to the conditions of approval to this permit.</p>

<p>Noise Chapter 13</p>	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards. (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.</p>	<p>The subject parcel is not located in an area that requires special noise attenuation measures to protect adjacent communities.</p> <p>However the project area has been determined to have potential nesting, roosting or foraging habitat for Northern Spotted Owl (<i>Strix occidentalis caurina</i>) and conditions of approval have been added to ensure noise compliance.</p> <p>The existing cultivation areas use four generators: three 3,000-watt and one 2,000-watt covered generator. All generators are housed in enclosed structures and have decibel (dB) levels under 50 dB. Generator noise will be mitigated by distance attenuation and reduction due to the enclosures. The applicant has submitted product information for each generator. Generators will be used between two and six hours per day. The total expected annual generator use is approximately 800 hours.</p> <p>Noise generated from the generators shall comply with the standards set forth in Section 55.4.11(o) of the CMMLUO and Department Policy Statement #DPS-16-005. The applicant shall update site plans to reflect the location of the four generators. This has been included as a condition of approval.</p>
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<p>Safety Element Chapter 14</p> <p>Geologic & Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury. (S-G1, S-G2)</p> <p>Related policies: S-P11. Site Suitability, S-P7. Structural Hazards.</p>	<p>The project site is not located in a mapped Alquist-Priolo fault zone nor is subject to liquefaction. Geologic hazard maps of the General Plan show the slope instability of the property to be low, and the proposed project is within an existing permitted building so the proposed project is not likely to be subject to geologic hazards.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.</p>	<p>The subject site is outside any mapped flood hazard areas. The project site is not within a mapped dam or levee inundation area and, at approximately 26 miles distance from the coast, is outside the areas subject to tsunami run-up.</p>
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential.</p> <p>Related policies: S-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The parcel is in an area of High Fire Hazard rating and within the State Responsibility Area. All applicable referral agencies were referred and did not identify any issues relating to hazards.</p>

2. The proposed development is consistent with the purposes of the existing zone in which the site is located; and 3. The proposed development conforms with all applicable standards and requirements of these regulations. The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section	Summary of Applicable Requirement	Evidence
§314-7.4 Timberland Production (TPZ) §314-55.4.8.2 §314-55.4.8.2.2	Grazing and other agricultural uses are principal compatible uses. In all zones consisting of timberland, cultivation shall be permitted in a 3-acre conversion exemption area or in non-timberland open area. Permits for existing outdoor cultivation in zoning districts including TPZ may be issued only when possible to bring them into compliance with all applicable standards. The total cultivation area shall not exceed 1 acre for outdoor cultivation.	The subject parcel is zoned TPZ. The proposed action would permit a commercial cannabis cultivation in existence prior to January 1, 2016. The existing cultivation area totals 26,250 square feet (0.73 acre). The applicant has a permitted 3-Acre Conversion Exemption dated 2014.
Minimum Lot Area:	160 acres; or 40 acres if provisions of §51119.5 are met	The subject parcel is approximately 144.5 acres, as a result of a prior approved subdivision.
Max. Lot Coverage:	None specified	N/A
Min. Yard Setbacks	30 feet from all property lines based on provisions of §314-55.4.11	Minimum setbacks for all cultivation areas are greater than 30 feet as indicated on the applicant-provided plot plan.
Max. Building Height:	None specified	N/A
§314-109.1.3.3: Off-Street Parking:	None specified	According to the applicant's information there will be no more than four people working the site. Attachment 1 includes a condition that the applicant submit a revised Site Plan showing the location of two on-site parking spaces and that they be developed as part of the building permit(s).
§314-61.1 Streamside Management Area Ordinance (SMAO)	Purpose: to provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) such as natural ponds, springs, vernal pools, marshes, and wet meadows (exhibiting standing water year-long or riparian vegetation) to implement the County's Open Space Element of the General Plan.	The project includes several unpermitted stream crossings. Attachment 1 includes a condition that requires the applicant to notify the CDFW pursuant to Fish and Game Code 1602. The project also includes removal and remediation of a former, unpermitted diversion within an SMA on the property. In addition, as part of the WRPP, the applicant is required to conduct remediation work within the stream channel of an SMA on the property. The applicant shall obtain a 1600 permit for all instream work prior to commencement of remediation or

Zoning Section	Summary of Applicable Requirement	Evidence
		restoration activities. All future work within the SMA shall meet the requirements of Section 314-61.1 of the Humboldt County Zoning Code, including the preparation of a biological study if needed. These requirements have been included as a condition of approval for this permit.

314-55.4 Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)

§314-55.4.8.2.2 Existing Outdoor Cultivation Areas	A Zoning Clearance Certificate, Special Permit or Use Permit may be issued for outdoor or mixed-light commercial cannabis cultivation for some or all of the cultivation area in existence prior to January 1, 2016, in [...] TPZ districts (on parcels of one acre or larger) only when possible to bring them into compliance with all applicable standards set forth in this section and to eliminate existing violations as specified in this ordinance. No expansion of the existing cultivation area shall be permitted. The total cultivation area allowed on a single parcel shall not exceed one acre for outdoor cultivation.	The proposed action will permit an existing outdoor cannabis cultivation of 0.73 acre (or 26,250 square feet.) on a parcel-zoned TPZ. No expansion of the cultivation area is proposed. No new greenhouses would be constructed in existing cultivation areas.
§314-55.4.8.10 Permit Limit	No more than four commercial cannabis activity permits may be issued to a single person.	According to records maintained by the Department, the applicant holds no other cannabis activity permits, and is entitled to four.

<p>314-55.4.9.4 Pre-Application Registration</p>	<p>All operators of existing cultivation sites seeking recognition of cultivation activities that occurred on or before January 1, 2016, for purposes of obtaining a Zoning Clearance Certificate or discretionary permit for ongoing commercial cannabis cultivation for medical use pursuant to the CMMLUO shall register with the County of Humboldt Department of Planning & Building within 180 days of the effective date of this ordinance.</p>	<p>The applicant submitted the required registration form.</p>
<p>§314-55.4.10 Application Requirements</p>	<p>Identifies the Information Required for All Applications</p>	<p>All the required information was received.</p>
<p>§314-55.4.11 Performance Standards</p>	<p>Identifies the Performance Standards for Cannabis Cultivation Activities</p>	<p>All the applicable performance standards are included as Conditions of project approval. They are required to be met throughout the timeframe of the permit.</p>
<p>§314-55.4.11.c Performance Standards-Water</p>	<p>Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board, 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.</p>	<p>The water source for the cultivation operation is from an existing permitted well. Use of an existing stream diversion will be discontinued. The depth of the well is 151 feet. With the permitted well as the sole source of water, compliance has been demonstrated.</p>

<p>§314-55.4.11.d Performance Standards- Setbacks</p>	<p>The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs).</p>	<p>The applicant's site plan shows that the cultivation area is not within 600feet of a school bus stop, school, public park, place of worship, or Tribal cultural resource.</p>
<p>§314-55.4.11.o Performance Standards- Generator Noise</p>	<p>The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences. The combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species, when generator use is to occur in the vicinity of potential habitat. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service</p>	<p>As mentioned previously, the project includes the use of generators and is located in an area determined to have potential nesting, roosting or foraging habitat for Northern Spotted Owl (<i>Strix occidentalis caurina</i>).</p> <p>All generators are housed in enclosed structures and have decibel (dB) levels under 50 dB. Generator noise will be mitigated by distance attenuation and reduction due to the enclosures.</p> <p>Noise generated from the generators shall comply with the standards set forth in this Section. Conditions of approval have been added to ensure compliance.</p>
<p>§314-55.4.17 Sunset Date</p>	<p>No application for any Use Permit pursuant to the CMMLUO shall be processed for issuance or approval that is received after December 31, 2016.</p>	<p>The application was submitted on August 5, 2016.</p>

4. Public Health, Safety, and Welfare: The following table identifies the evidence which supports finding that the proposed development will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements In the vicinity.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-17.1.4 Permit Findings	The proposed development will not be detrimental to the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.	The proposed action would permit an existing cannabis cultivation operation on a parcel with no immediate neighbors. Permitting the operation would not result in any change to existing conditions that would be detrimental to the public health, safety, and welfare.

5. Residential Density Target: The following table identifies the evidence which supports finding that the proposed project will 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.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
312-17.1.5 Housing Element Densities	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 (the midpoint of the density range specified in the plan designation), except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.	The proposed project involves an existing commercial cannabis cultivation and does not propose any new residences on the subject parcel. The site is agriculturally designated and zoned and was not included in the Housing Inventory.

6. Environmental Impact:

Consistent with the California Environmental Quality Act (CEQA), the project was evaluated for any potential adverse effects on the environment. Based on a site inspection, information in the application, a review of relevant references in the Department, and comments from affected agencies, staff has determined that there is no evidence before the Department that the project could have any adverse effect, either individually or cumulatively, on the environment.

The project has been determined to be exempt from CEQA pursuant to Section 15301 - Existing Facilities of the Guidelines for the Implementation of CEQA. Section 15301 exempts from environmental review the permitting of existing facilities involving negligible or no expansion of an existing use. The proposed action would permit an existing commercial medicinal cannabis cultivation and on-site processing operation with no expansion of the existing use. Additionally, Section 15333 - Small Habitat Restoration Projects applies to the activities within the streamside management area for the removal and remediation of the stream diversion to be discontinued under this permit.

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Attached with maps)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and 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. (Attachment 3)
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. (Attachment 3)
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 on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other

watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (Not Applicable)

9. If the source of water is a well, a copy of the County well permit, if available. (On File)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE. (On file)
11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in section 55.4.8.2.3, and plan for compliance with applicable Building Codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed will not support diversions for irrigation. (On file)
14. Acknowledge that the county reserves the right to engage with local Tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the Tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through Tribal and local government officials and their designees. During this process, the Tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to Tribal Cultural Resources, as defined herein. Examples include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a Tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
15. Access road evaluation (On file).
16. Information regarding 2,000 watt and 3,000 watt generators and noise attenuation (On file).
17. Information on fertilizers and amendments used for cultivation (On file).



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Applicant: Stay Conscious, Inc.

Parcel: 524-016-10

Cultivation and Operations Plan

Site Plan Overview and Cultivation and Operations Plan



Site Plan Overview and Cultivation and Operations Plan

Applicant/Owner

Stay Conscious, Inc.

PO Box 1654

Willow Creek, CA 95573

Agent

Kaylie Saxon

Green Road Consulting

1650 Central Avenue, Suite C

McKinleyville, CA 95519



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I. Site Plan Overview

1.0 Project Information

Stay Conscious, Inc. (“Applicant”) is submitting this application for a Type III Outdoor Use Permit for his outdoor commercial cannabis cultivation located near Willow Creek, CA (“Parcel”), Assessor’s Parcel Number 524-016-10. This application is submitted through his agent, Kaylie Saxon of Green Road Consulting, Inc., and has been prepared in accordance with Humboldt County’s (“County”) Commercial Medical Marijuana Land Use Ordinance (“CMMLUO”).

The Use Permit would achieve the following results for the Applicant:

- a. Permit 31,825 square feet of outdoor commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CMMLUO.
- b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board (“Water Board”) and California Department of Fish and Wildlife (“Fish and Wildlife”).

2.0 Project Location

The Applicant’s Parcel is located in the inland zone of Humboldt County near Willow Creek, CA. The Parcel is comprised of approximately 140-acres and is identified by Assessor’s Parcel Number (“APN”) 524-016-10.

2.1 Zoning Classification

The County’s Zoning Classification of the Parcel is TPZ with a General Plan code of T;P. The CMMLUO permits existing commercial cannabis cultivation on lands zoned TPZ with existing cultivation sites between 10,000 and 43,560 square feet with a Use Permit.

2.2 Site Topography

A map of the Parcel’s topography is included as Attachment “A.”

3.0 Easements

The following is taken from Exhibit “A” of the Grant Deed, a copy of which is included in the Evidence of Ownership Authorization section of this application.

“THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

The Northeast Quarter of Section 8, Township 6 North, Range 5 East, Humboldt Meridian.”

4.0 Natural Waterways

The Parcel has two (2) Class III watercourses and one (1) Class III watercourse that evolves into a Class II watercourse. See the Cultivation Overview, Sheet CO, included in the Site Plan of Entire Parcel section of this application

The water used for cannabis cultivation is gathered from the Parcel's existing well. A copy of the well permit is included in the Other Permits, Licenses and Documents section of this Application.

The Applicant has a Water Resource Protection Plan ("WRRP") for the Parcel and is enrolled in the Water Board's Waiver of Waste Discharge program as a Tier II discharger. The WRPP is included in the Other Permits, Licenses and Documents section of this Application.

5.0 Location and Area of Existing Cultivation

The 31,825 square feet of cannabis cultivation occurs in three (3) locations on the Parcel's permitted 3-acre conversion and can be viewed on the Site Plan, included in the Site Plan of Entire Parcel section of this application.

Cultivation Area #1

Cultivation Area #1 resides in the northern section of the conversion and consists of 4,861 square feet of cultivation.

Cultivation Area #2

Cultivation Area #2 resides in the center of the conversion and consists of 20,744 square feet of cultivation (greenhouse square footage is included in the cultivation area total).

Cultivation Area #3

Cultivation Area #3 resides in the eastern section of the conversion and consists of 6,220 square feet of cultivation.

6.0 Setbacks of Cultivation Area

Cultivation Area #1

Cultivation Area #1 is setback from the northern parcel line by 1,915 feet, the eastern parcel line by 2,129 feet and the western parcel line by 1,257 feet.

Cultivation Area #2

Cultivation Area #2 is setback from the southern line by 776 feet and the western line by 1,262 feet.

Cultivation Area #3

Cultivation Area #3 is setback from the eastern line by 1,901 feet and the southern line by 776 feet.

7.0 Access Roads

The Parcel is located off Staton Lane in Willow Creek.

8.0 Graded Flats

The applicant has a permitted 3-acre conversion, signed by an RPF, that was completed prior to January 1, 2016. A copy of the conversion documents is included in the Other Permits, Licenses and Documents section of this Application.

9.0 Existing and Proposed Buildings

Shop

There is an existing shop located in the western portion of the conversion site and was built in 2015. It is used for drying and curing the cannabis. It will be permitted through the Humboldt County Building Department.

Shed #1

Shed #1 is located in the western portion of the conversion site and was built in 2014. It is used for nutrient and tool storage. It will be permitted through the Humboldt County Building Department.

Shed #2

Shed #2 is located in the eastern portion of the conversion site and was built in 2014. It is used for basic tool storage. It will be permitted through the Humboldt County Building Department.

10.0 Water Storage, Use and Watershed Protection

10.1 Water Storage

All water used for the cultivation of cannabis is sourced on-site from the Parcel's existing well. A copy of the well permit is included in the Other Permits, Licenses and Documents section of this Application.

There is also one (1) 5,000 gallon hard water storage tank and one (1) 600 gallon hard water storage tank located in the southwestern quadrant of the parcel.

10.2 Water Use

The amount of water used for the cultivation of cannabis will vary throughout the year, with peak periods of water use occurring during the summer months. The Applicant's cultivation and water use is outlined in the Cultivation and Water Usage Chart, attached as Attachment "B."

The water used for cannabis cultivation is gathered from the Parcel's existing well. A copy of the well permit is included in the Other Permits, Licenses and Documents section of this Application.

All irrigation of cannabis is completed by hand in the early morning and evening hours, which allows water to be monitored and distributed at an agronomic rate which prevents any over watering or run off.

10.3 Watershed Protection

The Parcel has two (2) Class III watercourses and one (1) Class III watercourse that evolves into a Class II watercourse. All cannabis cultivation is located at least 50 feet from the Class III watercourses and 100 feet from the Class II watercourse. See the Cultivation Overview, Sheet CO, included in the Site Plan of Entire Parcel section of this application

The water used for cannabis cultivation is gathered from the Parcel's existing well. A copy of the well permit is included in the Other Permits, Licenses and Documents section of this Application.

The Applicant has a Water Resource Protection Plan ("WRRP") for the Parcel and is enrolled in the Water Board's Waiver of Waste Discharge program as a Tier II discharger. The WRPP is included in the Other Permits, Licenses and Documents section of this Application.

11.0 Distances from Significant Landmarks

There are no schools, school bus stops, places of worship or Tribal Cultural Resources within 600 feet of the cultivation site. There is a Humboldt Redwood State Park is located within 600 feet of the Parcel, but the cultivation site is proposed to be placed outside of that 600-foot buffer zone. There also are not any off-site residences within 300 feet of the cultivation site.

II. Cultivation and Operations Plan

1.0 Water Use

The amount of water used for the cultivation of cannabis will vary throughout the year, with peak periods of water use occurring during the summer months. The Applicant's cultivation and water use is outlined in the Cultivation and Water Usage Chart, attached as Attachment "B."

The water used for cannabis cultivation is gathered from the Parcel's existing well. A copy of the well permit is included in the Other Permits, Licenses and Documents section of this Application.

All irrigation of cannabis is completed by hand in the early morning and evening hours, which allows water to be monitored and distributed at an agronomic rate which prevents any over watering or run off.

2.0 Watershed Protection

The Parcel has two (2) Class III watercourses and one (1) Class III watercourse that evolves into a Class II watercourse. All cannabis cultivation is located at least 50 feet from the Class III watercourses and 100 feet from the Class II watercourse. See the Cultivation Overview, Sheet CO, included in the Site Plan of Entire Parcel section of this application

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The Applicant has a Water Resource Protection Plan (“WRRP”) for the Parcel and is enrolled in the Water Board’s Waiver of Waste Discharge program as a Tier II discharger. The WRPP is included in the Other Permits, Licenses and Documents section of this Application.

3.0 Materials Storage

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis.

The applicant only uses organic fertilizers and amendments. Top dressing is discontinued at least one (1) month prior to harvest.

All fertilizers and amendments are in a storage shed on the Parcel. Fertilizers and amendments are placed on the shelves and floor where any spill will be contained.

All labels are kept and directions are followed when nutrients are applied. The storage area is in need of posted instructions for storing fertilizers and amendments, instructions for cleaning up spills and a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (kitty litter). This is outlined in the Applicant’s included Water Resource Protection Plan.

4.0 Cultivation Activities

Cultivation activities are subject to strain, climate and applicant’s personal schedule.

The Applicant begins cracking seeds for their outdoor cultivation sites in the Shop. Plants then stay in their vegetative state until they are ready to transplanting to their permanent homes.

By mid-May, the Applicant’s outdoor plants are placed into their permanent homes to begin their flowering process.

Harvesting of the outdoor plants begins at the beginning of October and usually ends in November.

5.0 Processing Practices

Plants will be harvested one at a time using hand shears and taken into the Shop where it will be dried, machine trimmed outdoors, cured and stored. The applicant is currently considering the viability of an onsite commercial space for processing or a permitted third party processor.

All work surfaces and equipment are maintained in a clean, sanitary condition. Protocols to prevent the spread of mold are strictly followed. The final cannabis product is stored in a secure location.

All cultivation related waste is stored in the proper receptacles on site. Any green waste will be piled and kept well away from any watercourse. Green waste is composted on site.

The Applicant will be utilizing any Track and Trace program the County seeks to implement, abiding by all appropriate record keeping practices.

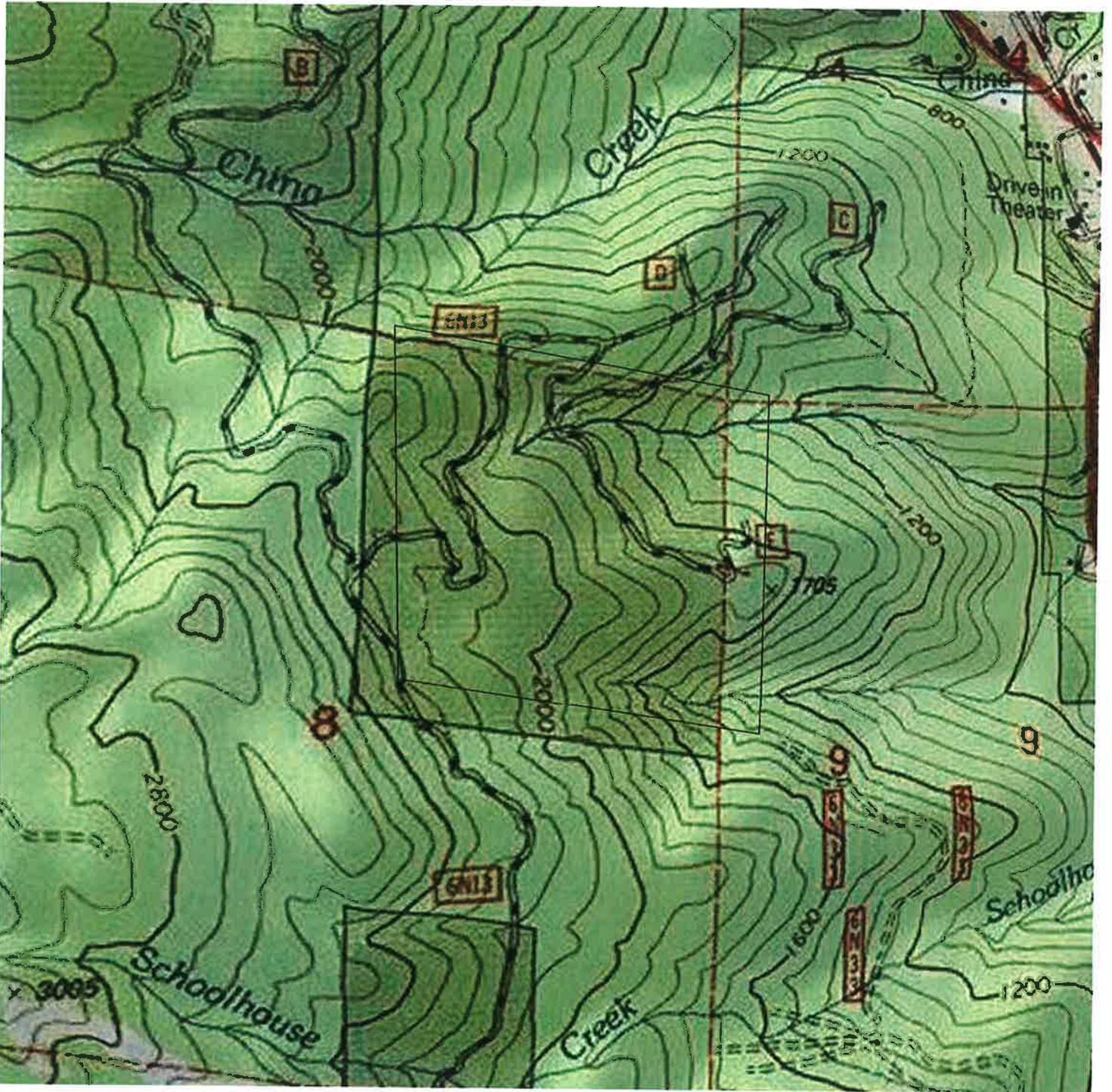
6.0 Security Measures

The Parcel is guarded by one (1) locked gate. Gate is of heavy steel construction and heavy shackle locks are in place. Game cameras are located around each cultivation area, the Shop and all gates.



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Attachment “A”





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Attachment “B”

Cultivation and Water Usage

Month	Stage of Cultivation			Cultivation Space per Stage (Square Footage)	Water Usage (gallons/month)
	Vegging	Flowering	Harvesting		
EXAMPLE	X	X		1,200 sq. ft. – Vegging 1,500 sq. ft. – Flowering 3,000 sq. ft. – Harvesting	5,000 gal/month
January					
February					
March					
April					
May	X			4,500 sq. ft. – Vegging	2,790 gal/month
June	X			10,000 sq. ft. – Vegging	12,000 gal/month
July	X			31,825 sq. ft. – Vegging	29,597.25 gal/month
August		X		31,825 sq. ft. – Flowering	39,463 gal/month
September		X		31,825 sq. ft. – Flowering	38,190 gal/month
October		X		31,825 sq. ft. – Flowering	39,463 gal/month
November			X	31,825 sq. ft. – Harvesting	
December					

ATTACHMENT 4

Referral Agency Comments and Recommendation

Referral Agency	Response	Recommendation	On File
County Building Inspection Division	✓	Approval	✓
County Public Works, Land Use Division	✓	Conditional approval	✓
County Division of Environmental Health	✓	Additional information required, which applicant has supplied	✓
NWIC	✓	Moderate potential for cultural resources	✓
Department of Fish and Wildlife	✓	Additional information requested	✓
Regional Water Quality Control Board		None received	
Division of Water Resources		None received	
CALFIRE		None received	
Tsnungwe Council	✓	Approval. Requested archaeological study.	✓
Hoopla Tribe	✓	Conditional Approval.	✓
Klamath Trinity Unified School District		None received	
Agriculture Commissioner		None received	
Humboldt County District Attorney		None received	