



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: **Innovation West, dba Panther Gap Farms, Conditional Use Permits**
Application Numbers 10508, 10509, 10552, 10553, and 10934
Case Numbers CUP16-030, 16-031, 17-021, 17-022, and 16-107
Assessor's Parcel Number (APNs) 107-124-015, 107-235-008, 107-235-007,
107-236-011, 107-236-010, 107-234-012, 107-111-001
From 3.16 miles to 4.0 miles east of the town of Honeydew on both sides of
the Panther Gap Road, and to the east and west of Panther Gap Road,
including addresses of 3000 Panther Gap Road and 3400 Panther Gap
Road, Honeydew Area

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Please contact Michelle Nielsen, Senior Planner, at 707-445-7541 or by email at mnielsenr@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
January 18, 2018	Conditional Use Permits	Michelle Nielsen

Project Description A series of five Conditional Use Permits (CUPs) for existing outdoor commercial cannabis cultivation sites up to 1 acre in size per permitted property, for a total of 5 acres (217,800 square feet) of existing outdoor cannabis cultivation across 7 parcels totaling approximately 564 acres of property. The applicant has three cannabis project applications contained in this series of CUPs, and one contained in a pending Special Permit (SP), and proposes to lease the two permit applications proposed herein as CUP 17-021 and 17-022 to an assignee operator, in conformance with the 4-permit limit under the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO Section 55.4.8.10). Water sources for the operation include four existing, permitted groundwater wells, located on properties identified as APN 107-234-012, APN 107-235-007, APN 107-235-008, and APN 107-236-011, and five surface water diversions that are subject to current California Department of Fish and Wildlife (CDFW) Lake and Streambed Alteration Agreements (LSAA 1600 permits). The applicant will forbear all use of surface water for irrigation from May 15 to October 31, during which time the wells will be the sole source of irrigation. CDFW has verified that one of the existing wells is non-jurisdictional; the other wells will be further evaluated. Hard tank water storage is used on some of the sites (APN 107-235-007, APN 107-235-008, 107-234-012 and 107-111-001). One off-stream pond, approximately 80,000 gallons, currently exists on APN 107-236-011 (CUP 17-021). An off-stream, pond, approximately 175,000-gallons, is proposed on the property without a well water source, (CUP 17-022, APN 107-236-010), to provide water storage for irrigation during the forbearance period.

Energy for the projects would be supplied by generators, to be used at each site only on an occasional basis for maintenance purposes. Only CUP 16-031 is served by Pacific Gas and Electric Company for power. Each of the five sites would require one to three full-time employees; all processing would be performed off site at a permitted facility.

Road access is via Panther Gap Road, which begins at the Honeydew Road, connects with short unnamed private roads and Mann Ranch Road to access the subject properties, and has east and west branches accessing some properties directly. A portion of Panther Gap Road is county-maintained. The applicant hired Manhard Consulting to complete road evaluation reports for all non-county-maintained road access segments to all associated properties, with photo points, maps, and measurements certifying a Category 4 equivalence for all roads. The applicant is required to improve the junction of the non-county -maintained segment of Panther Gap Road and the county-maintained segment of Panther Gap Road. This requirement will be a condition of project approval. The applicant has submitted a transportation plan for employee access that will reduce traffic impacts to roads. The plan states that vehicle trips to the project site will be reduced through carpooling and that only up to two vehicles will be needed to transport employees to and from work for each location.

Project Locations: All parcels are located in the Honeydew area. The project site for CUP 16-030 is located on both sides of Panther Gap Road, approximately 4 miles east of the town of Honeydew, on the property known as 3400 Panther Gap Road. The project site for CUP 16-031 is located on both sides of Panther Gap Road, approximately 4 miles east of the town of Honeydew, on the property known as 3000 Panther Gap Road. The project site for CUP 16-107 is located on the west side of Panther Gap Road, approximately 3.16 miles south from the intersection of Mattole Road and Panther Gap Road and 0.55 mile west from the intersection of Panther Gap Road and Mann Ranch Road on the property known to be in Section 34 of

Township 02 South, Range 01 East, and Section 3 of Township 03 South, Range 01 East, Humboldt Meridian. The project site for CUP 17-021 is located on the north side of Panther Gap Road, approximately 4 miles east of the town of Honeydew, on the property located in the southwest quarter of Section 36, Township 2 South, Range 1 East, Humboldt Meridian. The project site for CUP 17-022 is located east of Panther Gap Road, approximately 4 miles east of the town of Honeydew, on the property located in the northwest quarter of Section 36, Township 2 South, Range 1 East, Humboldt Meridian.

Present Plan Land Use Designations: CUP 16-030, 16-031, 17-021, 17-022: Residential Agriculture (RA40), Density: one dwelling unit per 40 acres. CUP 16-107: Timberland (T), Density: 40 - 160 acres per dwelling unit.

Present Zoning: CUP 16-030, 16-031, 17-021, 17-022: Unclassified (U). CUP 16-107: Timber Production Zone (TPZ).

Application Numbers: 10508, 10509, 10552, 10553, 10934

Case Numbers: CUP 16-030, CUP 16-031, CUP 17-021, CUP 17-022, CUP 16-107

Assessor Parcel Numbers: 107-124-015, 107-235-008, 107-235-007, 107-236-011, 107-236-010, 107-234-012, 107-111-001

Applicant

Innovation West, dba
Panther Gap Farms
Robert Renfro Jr.
600 F Street, Suite 3-952
Arcata, CA 95521

Owner

Robert T. Renfro Jr.
1171 Diamond Drive
Arcata, CA 95521

Agent

Lenders Construction Services,
LLC
Jeff Smith
PO Box 6218
Eureka, CA 95502

Environmental Review: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Class 1, 15301 (Existing Facilities), Class 4, 15304 (Minor Alterations to Land), and Class 33, 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines.

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

Major Issues: None

INNOVATION WEST, DBA PANTHER GAP FARMS

Case Numbers CUP 16-030, CUP 16-031, CUP 17-021, CUP 17-022, CUP 16-107
Assessor's Parcel Numbers 107-124-015 and 107-235-008 (as a single legal parcel), 107-235-007,
107-236-011, 107-236-010, 107-234-012 and 107-111-001 (as a single legal parcel)

Recommended Commission Action

1. Describe the application as a Public Hearing;
2. Request staff to present the project;
3. Open the public hearing and receive public testimony; and
4. Close the public hearing and take the following action:

Find the project exempt from environmental review pursuant to Sections 15301 (Existing Facilities) and 15304 (Minor Alterations to Land, and 15333 (Small Habitat Restoration Projects) of the state CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permits based on evidence in the staff report and any public testimony, and adopt the Resolution approving the five proposed Panther Gap Farms projects subject to the recommended conditions.

Executive Summary: Innovation West, dba Panther Gap Farms Medical Marijuana Cultivation Project, seeks approval of five (5) Conditional Use Permits in compliance with the County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and the Medical Cannabis Regulation and Safety Act (MCRSA) for a total of 5 acres (217,800 square feet) of existing outdoor cannabis cultivation across approximately 564 acres of property consisting of five legal parcels, with a maximum of 1 acre of outdoor cultivation permitted per Conditional Use Permit (CUP). Recent Geographic Information Systems aerial imagery available (as of May 28, 2014) and supplemental materials provided by the applicant show prior outdoor cannabis cultivation on the parcels at approximately 362,989 square feet total, resulting in more than 1 acre of existing cannabis cultivation per site. The proposed project would reduce, or consolidate, the existing outdoor cannabis cultivation areas to 1 acre (43,560 square feet) per CUP, ensuring the project's consistency with the limits and guidelines in CMMLUO Section 55.4.8.2.2. Existing structures and buildings are located throughout the seven parcels; however, the applicant has noted that they are not associated with cannabis cultivation activities.

The project includes the following parcels: APNs 107-124-015, 107-235-008, 107-235-007, 107-236-011, 107-236-010, 107-234-012, and 107-111-001. Table 1 below identifies the APNs and their corresponding CUP and Application numbers.

Table 1: Innovation West CUPs (16-030, 16-031, 17-021, 17-022 and 16-107)

Application Number	CUP Number	APN Number(s)
10508	16-030	107-124-015, 107-235-008
10509	16-031	107-235-007
10552	17-021	107-236-011
10553	17-022	107-236-010
10934	16-107	107-234-012, 107-111-001

The applicant has filed a total of six applications for existing outdoor cannabis cultivation with Humboldt County Planning and Building Department, including the group of five CUPs contained herein and one Special Permit (SP) application filed separately (SP16-051). The

applicant proposes to lease the following two permit applications, CUP 17-021 and CUP 17-022, to an assignee operator, to conform with the 4-permit limit under CMMLUO 55.4.8.10.

Water is sourced from a combination of stream diversions and wells across the project sites. There are five existing spring/stream diversions located on tributaries to Middle Creek and the Mattole River, and one existing stream diversion located on an unnamed tributary to Dry Creek and the Mattole River. All diversions have pending registrations filed with the California State Water Resources Control Board for Small Domestic Use Appropriation. California Department of Fish and Wildlife (CDFW) Lake and Streambed Alteration Agreements ([LSAA] 1600 permits) have been completed for all five diversions, and no water will be diverted for cannabis irrigation between March 15 and October 31; these measures will prevent the associated Streamside Management Areas (SMAs) from being adversely impacted by the diversions. In addition, Water Resources Protection Plans (WRPPs) have been completed for all projects and recommend stream crossing improvements to enhance the protection and health of the SMA on Class II and Class III tributaries to Middle Creek and the Mattole River. There are no legacy cultivation sites located in SMAs, and the Project is in conformance with Humboldt County Code (HCC) 314-61.1 et seq.

In addition to the permitted and seasonally constrained diversions, water sources for the cultivation operations include a total of four existing, permitted groundwater wells, located on included properties APN 107-235-008 (CUP 16-030), APN 107-235-007 (CUP 16-031), APN 107-234-012 (CUP 16-107), and APN 107-236-011 (CUP 17-021). These well sources will provide water for cannabis irrigation during the forbearance period of March 15 to October 31. CDFW has certified that the existing well on CUP 16-031 is non-jurisdictional, and verification of the other three wells as hydrologically disconnected and non-jurisdictional, is a condition of approval. Well flow rates are consistent with reported water use. Each CUP and associated 1-acre cultivation site is projected to require 190,760 gallons annually, including 163,760 gallons during the forbearance period.

Water storage in the form of ponds and hard storage tanks have historically been used for the cultivation areas with this project. The Water Resource Protection Plans (WRPPs) prepared for this project indicate the use of hard tank water storage on the following sites (APN 107-235-007, APN 107-235-008, 107-234-012 and 107-111-001). It is unclear if the applicant will continue to use these hard tanks. APN 107-23-011 (CUP 17-021) includes one existing off-stream storage pond (80,000 gallons) with an associated spillway that directs overflow to a Class II watercourse. The existing pond and spillway has the following known issues: 1) it is located within 150 feet of an SMA and 2), the WRPP prepared for this site determined that the existing pond will not be sufficient to supply water for the cultivation area during the forbearance period and recommended that the applicant consider another site for a larger storage pond. It is unclear if the applicant has ceased use of this storage pond at this point in time. In order to meet the County's policies and guidelines for protecting water and biological resources within an SMA, the project is conditioned on the applicant converting the pond to a rainwater catchment pond should the applicant continue to use the pond for the cannabis operation. This conversion should also include the removal of infrastructure used to fill the pond, and restoration of the subject area. Prior to the conversion, the applicant shall hire a qualified professional biologist to monitor the work and to prepare a remediation and restoration plan to the satisfaction of the County and CDFW. In addition, the project would be conditioned on the applicant securing a Special Permit for the pond spillway, given its proximity to the Class II stream and associated SMA. If the applicant chooses not to use the existing pond, then the project is conditioned on the removal of infrastructure and remediation of the former pond site to the satisfaction of the County and CDFW. In order to meet the water storage and irrigation needs of the cultivation area on

this site during forbearance, the applicant shall either decrease the size of cultivation or develop another form of water storage such as the use of hard tank water storage or an off stream storage pond that is not hydrologically connected and also located outside of the SMA.

An off-stream pond, approximately 175,000-gallon, is proposed, per the applicant's plot plan on the property without a well water source (CUP 17-022, APN 107-236-010), presumably to provide back-up water storage for irrigation during the forbearance period. Applicant prepared documents indicate that the water source is from a permitted well on one of the adjacent parcels. Conditions appropriate to pond construction, including grading plans and permits, notification of CDFW for certification that proposed pond is off stream, acquiring appropriative rights, and a bullfrog management plan, would all be conditions of approval for this proposed storage. Recordation of an easement guaranteeing access to water across property lines would also be a condition of approval for CUP 17-022. The project is also conditioned on the applicant preparing contingent easements for all off-site ponds that will provide irrigation water for the project; and, the applicant is required to submit a copy of all the filed Small Irrigation Use Registration (SIUR) applications prior to the commencement of cultivation activities.

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 WRPP to protect water quality from cannabis cultivation and related activities. The applicant has enrolled as a Tier 2 discharger and has prepared WRPPs accordingly.

All areas sited for outdoor cultivation have previously been cleared. The applicant has contracted with a registered professional forester (RPF) to evaluate site conditions and conversion history only for the forested properties included in CUP 17-022 (Application 10553, APN 107-236-010). The report concluded that this cannabis cultivation site was likely a log landing in the 1950s and 1960s and that it has since been left undisturbed and then became overgrown with brush and immature Douglas-fir trees for approximately 40 years until it has been cleared approximately four years ago. The landowner has owned the parcel for approximately 20 years. The report concluded that although the site was cleared four years ago under the current landowner, the physical evidence at the site and the aerial imagery support a determination that the area had been used as a log landing in the past. Staff has provided California Department of Forestry and Fire Protection (CAL-FIRE) written Notice of Availability of the RPF report prepared for this site. As a condition of approval, the applicant is required to retain a RPF to evaluate all cultivation sites for timber conversion history for the other four permit applications associated with this project (CUP 17-021, CUP 16-030, CUP 16-031, and CUP 16-107). The applicant shall also provide a copy of a less than 3-acre conversion exemption or timberland conversion permit, approved by CAL-FIRE, for each cultivation area.

All cultivation areas are sited at least 30 feet from the property line and 300 feet from residences on adjacent properties and there are no schools, school bus stops, places of worship, public parks or Tribal Cultural Resources (TCRs) within 600 feet of the cultivation areas. An archaeological survey and cultural resources study was conducted by Archaeological Research and Supply Company (ARSC) in October 2017. The results of the study concluded that there are no cultural or historic resources in or near the project areas. This report was provided to the Tribal Historic Preservation Officer (THPO) of the Bear River Band of the Rohnerville Rancheria and the Sinkiyone Intertribal Wilderness Council. The Bear River Band recommended a condition of project approval be incorporated regarding inadvertent discovery protocol. Ongoing conditions of approval are incorporated regarding the inadvertent discovery protocol to protect cultural resources.

Road access is via Panther Gap Road, which begins at Honeydew Road, and connects with short unnamed private roads and Mann Ranch Road to access the subject properties, with east and west branches accessing some of the properties directly. A portion of Panther Gap Road is county-maintained. The applicant hired Manhard Consulting to complete road evaluation reports for all non-county-maintained road access segments to all associated properties, which include photo points, maps, and measurements certifying a Category 4 equivalence for all roads. Department of Public Works is requiring that the applicant secure an encroachment permit and implement improvements at the junction of the non-county-maintained segment of Panther Gap Road and the county-maintained segment of Panther Gap Road as condition of approval. The applicant has also submitted a supplemental transportation plan for employee access (in Attachment 3) that will reduce traffic impacts to roads.

All five CUPs cover outdoor cultivation activities only. All products will be sold to state-licensed facilities on a wholesale basis. There will be no on-site processing associated with the project. All associated processing would be performed at a permitted, off-site facility. Each of the five cultivation operations would require one to three full-time employees. Cultivation activities that include the use of temporary greenhouses would utilize pervious floors in these temporary structures as a condition of approval, and there would be no artificial lighting. Pacific Gas and Electric Company provides power only to CUP 16-031; generators would be used at each cultivation site only on an occasional basis for maintenance purposes or during emergency power loss situations. All sites using generators would be subject to a noise pollution prevention plan that would limit noise impacts to less than 50 decibels at the property line or the forest canopy to avoid harassment of marbled murrelet or spotted owl species. Fuel will be stored and handled in compliance with applicable regulations, and per the applicant's Cultivation Operations Plan (Attachment 3), generators and their operation will meet all requirements of the North Coast Unified Air Quality Management District including registration and permitting. Cultivation activities would be subject to the detailed Cultivation and Operations Plan and occur on the following schedule: planting in April and July, basic plant care April through September, and harvest in July and October. The Cultivation and Operations Plan also includes a thorough security plan for each project. In general, security measures will include the use of outdoor lighting, video surveillance, security alarm system, and access control at all entrances. Visitors without specific pre-authorized business purposes will not be permitted on site. Only authorized representatives of state-licensed customer facilities and appropriately licensed vendors will be allowed to be onsite under supervision. Any other vendors or maintenance workers allowed in will be escorted at all times and not allowed to be near finished products or harvested materials. Hours of operation will typically be from 7:00 a.m. to 7:00 p.m.; however, during periods of seasonally high workloads, the hours of operations within the facility may increase to 16 hours per day. Commercial activities such as shipping and receiving will be limited to the hours from 8:00 a.m. to 6:00 p.m.

The applicant or lessee will contract with an appropriate temporary sanitation facilities services provider to provide and maintain toilet and hand-washing facilities in accordance with the requirements of Cal-OSHA and ADA/California accessibility regulations. The Department of Public Health has also requested that invoices for temporary sanitation facilities be provided for each project as a condition of approval. Solid waste will be sorted, recycled as appropriate, and transported weekly to an appropriate waste disposal location.

As previously stated, the proposed project would result in an overall reduction in the amount of square feet of cannabis cultivation. The reduction would result in approximately 1 acre (or 43,560 square feet) of cultivation per CUP application. The reduction in cultivation areas would require decommissioning of prior cultivation sites, not relocation. The cultivation sites that will be

decommissioned are not located in biologically sensitive areas, nor are they in SMAs. As a condition of approval, the applicant is required to retain a professional biologist to prepare a remediation and restoration plan and monitoring report for the decommissioned sites. Remediation Plans for areas decommissioned from cannabis cultivation across all properties shall include removal of invasive non-native plant species, minor re-contouring by hand using the native soil with any imported non-native soils removed, the areas mulched to prevent erosion, and the areas replanted with native species. Post-treatment monitoring will be conducted and further remedial measures instituted, if required.

Environmental review for these projects was conducted and based on the results of that analysis, staff believes the existing cultivation aspects of the projects can be considered an "Existing Facility" as defined by Section 15301 of the California Environmental Quality Act (CEQA) Guidelines because they consist of "existing private structures, facilities, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination." Staff believes the proposed, potential off-stream water storage pond indicated in the plot plan of CUP 17-022 can be considered a "Minor Alteration to Land" as defined by Section 15304 of the California Environmental Quality Act (CEQA) Guidelines because it consists of "minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes." Staff also determined that the remediation of the former cultivation sites is Categorically Exempt as defined by Class 15333, Small Habitat Restoration projects, of the CEQA Guidelines.

There is no substantial evidence of potentially significant adverse environmental effects resulting from the permitting of a recognized, legal, existing agricultural use (cultivation of medical marijuana) on property zoned U or TPZ, with a source of irrigation with documented appropriate water right, or other permitted non-diversionary source.

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

ALTERNATIVES: The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. If modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of either alternative.

The Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As Lead Agency, the Department has determined that the projects are Categorically Exempt under the three Exemption Classes stated above; however, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

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

**Case Number CUP-16-030
Assessor Parcel Numbers: 107-124-015 and 107-235-008**

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

WHEREAS, Innovation West dba Panther Gap Farms submitted an application and evidence in support of approving a Conditional Use Permit for an existing 1 acre (43,560 square feet) of outdoor commercial cannabis cultivation.

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

WHEREAS, the project is categorically exempt from environmental review pursuant to Class 1, 15301 (Existing Facilities), and Class 33, 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Case Number CUP16-030); 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:

1. The project is categorically exempt from environmental review pursuant to Class 1, 15301 (Existing Facilities) and Class 33, Section 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines; and
2. The findings in Attachment 2 of the Planning Commission staff report for Case Number CUP16-030 support approval of the project based on the submitted substantial evidence; and
3. Approves the Conditional Use Permit CUP-16-030 as recommended and conditioned in Attachment 1 for Case Number CUP-16-030.

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

The motion was made by Commissioner ____ and seconded by Commissioner ____.

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:

DECISION: Motion carries

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

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

**Case Number CUP-16-031
Assessor Parcel Number: 107-235-007**

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

WHEREAS, Innovation West dba Panther Gap Farms submitted an application and evidence in support of approving a Conditional Use Permit for an existing 1 acre (43,560 square feet) of outdoor commercial cannabis cultivation.

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

WHEREAS, the project is categorically exempt from environmental review pursuant to Class 1, 15301 (Existing Facilities), and Class 33, 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Case Number CUP16-031); 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:

1. The project is categorically exempt from environmental review pursuant to Class 1, 15301 (Existing Facilities) and Class 33, Section 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines; and
2. The findings in Attachment 2 of the Planning Commission staff report for Case Number CUP16-031 support approval of the project based on the submitted substantial evidence; and
3. Approves the Conditional Use Permit CUP-16-031 as recommended and conditioned in Attachment 1 for Case Number CUP-16-031.

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

The motion was made by Commissioner ____ and seconded by Commissioner ____.

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:

DECISION: Motion carries

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

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

**Case Number CUP-16-107
Assessor Parcel Numbers: 107-234-012 and 107-111-001**

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

WHEREAS, Innovation West dba Panther Gap Farms submitted an application and evidence in support of approving a Conditional Use Permit for an existing 1 acre (43,560 square feet) of outdoor commercial cannabis cultivation.

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

WHEREAS, the project is categorically exempt from environmental review pursuant to Class 1, 15301 (Existing Facilities), and Class 33, 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Case Number CUP16-107); 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:

1. The project is categorically exempt from environmental review pursuant to Class 1, 15301 (Existing Facilities) and Class 33, Section 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines; and
2. The findings in Attachment 2 of the Planning Commission staff report for Case Number CUP16-107 support approval of the project based on the submitted substantial evidence; and
3. Approves the Conditional Use Permit CUP-16-107 as recommended and conditioned in Attachment 1 for Case Number CUP-16-107.

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

The motion was made by Commissioner ____ and seconded by Commissioner ____.

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:

DECISION: Motion carries

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

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

**Case Number CUP-17-021
Assessor Parcel Numbers: 107-236-011**

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

WHEREAS, Innovation West dba Panther Gap Farms submitted an application and evidence in support of approving a Conditional Use Permit for an existing 1 acre (43,560 square feet) of outdoor commercial cannabis cultivation.

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

WHEREAS, the project is categorically exempt from environmental review pursuant to Class 1, 15301 (Existing Facilities), and Class 33, 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Case Number CUP17-021); 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:

1. The project is categorically exempt from environmental review pursuant to Class 1, 15301 (Existing Facilities) and Class 33, Section 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines; and
2. The findings in Attachment 2 of the Planning Commission staff report for Case Number CUP17-021 support approval of the project based on the submitted substantial evidence; and
3. Approves the Conditional Use Permit CUP-17-021 as recommended and conditioned in Attachment 1 for Case Number CUP-17-021.

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

The motion was made by Commissioner ____ and seconded by Commissioner ____.

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:
DECISION: Motion carries

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

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

**Case Number CUP-17-022
Assessor Parcel Numbers: 107-236-010**

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

WHEREAS, Innovation West dba Panther Gap Farms submitted an application and evidence in support of approving a Conditional Use Permit for an existing 1 acre (43,560 SQUARE FEET) of outdoor commercial cannabis cultivation, including a potential proposed pond.

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

WHEREAS, the project is categorically exempt from environmental review pursuant to Class 1, 15301 (Existing Facilities), Class 4, 15304 (Minor Alterations to Land), and Class 33, 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Case Number CUP17-022); 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:

1. The project is categorically exempt from environmental review pursuant to Class 1, 15301 (Existing Facilities), Class 4, 15304 (Minor Alterations to Land), and Class 33, Section 15333 (Small Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines; and
2. The findings in Attachment 2 of the Planning Commission staff report for Case Number CUP17-022 support approval of the project based on the submitted substantial evidence; and
3. Approves the Conditional Use Permit CUP-17-022 as recommended and conditioned in Attachment 1 for Case Number CUP-17-022.

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

The motion was made by Commissioner ____ and seconded by Commissioner ____.

AYES: Commissioners:

NOES: Commissioners:

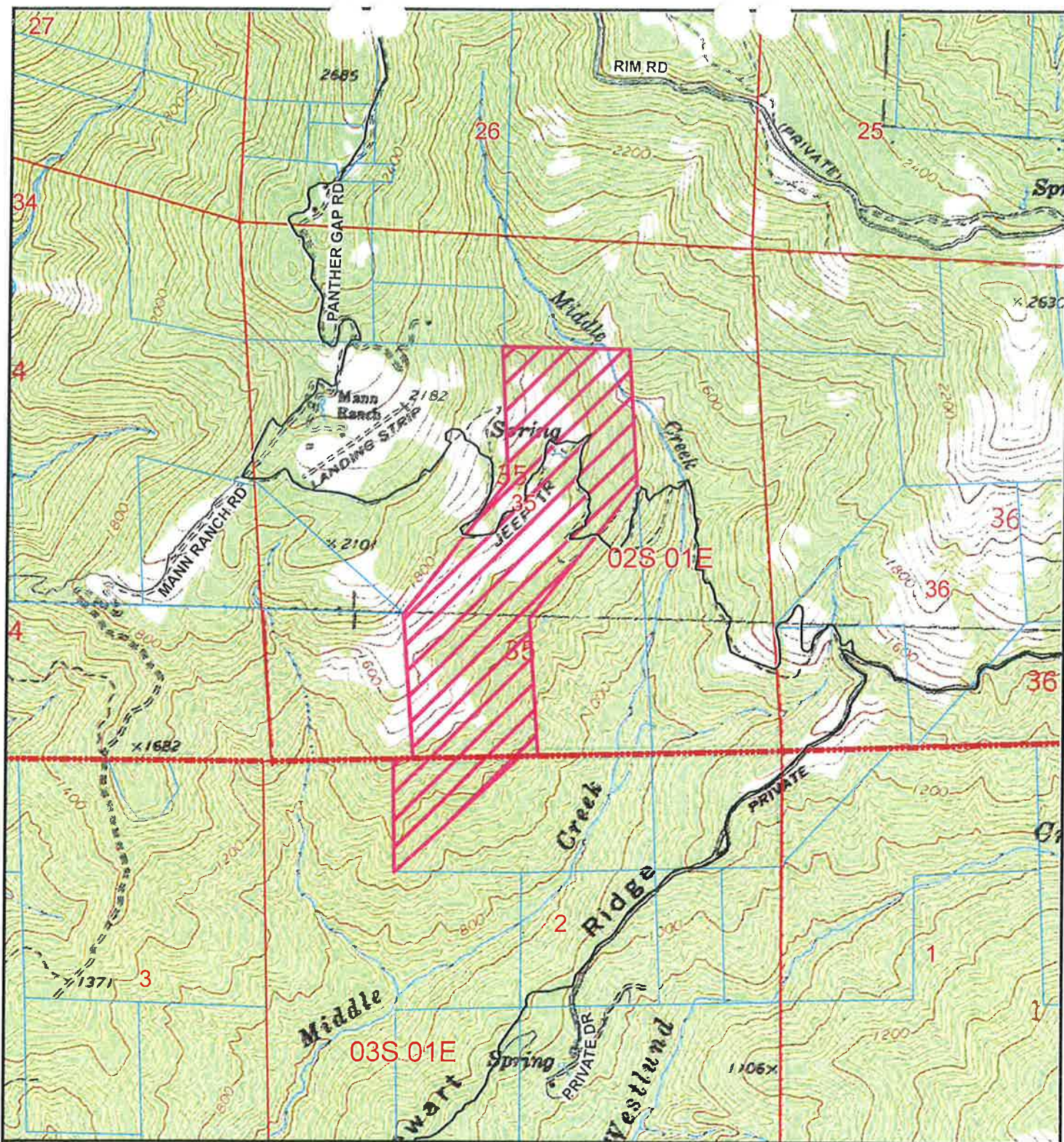
ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION: Motion carries

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 INNOVATION WEST CONDITIONAL USE PERMIT HONEYDEW AREA

CUP-16-030

APN: 107-124-015, 107-235-008

T02S R01E S35 HB&M (Bull Creek)

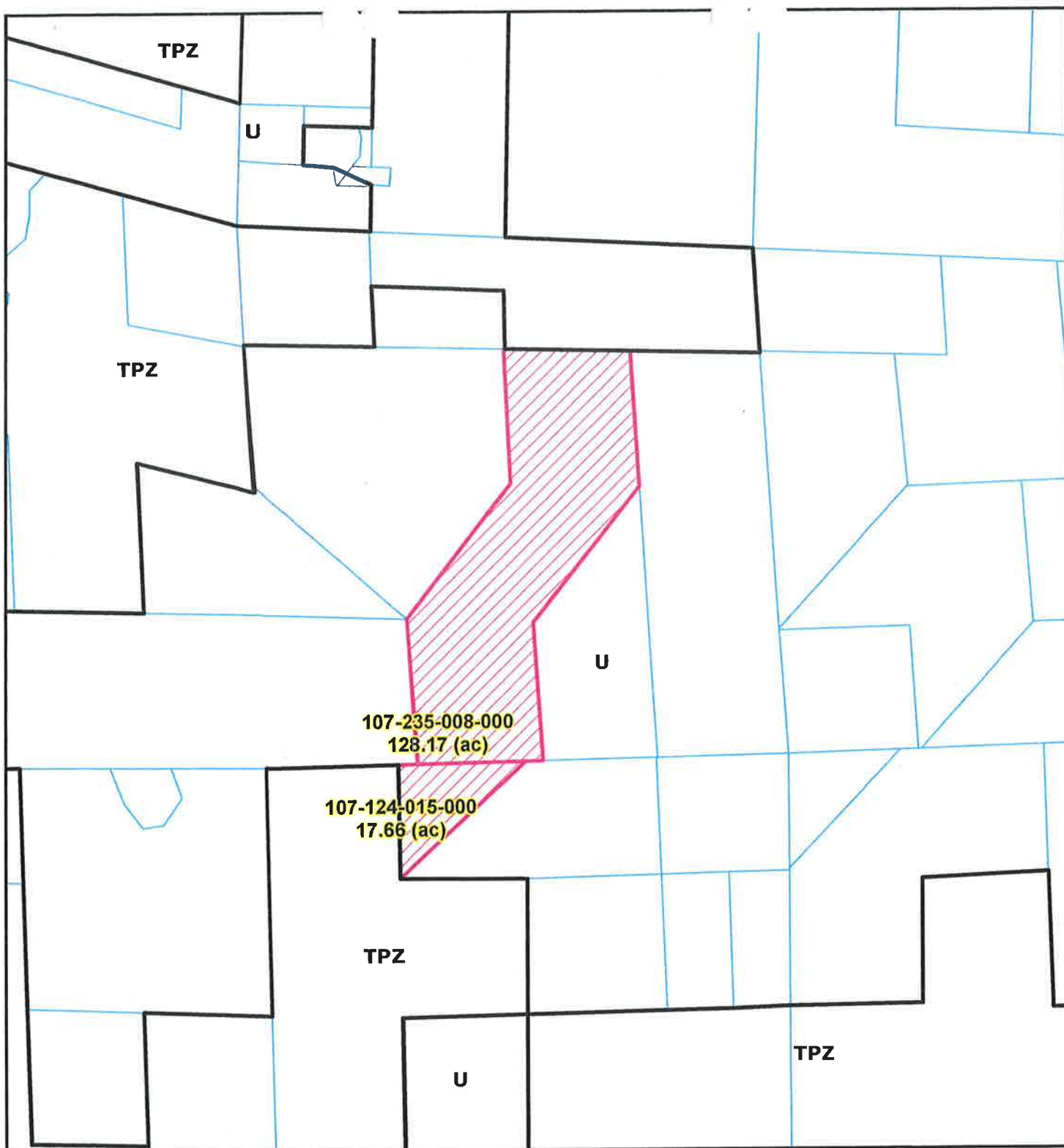
T03S R01E S02 HB&M (Honeydeu)

Project Area = 

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



0 0.25 Miles



ZONING MAP

PROPOSED INNOVATION WEST CONDITIONAL USE PERMIT HONEYDEW AREA

CUP-16-030

APN: 107-124-015, 107-235-008
T02S R01E S35 HB&M (Bull Creek)
T03S R01E S02 HB&M (Honeydew)

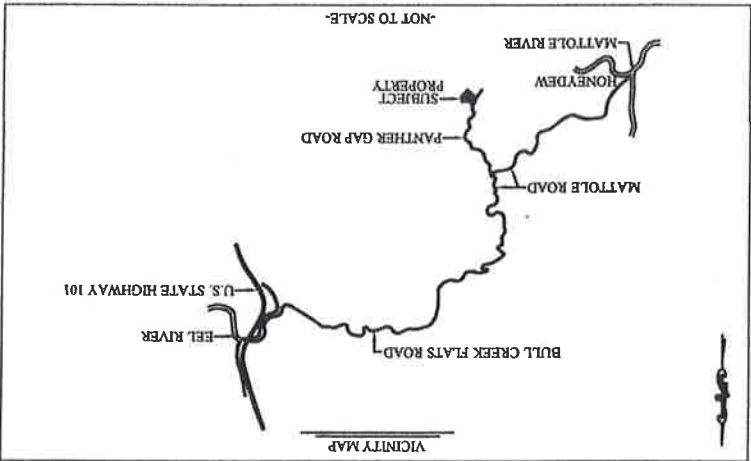
Project Area = 

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

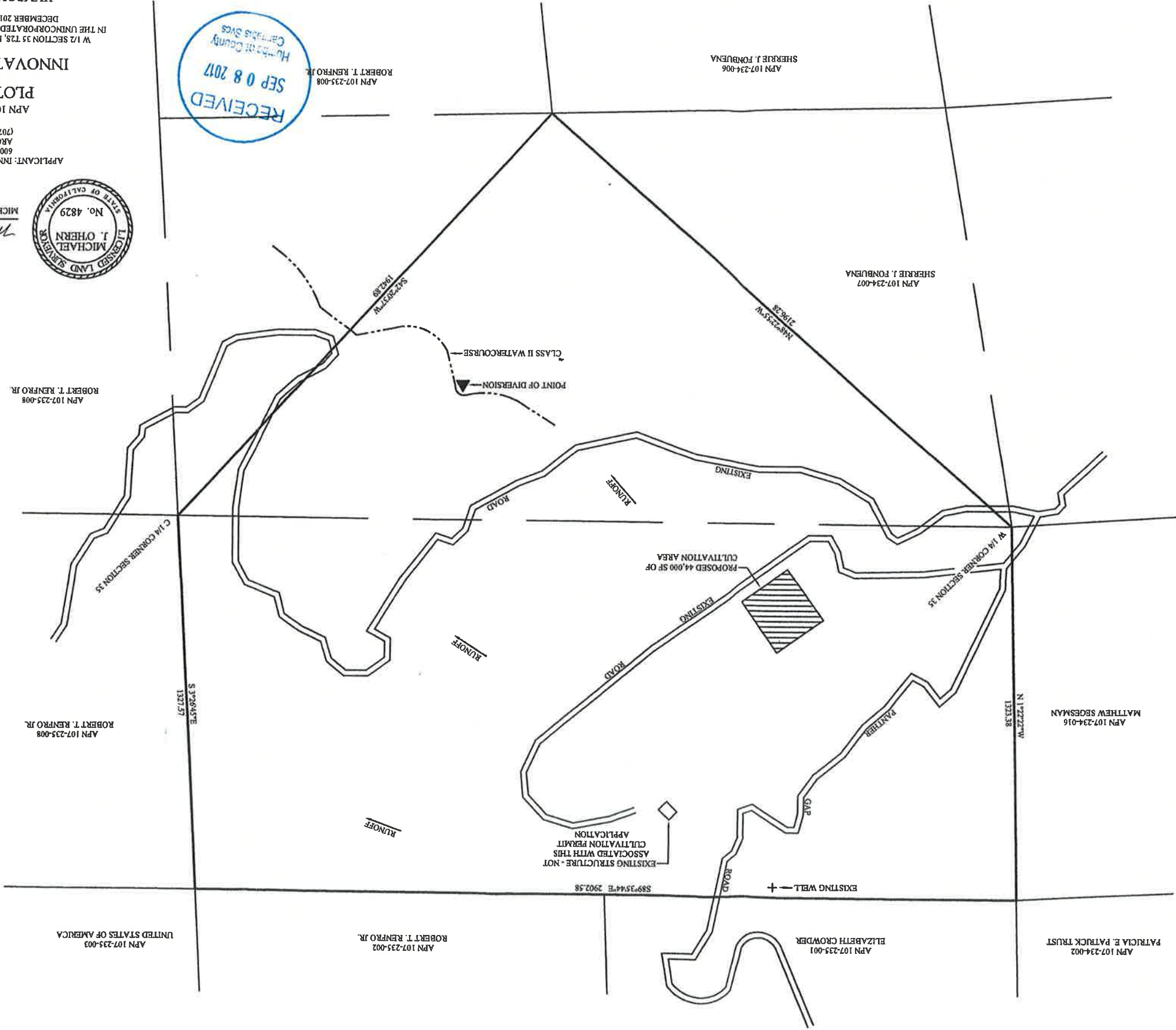


0 0.25 Miles





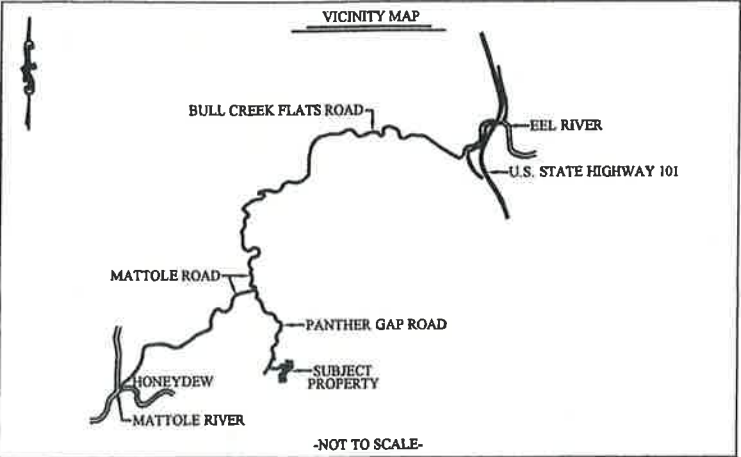
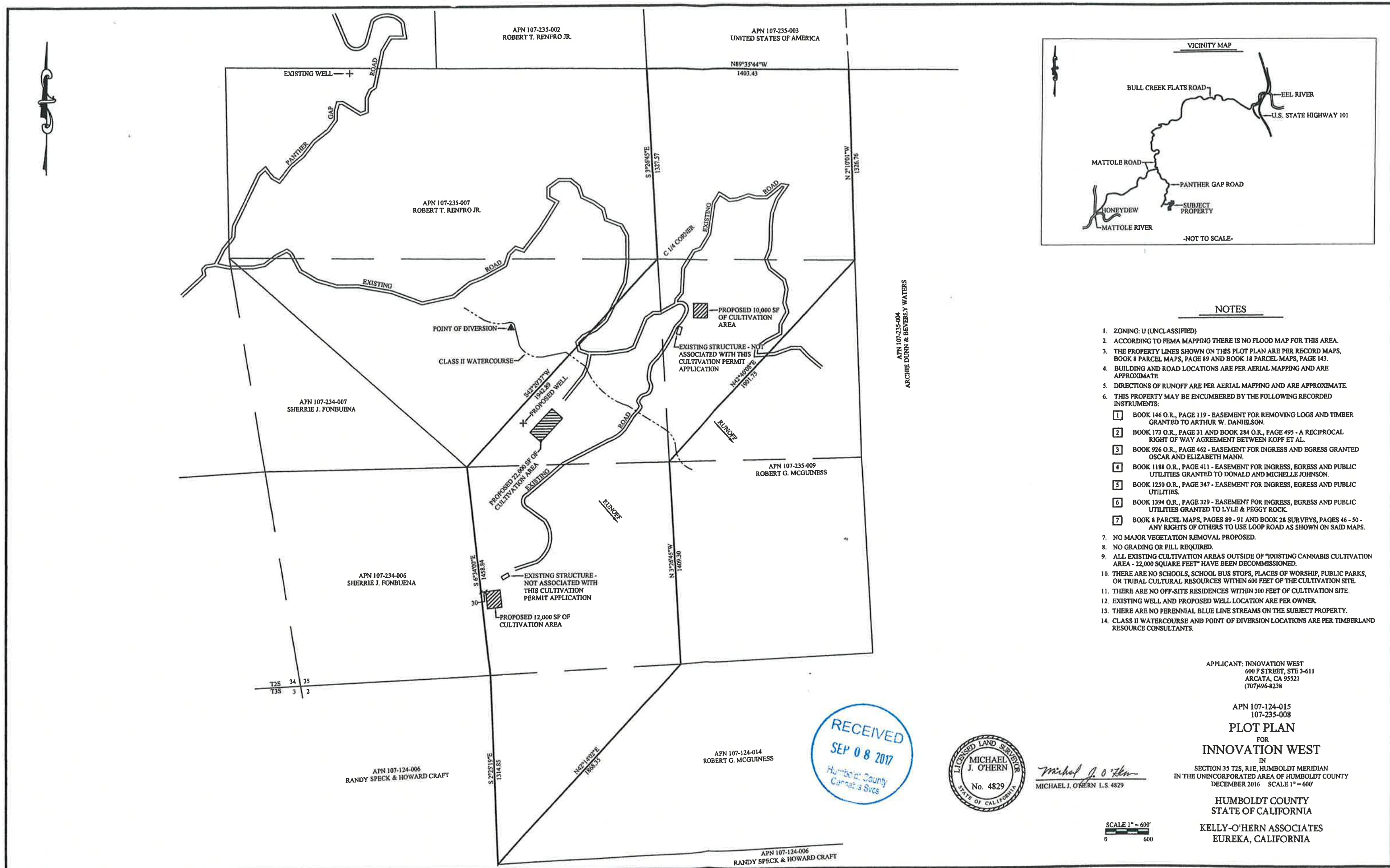
- NOTES
1. ZONING: U (UNCLASSIFIED)
 2. ACCORDING TO FEMA MAPPING THERE IS NO FLOOD MAP FOR THIS AREA.
 3. THE PROPERTY LINES SHOWN ON THIS PLOT PLAN ARE PER RECORD MAPS, BOOK 8 PARCEL MAPS, PAGE 89 AND BOOK 18 PARCEL MAPS, PAGE 143.
 4. BUILDING AND ROAD LOCATIONS ARE PER AERIAL MAPPING AND ARE APPROXIMATE.
 5. DIRECTIONS OF RUNOFF ARE PER AERIAL MAPPING AND ARE APPROXIMATE.
 6. THIS PROPERTY MAY BE ENCUMBERED BY THE FOLLOWING RECORDED INSTRUMENTS:
 1. BOOK 146 O.R., PAGE 119 - EASEMENT FOR REMOVING LOGS AND TIMBER GRANTED TO ARTHUR W. DANIELSON.
 2. BOOK 173 O.R., PAGE 31 AND BOOK 284 O.R., PAGE 495 - A RECIPROCAL RIGHT OF WAY AGREEMENT BETWEEN KOPF ET AL.
 3. BOOK 926 O.R., PAGE 462 - EASEMENT FOR INGRESS AND EGRESS GRANTED OSCAR AND ELIZABETH MANN.
 4. BOOK 8 PARCEL MAPS, PAGES 89 - 91 AND BOOK 28 SURVEYS, PAGES 46 - 50 - ANY RIGHTS OF OTHERS TO USE LOOP ROAD AS SHOWN ON SAID MAPS.
 5. BOOK 1188 O.R., PAGE 411 - EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES GRANTED TO DONALD AND MICHELLE JOHNSON.
 6. BOOK 1298 O.R., PAGE 103 - EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES.
 7. BOOK 1610 O.R., PAGE 1096 - EASEMENT FOR INGRESS, EGRESS, PUBLIC AND PRIVATE UTILITIES GRANTED TO LYLE ROCK.
 8. BOOK 1747 O.R., PAGE 319 - EASEMENT FOR INGRESS AND EGRESS GRANTED JOHANNA MARY HUCK.
 9. BOOK 1762 O.R., PAGE 1244 - EASEMENT FOR INGRESS, EGRESS, PUBLIC AND PRIVATE UTILITIES GRANTED TO LYLE H. ROCK.
 10. BOOK 1762 O.R., PAGE 1249 - EASEMENT FOR INGRESS, EGRESS, PUBLIC AND PRIVATE UTILITIES GRANTED TO LYLE H. ROCK.
 11. INSTRUMENT NO. 1997-6051-7 - EASEMENT FOR INGRESS, EGRESS, PUBLIC AND PRIVATE UTILITIES GRANTED TO ERIC T. JEWKES.
 12. NO MAJOR VEGETATION REMOVAL PROPOSED.
 13. ALL EXISTING CULTIVATION AREAS OUTSIDE OF EXISTING CANNABIS CULTIVATION AREA - 22,000 SQUARE FEET HAVE BEEN DECOMMISSIONED.
 14. THERE ARE NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF THE CULTIVATION SITE.
 15. THERE ARE NO OFF-SITE RESIDENCES WITHIN 300 FEET OF CULTIVATION SITE.
 16. EXISTING WELL LOCATION PER OWNER.
 17. THERE ARE NO PERENNIAL BLUE LINE STREAMS ON THE SUBJECT PROPERTY.
 18. CLASS II WATERCOURSE AND POINT OF DIVERSION LOCATIONS ARE PER TIMBERLAND RESOURCE CONSULTANTS.



APPLICANT: INNOVATION WEST
600 F STREET, STE 3-611
ARCAITA, CA 95521
(707)966-8238
APN 107-235-007
FOR
PLOT PLAN
INNOVATION WEST
IN
W 1/2 SECTION 35 T2S, R1E, HUMBOLDT MERIDIAN
IN THE UNINCORPORATED AREA OF HUMBOLDT COUNTY
DECEMBER 2016 SCALE 1" = 400'
HUMBOLDT COUNTY
STATE OF CALIFORNIA
KELLY-O'HERN ASSOCIATES
EUREKA, CALIFORNIA



Michael J. O'Hern
Michael J. O'Hern L.S. 4829



NOTES

1. ZONING: U (UNCLASSIFIED)
2. ACCORDING TO FEMA MAPPING THERE IS NO FLOOD MAP FOR THIS AREA.
3. THE PROPERTY LINES SHOWN ON THIS PLOT PLAN ARE PER RECORD MAPS, BOOK 8 PARCEL MAPS, PAGE 89 AND BOOK 18 PARCEL MAPS, PAGE 143.
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 3. BOOK 926 O.R., PAGE 462 - EASEMENT FOR INGRESS AND EGRESS GRANTED OSCAR AND ELIZABETH MANN.
 4. BOOK 1188 O.R., PAGE 411 - EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES GRANTED TO DONALD AND MICHELLE JOHNSON.
 5. BOOK 1250 O.R., PAGE 347 - EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES.
 6. BOOK 1394 O.R., PAGE 329 - EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES GRANTED TO LYLE & PEGGY ROCK.
 7. BOOK 8 PARCEL MAPS, PAGES 89 - 91 AND BOOK 28 SURVEYS, PAGES 46 - 50 - ANY RIGHTS OF OTHERS TO USE LOOP ROAD AS SHOWN ON SAID MAPS.
7. NO MAJOR VEGETATION REMOVAL PROPOSED.
8. NO GRADING OR FILL REQUIRED.
9. ALL EXISTING CULTIVATION AREAS OUTSIDE OF "EXISTING CANNABIS CULTIVATION AREA - 22,000 SQUARE FEET" HAVE BEEN DECOMMISSIONED.
10. THERE ARE NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF THE CULTIVATION SITE.
11. THERE ARE NO OFF-SITE RESIDENCES WITHIN 300 FEET OF CULTIVATION SITE.
12. EXISTING WELL AND PROPOSED WELL LOCATION ARE PER OWNER.
13. THERE ARE NO PERENNIAL BLUE LINE STREAMS ON THE SUBJECT PROPERTY.
14. CLASS II WATERCOURSE AND POINT OF DIVERSION LOCATIONS ARE PER TIMBERLAND RESOURCE CONSULTANTS.

APPLICANT: INNOVATION WEST
600 F STREET, STE 3-611
ARCATA, CA 95521
(707)96-8238

APN 107-124-015
107-235-008

PLOT PLAN

FOR
INNOVATION WEST

IN
SECTION 35 T2S, R1E, HUMBOLDT MERIDIAN
IN THE UNINCORPORATED AREA OF HUMBOLDT COUNTY
DECEMBER 2016 SCALE 1" = 600'

HUMBOLDT COUNTY
STATE OF CALIFORNIA

KELLY-O'HERN ASSOCIATES
EUREKA, CALIFORNIA

SCALE 1" = 600'
0 600



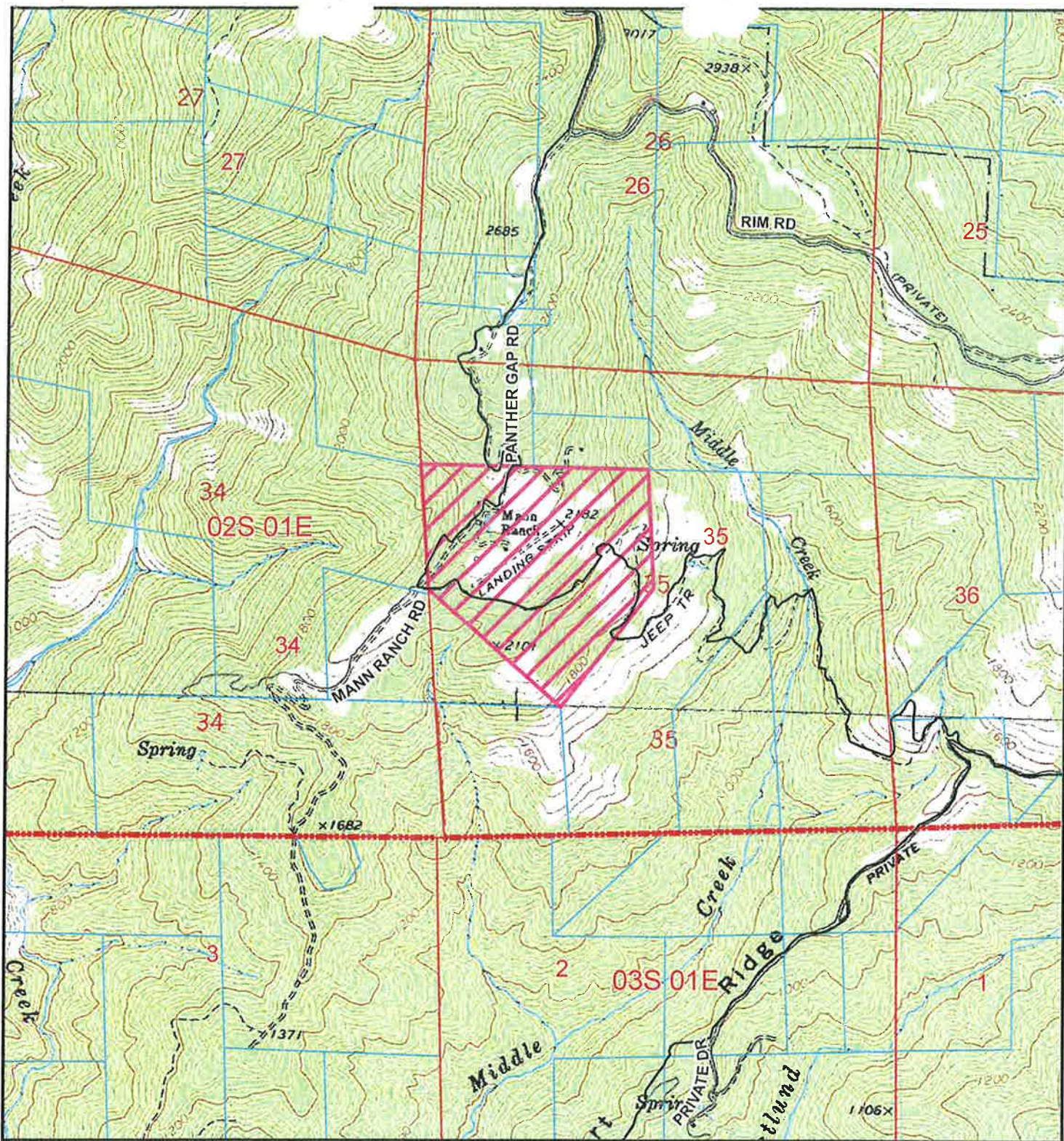
Michael J. O'Hern
MICHAEL J. O'HERN L.S. 4829



APN 107-124-014
ROBERT G. MCGUINNESS

APN 107-124-006
RANDY SPECK & HOWARD CRAFT

APN 107-124-006
RANDY SPECK & HOWARD CRAFT



TOPO MAP

PROPOSED INNOVATION WEST CONDITIONAL USE PERMIT

HONEYDEW AREA

CUP-16-031

APN: 107-235-007

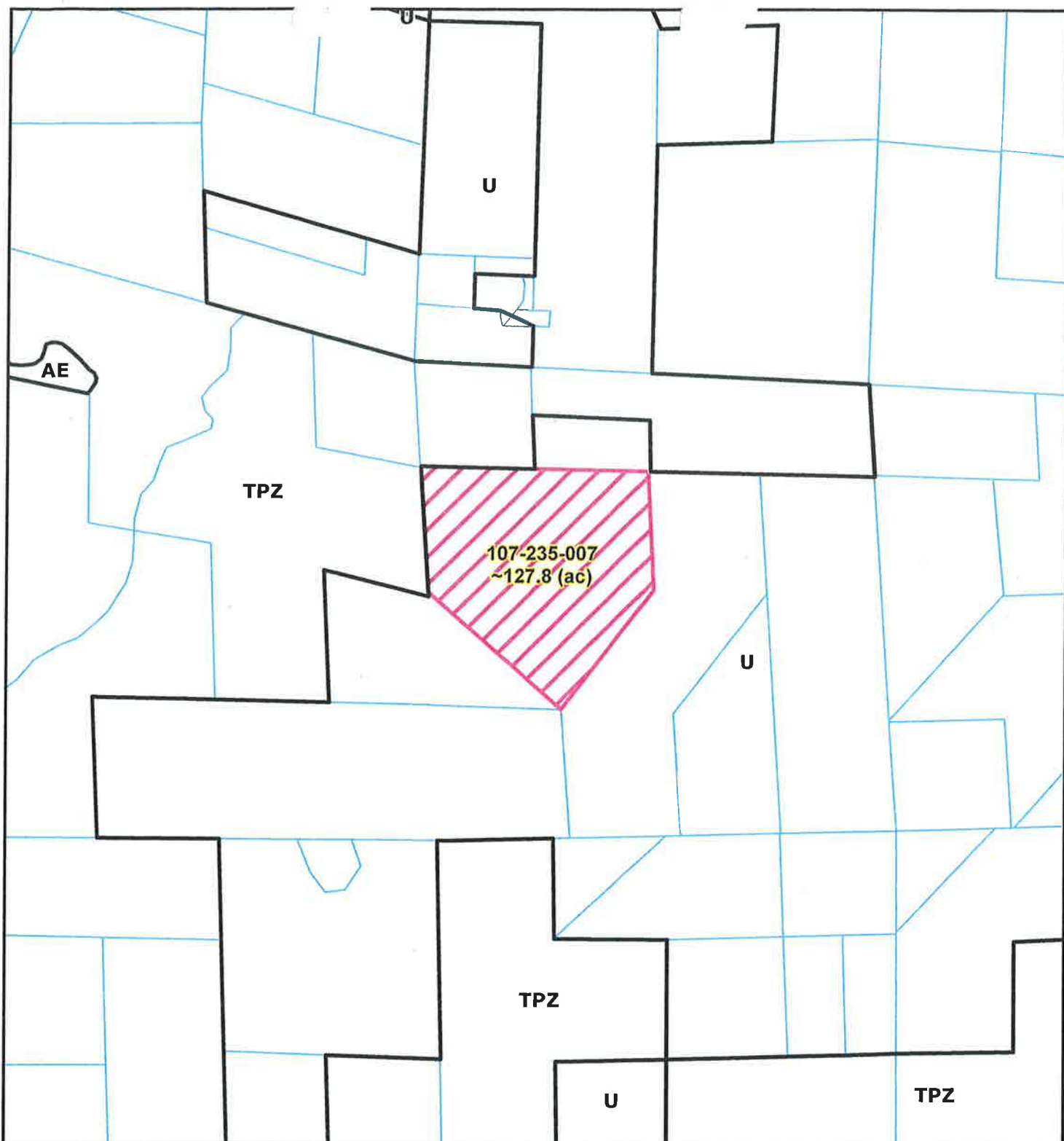
T02S R01E S35 HB&M (Bull Creek)

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.



0 0.25
Miles



ZONING MAP

**PROPOSED INNOVATION WEST
CONDITIONAL USE PERMIT
HONEYDEW AREA
CUP-16-031**

**APN: 107-235-007
T02S R01E S35 HB&M (Bull 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.



0 0.25
Miles



AERIAL MAP

**PROPOSED INNOVATION WEST
CONDITIONAL USE PERMIT
HONEYDEW AREA
CUP-16-031**

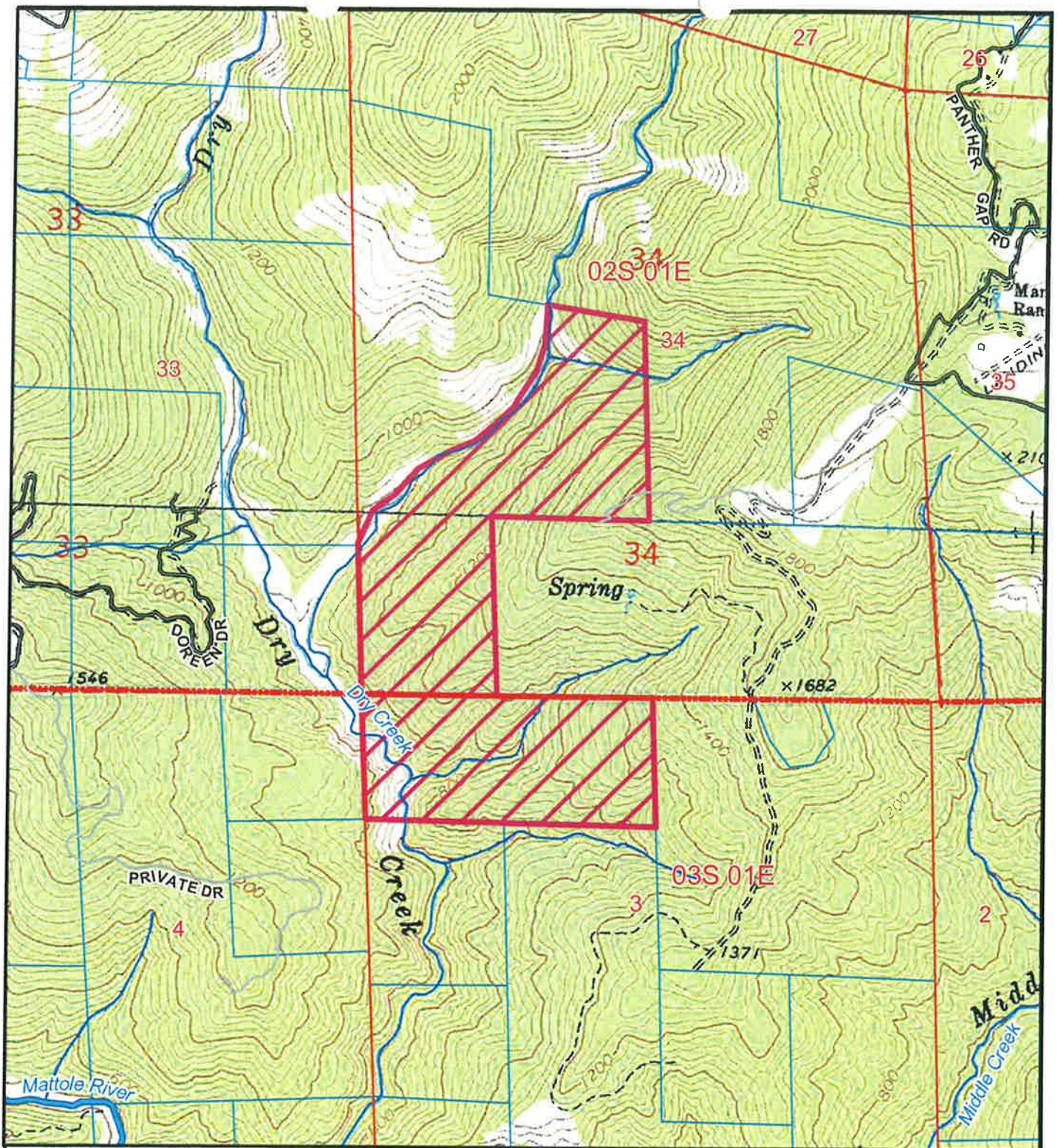
**APN: 107-235-007
T02S R01E S35 HB&M (Bull Creek)**

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.



0 500 1,000
Feet



**TOPO MAP
PROPOSED INNOVATION WEST
HONEYDEU AREA
CUP-16-107**

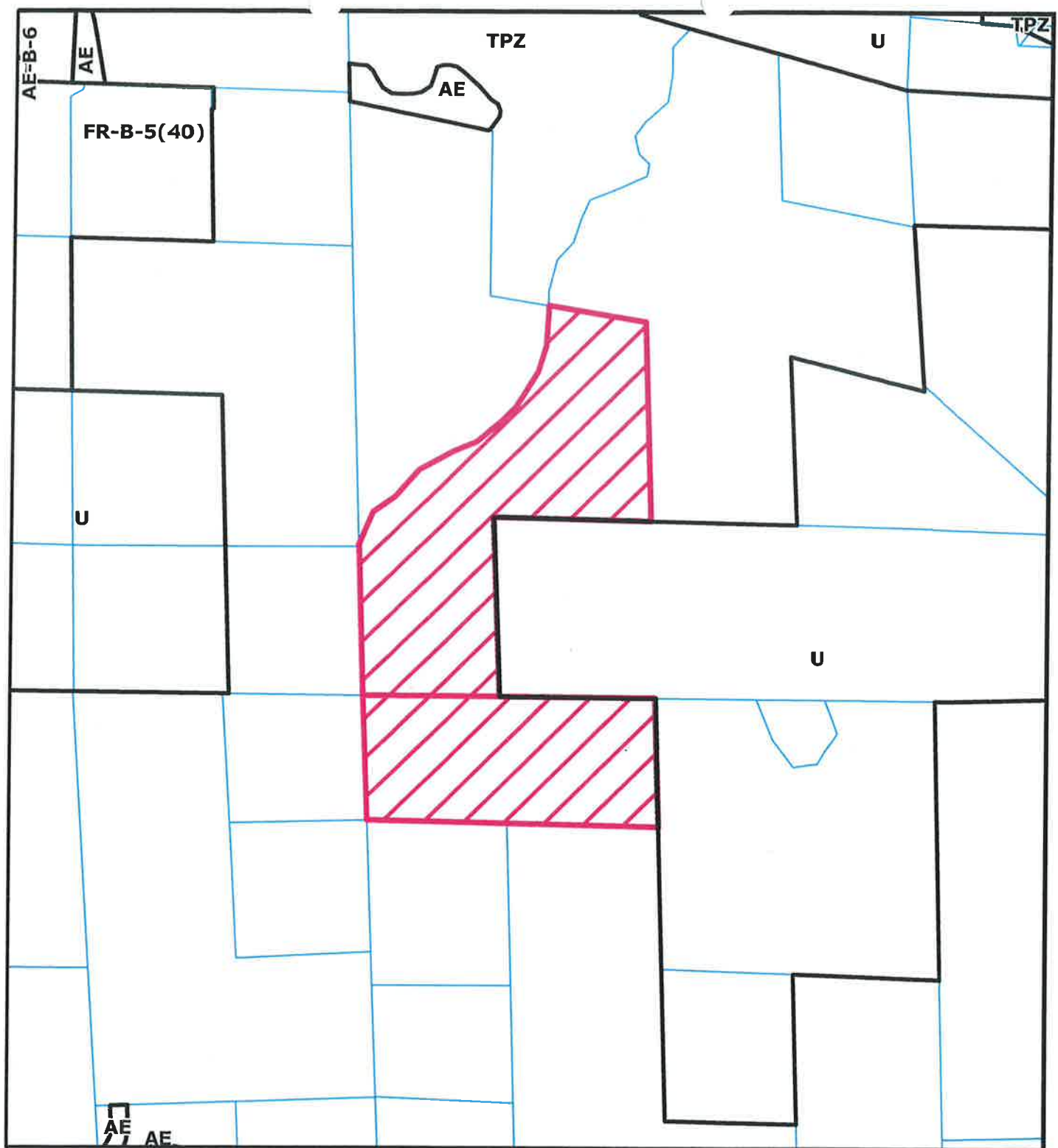
Project Area = 

APN: 107-234-012 & 107-111-001

T02S, R01E, S34 & T03S, R01E, S3 HB&M (HONEYDEU)

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.



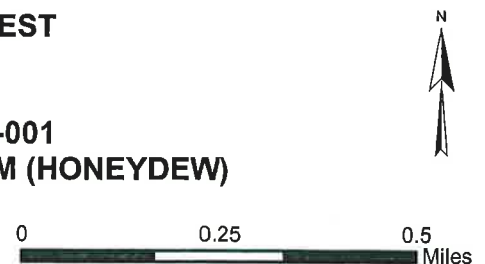


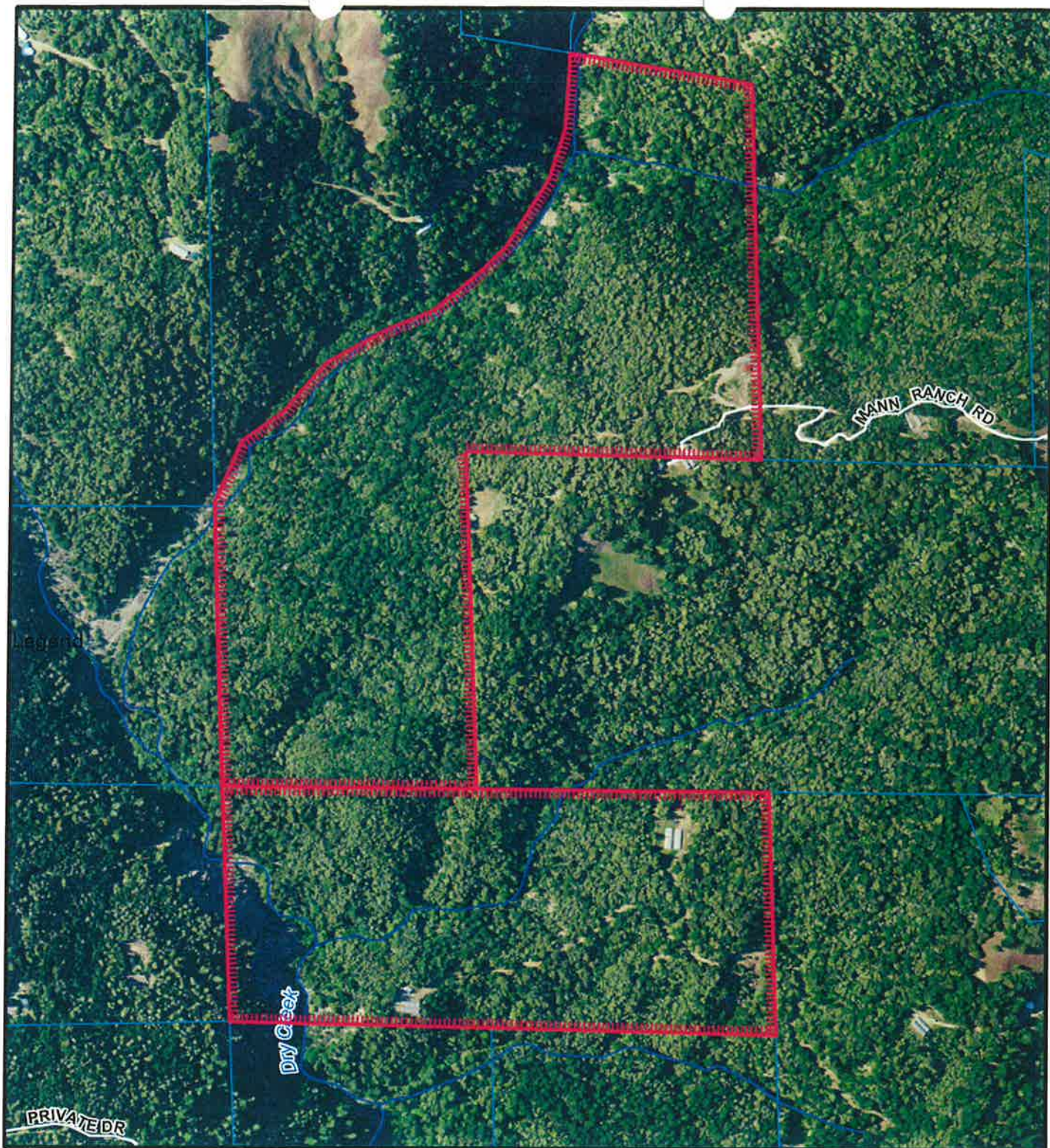
**ZONING MAP
PROPOSED INNOVATION WEST
HONEYDEW AREA
CUP-16-107**

**APN: 107-234-012 & 107-111-001
T02S, R01E, S34 & T03S, R01E, S3 HB&M (HONEYDEW)**

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 INNOVATION WEST
HONEYDEU AREA
CUP-16-107**

APN: 107-234-012 & 107-111-001

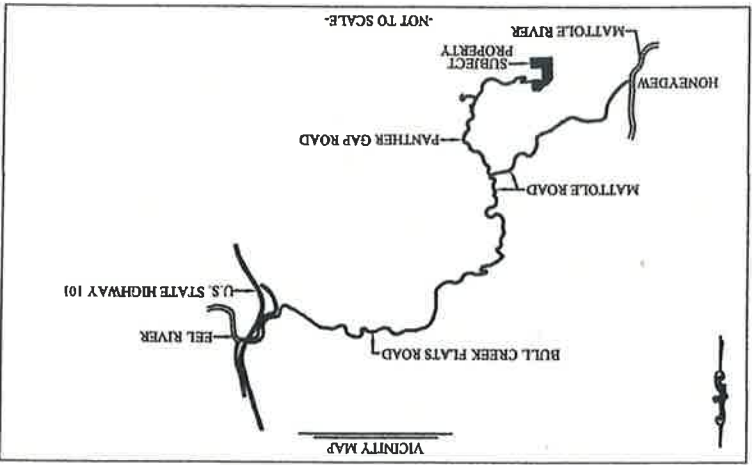
T02S, R01E, S34 & T03S, R01E, S3 HB&M (HONEYDEU)

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

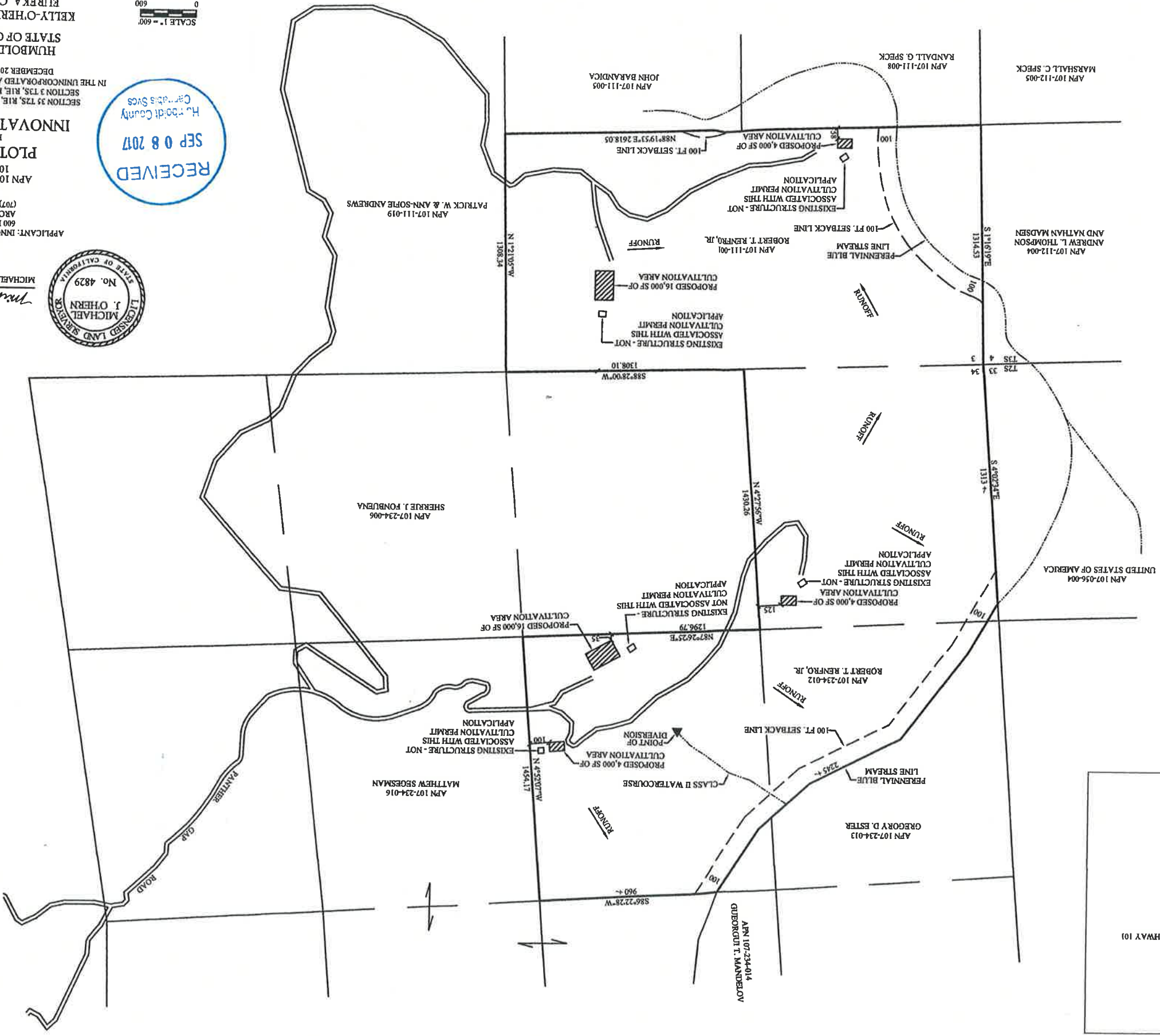


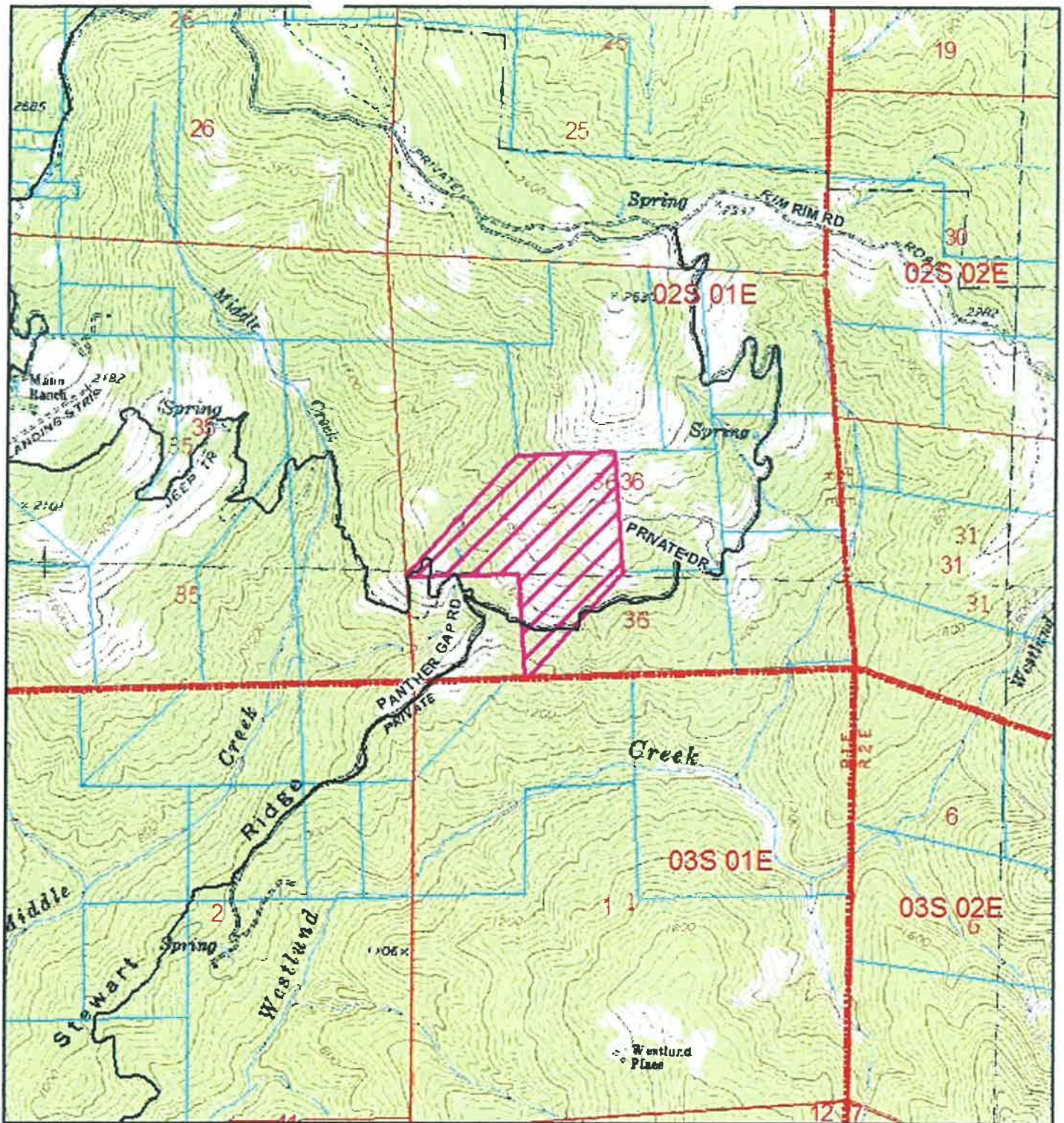
0 250 500 1,000
Feet

1. ZONING: TYP (TIMBER PRODUCTION ZONE)
2. ACCORDING TO FEMA MAPPING THERE IS NO FLOOD MAP FOR THIS AREA.
3. THE PROPERTY LINES SHOWN ON THIS PLOT PLAN ARE PER RECORD MAPS, BOOK 8 PARCEL MAPS, PAGE 89 AND BOOK 18 PARCEL MAPS, PAGE 143.
4. BUILDING AND ROAD LOCATIONS ARE PER AERIAL MAPPING AND ARE APPROXIMATE.
5. DIRECTIONS OF RUNOFF ARE PER AERIAL MAPPING AND ARE APPROXIMATE.
6. THIS PROPERTY MAY BE ENCUMBERED BY THE FOLLOWING RECORDED INSTRUMENTS:
 1. BOOK 173 O.R., PAGE 31 AND BOOK 284 O.R., PAGE 495 - A RECIPROCAL RIGHT OF WAY AGREEMENT BETWEEN KOPF ET AL.
 2. BOOK 1621 O.R., PAGE 1168 AND BOOK 1672 O.R., PAGE 589 - "GRANT OF EASEMENT", EXECUTED BY AND BETWEEN EDMUND GRIFITH, SIMPSON PROPERTIES, INCORPORATED, A WASHINGTON CORPORATION, AND LYLE BOKK, ET AL.
 3. BOOK 15 OF SURVEYS, PAGES 75 - 78, BOOK 17 OF SURVEYS, PAGES 100 - 101, BOOK 20 OF SURVEYS, PAGES 71 - 72, BOOK 28 SURVEYS, PAGE 99 AND BOOK 18 OF PARCEL MAPS, PAGE 143 - ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF SAID SURVEYS.
 4. BOOK 18 OF PARCEL MAPS, PAGE 143 - EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES - "SKYLINE DRIVE (PRIVATE ROAD), AND THAT PORTION LYING WITHIN "ROAD B (RIDGE ROAD, PRIVATE)".
 5. BOOK 1881 O.R., PAGE 944 - EASEMENT FOR INGRESS, EGRESS, UTILITIES AND APPURTENANCES THERETO - TRUSTOR: SIMPSON PROPERTIES, INC., A WASHINGTON CORPORATION.
 6. BOOK 1881 O.R., PAGE 944 - EASEMENT FOR INGRESS, EGRESS, UTILITIES AND APPURTENANCES THERETO, RESERVED BY PEGGY L. ROCK AND APURTENANCES THERETO, RESERVED BY PEGGY L. ROCK.
 7. INSTRUMENT NO. 1996-540-14 - EASEMENT FOR INGRESS, EGRESS AND UTILITIES, RESERVED BY PEGGY L. ROCK.
 8. NO MAJOR VEGETATION REMOVAL PROPOSED.
 9. ALL EXISTING CULTIVATION AREAS OUTSIDE OF "EXISTING CANNABIS CULTIVATION AREA - 8,712 SQUARE FEET" HAVE BEEN DECOMMISSIONED.
 10. THERE ARE NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF THE CULTIVATION SITE.
 11. THERE ARE NO OFF-SITE RESIDENCES WITHIN 300 FEET OF CULTIVATION SITE.
 12. PERENNIAL BLUE LINE STREAMS SHOWN HEREON ARE PER COUNTY GIS.
 13. CLASS II WATERCOURSE AND POINT OF DIVERSION LOCATIONS ARE PER TIMBERLAND RESOURCE CONSULTANTS.



NOTES





TOPO MAP

PROPOSED INNOVATION PACIFIC CORP CONDITIONAL USE PERMIT HONEYDEU AREA CUP-17-021

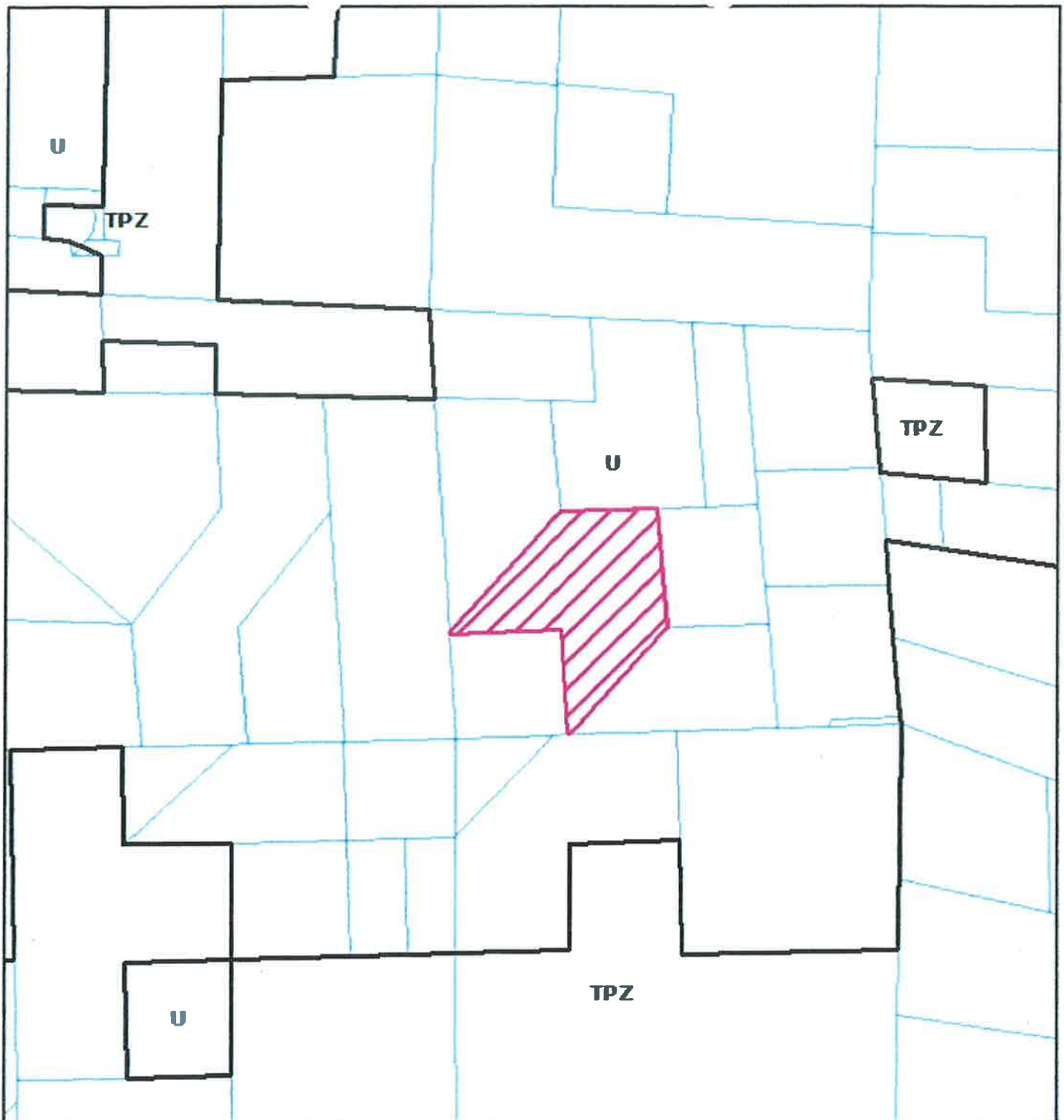
APN: 107-236-011

T02S R01E S36 HB&M (Bull 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.

0 0.25 Miles



ZONING MAP

**PROPOSED INNOVATION PACIFIC CORP
CONDITIONAL USE PERMIT
HONEYDEW AREA
CUP-17-021**

APN: 107-236-011

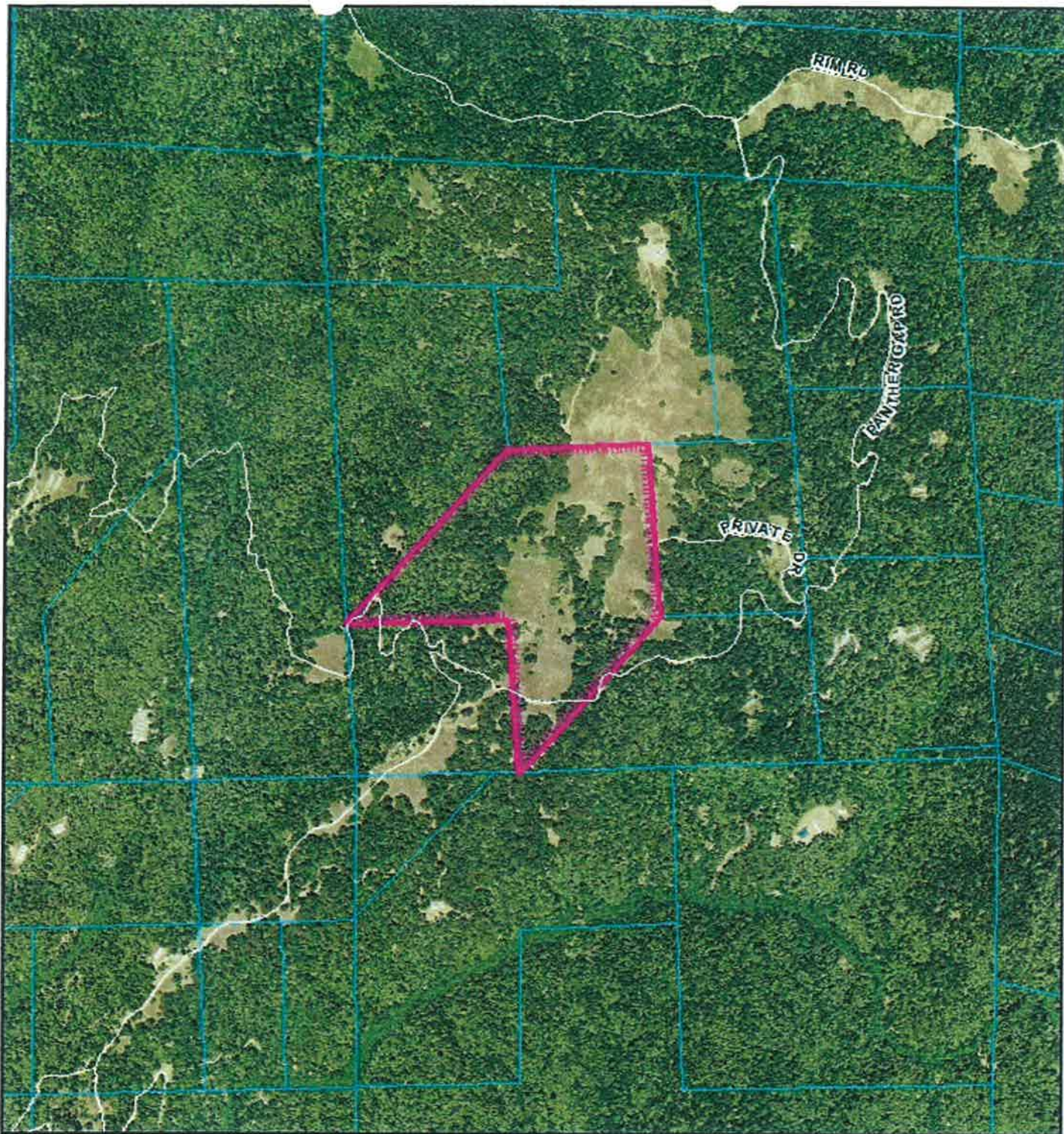
T02S R01E S36 HB&M (Bull Creek)

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.



0 0.25 Miles



AERIAL MAP

PROPOSED INNOVATION PACIFIC CORP CONDITIONAL USE PERMIT HONEYDEW AREA CUP-17-021

APN: 107-236-011

T02S R01E S36 HB&M (Bull Creek)

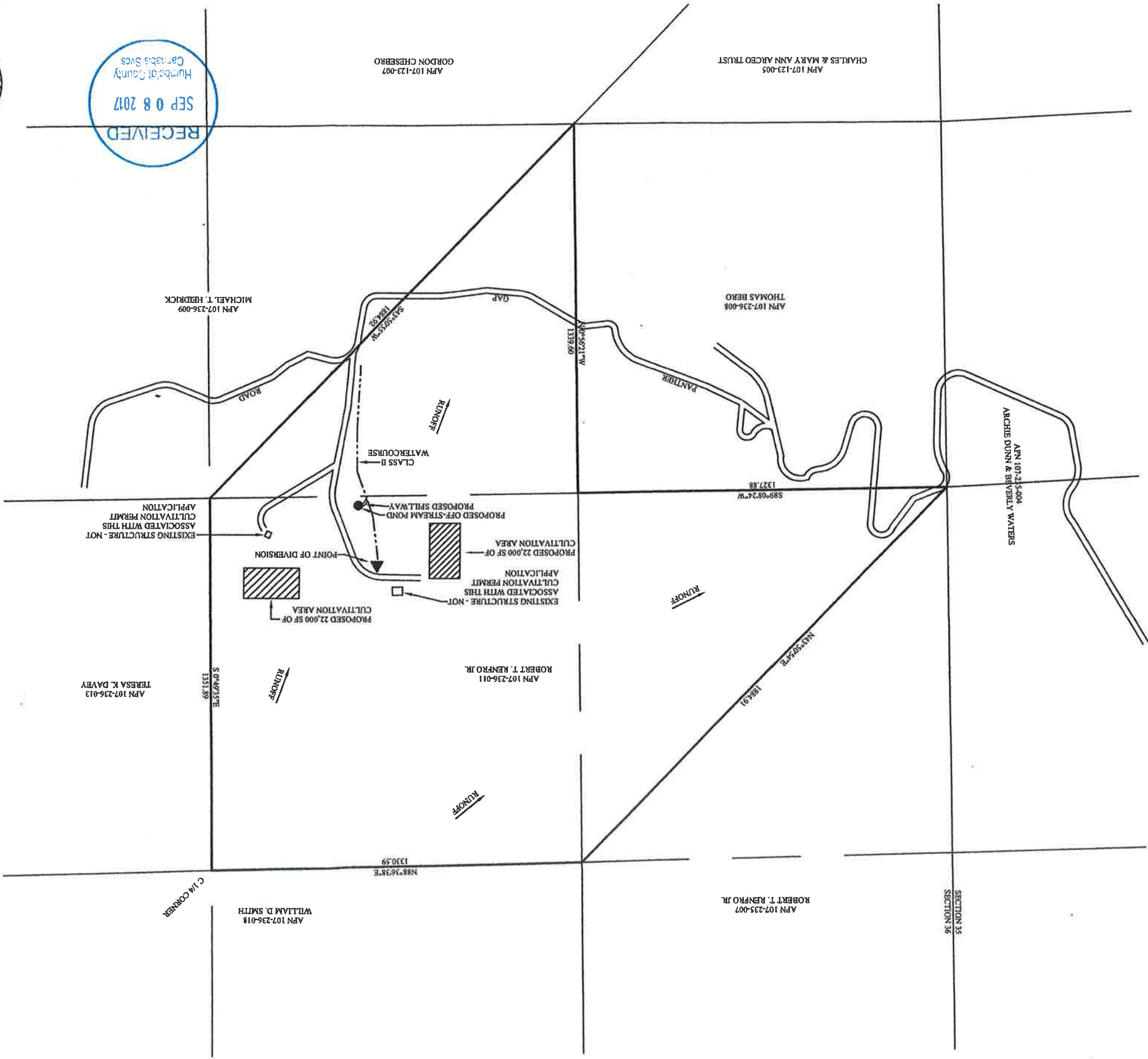
Project Area =



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.



0 0.25 Miles



RECEIVED
SEP 08 2017
Humboldt County
Cannabis Svcs



SCALE 1" = 400'

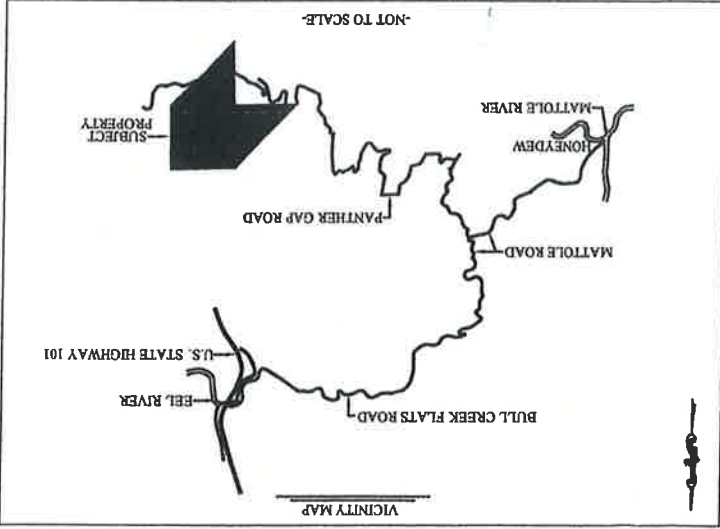
APPLICANT: INNOVATION WEST
600 F STREET, STE 3-611
ARCATTA, CA 95521
(707)496-8238

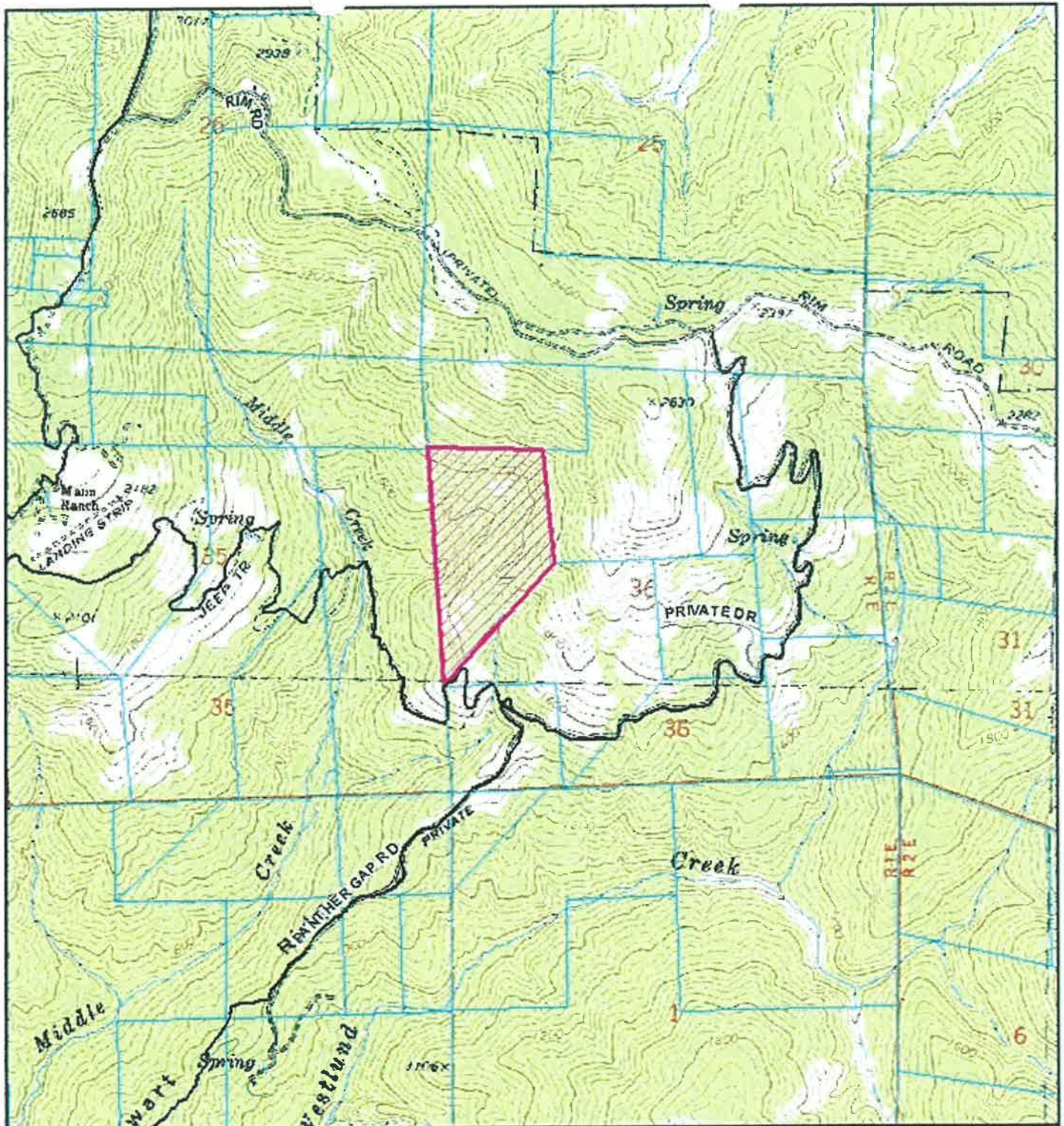
FOR
PLOT PLAN
INNOVATION WEST
SECTION 36 T2S, R1E, HUMBOLDT MERIDIAN
IN THE UNINCORPORATED AREA OF HUMBOLDT COUNTY
COUNTY OF HUMBOLDT
STATE OF CALIFORNIA
KELLY-O'HERN ASSOCIATES
EUREKA, CALIFORNIA

DECEMBER 2016 SCALE 1" = 400'

1. ZONING: U (UNCLASSIFIED)
2. ACCORDING TO FEMA MAPPING THERE IS NO FLOOD MAP FOR THIS AREA.
3. THE PROPERTY LINES SHOWN ON THIS PLOT PLAN ARE PER RECORD MAPS, BOOK 8 PARCEL MAPS, PAGE 89 AND BOOK 18 PARCEL MAPS, PAGE 143.
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 - 2. BOOK 284 O.R., PAGE 495 - A RECIPROCAL RIGHT OF WAY AGREEMENT BETWEEN KOPF ET AL.
 - 3. BOOK 926 O.R., PAGE 462 - EASEMENT FOR INGRESS AND EGRESS GRANTED OSCAR AND ELIZABETH MANN.
 - 4. BOOK 1106 O.R., PAGE 334 - EASEMENT FOR INGRESS AND EGRESS GRANTED TO EDWARD E. SELLER.
7. NO MAJOR VEGETATION REMOVAL PROPOSED.
8. NO GRADING OR FILL REQUIRED.
9. ALL EXISTING CULTIVATION AREAS OUTSIDE OF EXISTING CANNABIS CULTIVATION AREA - 10,000 SQUARE FEET HAVE BEEN DECOMMISSIONED.
10. THERE ARE NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF THE CULTIVATION SITE.
11. THERE ARE NO OFF-SITE RESIDENCES WITHIN 300 FEET OF CULTIVATION SITE.
12. THERE ARE NO PERMANENT BLUE LINE STREAMS ON THE SUBJECT PROPERTY.
13. CLASS II WATERCOURSE, POINT OF DIVERSION AND PROPOSED OFF-STREAM POND LOCATIONS ARE PER TIMBERLAND AND RESOURCE CONSULTANTS.

NOTES





TOPO MAP

PROPOSED INNOVATION PACIFIC CORP CONDITIONAL USE PERMIT

HONEYDEW AREA
CUP-17-022

APN: 107-236-010

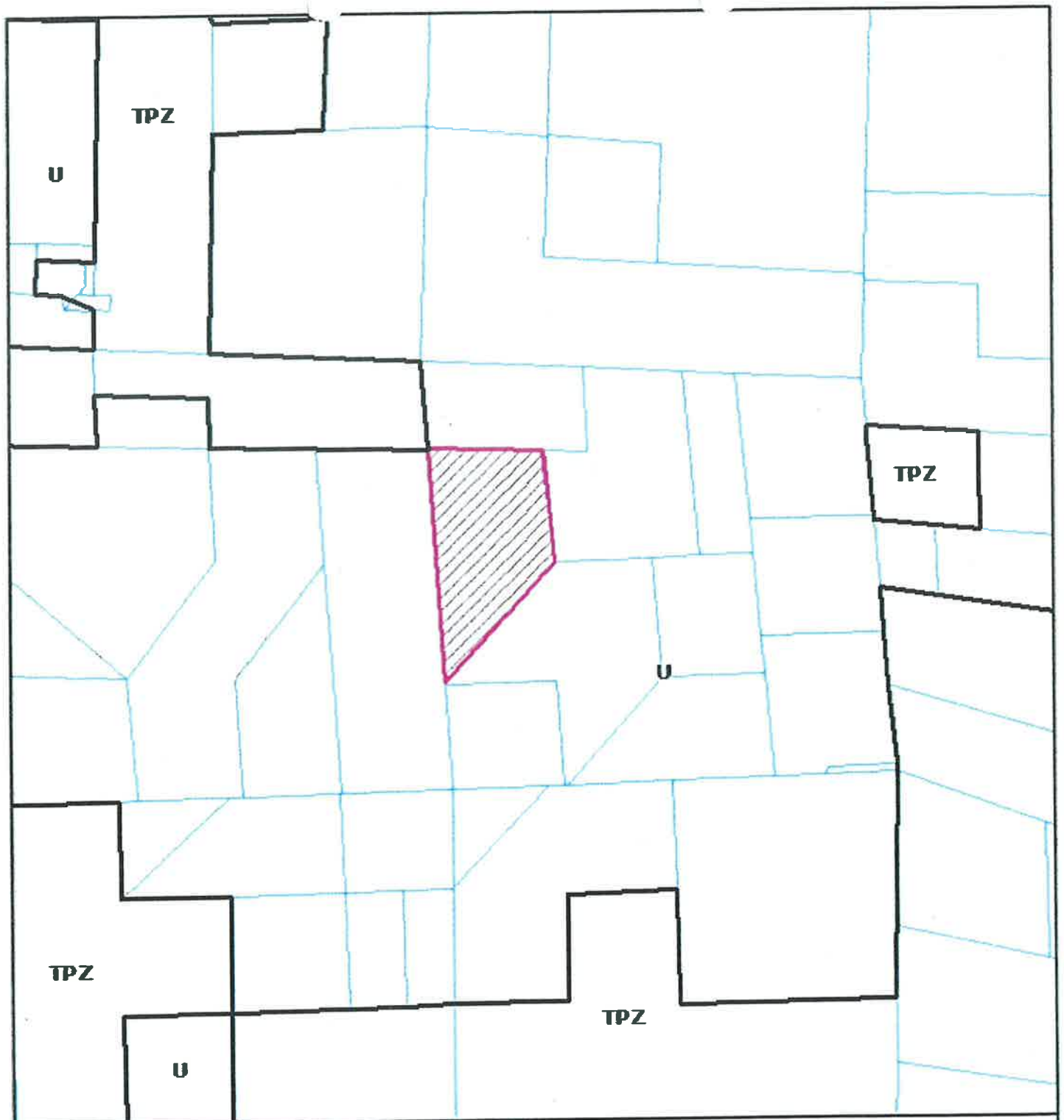
T02S R01E S36 HB&M (Bull Creek)

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.



0 0.25 Miles



ZONING MAP

**PROPOSED INNOVATION PACIFIC CORP
CONDITIONAL USE PERMIT
HONEYDEW AREA
CUP-17-022**

APN: 107-236-010

T02S R01E S36 HB&M (Bull 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.



0 0.25 Miles



AERIAL MAP

PROPOSED INNOVATION PACIFIC CORP CONDITIONAL USE PERMIT

HONEYDEW AREA

CUP-17-022

APN: 107-236-010

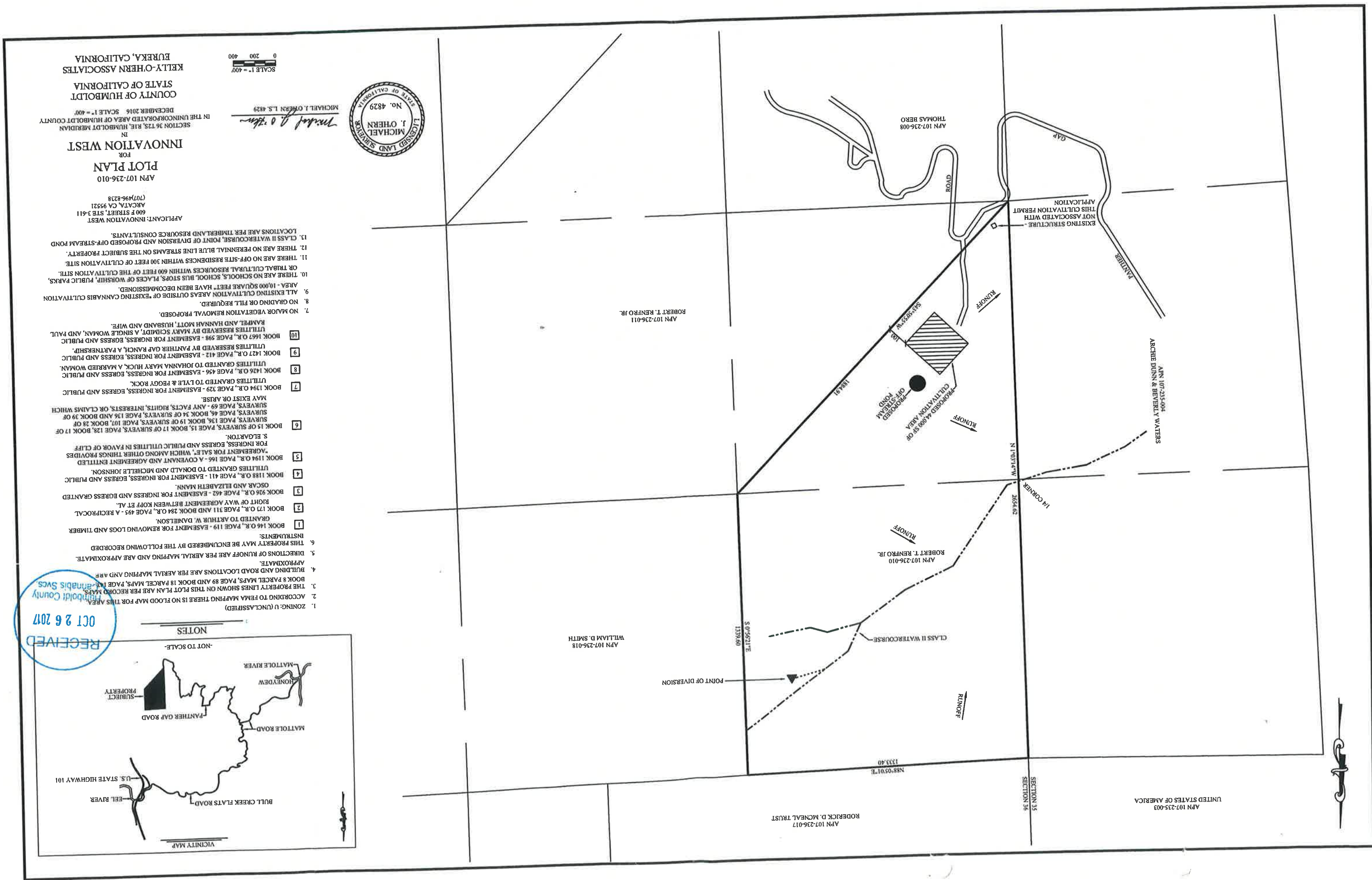
T02S R01E S36 HB&M (Bull Creek)

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.



0 500 1,000 Feet



ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE CONDITIONAL USE PERMITS IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROVISIONAL CANNABIS CULTIVATION PERMITS 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 2–24. 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 submit revised site plans for all five projects accurately indicating the maximum allowable square footage for permitted cannabis cultivation is 43,560 square feet per permit and identifying where this precise square footage is located. The site plans should also identify all streams (Class I, Class II and Class III). The revised site plans shall also identify the location of adequate off-street parking for agricultural employees. If structures are required for secondary containment of generators pursuant to the noise pollution prevention plan (see condition 13), for storage of fuel for generators, or for any agricultural storage related to the proposed cultivation activity, these structures shall be indicated on the revised site plans as well.
3. If any existing buildings or new structures are needed to support the cultivation activities, the applicant shall secure permits from the Building Inspection Division for all structures related to the cannabis cultivation. The plans submitted for building permit approval shall be consistent with the project description and approved project site plans. A letter or similar communication from the Building Inspection Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
4. Prior to issuance of any building or construction permits a grading, erosion, and sediment control plan shall be prepared by a qualified engineer. The plan shall identify the cubic yards of all grading that has been done and any proposed grading.
5. Applications for grading and or building permits shall be referred to the North Coast Air Quality Management District (NCAQMD) for review and consultation. Dust control practices during construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.
6. Prior to any ground disturbance or the issuance of any permits, a qualified biologist shall survey the project site and identify the locations of all wetlands, springs, seeps, and riparian areas, or plants with a State Rare Plant Rank of 1 or 2. A 150-foot buffer around all identified habitats shall be staked in the field and shown on the revised site plan. No improvements or other activities are allowed within the 150-foot setback area. This shall be reflected in the operations plan.
7. The proposed pond in CUP-17-022 shall be designed and constructed under the supervision of a licensed engineer. The pond shall be sited at a distance greater than 150 feet from surface waters and must be hydrologically disconnected. No trees shall be removed for the purpose of proposed pond construction. A bullfrog management plan shall be prepared

and submitted to the California Department of Fish and Wildlife (CDFW) for proposed pond construction.

8. Should the applicant continue to use the existing pond in CUP 17-021, the applicant shall convert the pond to a rainwater catchment pond. The conversion shall include the removal of the infrastructure used to fill the pond, and restoration of the subject area. Prior to initiating the conversion, the applicant shall retain a qualified professional biologist to monitor the work and to prepare a remediation and restoration report.
9. For all existing and new proposed ponds, the applicant shall secure Special Permits for their associated spillways.
10. The applicant shall prepare a contingent easement on forms provided by the Planning and Building Department for all off-site ponds that will provide irrigation water to adjoining parcels included in these applications.
11. Prior to initiating cultivation activities, the applicant shall submit a copy of the filed Small Irrigation Use Registration applications.
12. For any proposed water storage, including the proposed pond or future use of water tanks, the applicant shall obtain an appropriative water right from the State Water Resources Control Board for water storage related to irrigation uses.
13. For each of the five projects proposing occasional generator use, the applicant shall provide a noise pollution prevention plan demonstrating that each proposed project's generator(s) shall not be audible by humans from neighboring residences. The cumulative decibel level for generator(s) of each individual project 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 States Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 50 decibels as measured at 100 feet from the generator or at the edge of the nearest marbled murrelet or spotted owl habitat, whichever is closer. 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.
14. The applicant shall improve the intersection of the existing access road, Panther Gap Road, and the county-maintained section of Panther Gap Road, to meet county standards for visibility and improvement after obtaining an encroachment permit from the Department of Public Works for these improvements as identified in the Public Works referral dated June 2, 2017 included herein as Exhibit A of Attachment 1. The applicant will complete the intersection improvements requested by Public Works within one year of permit issuance.
15. For CUPs 16-030, 17-021, and 16-107, the applicant shall obtain verification from the CDFW that the associated wells are not hydrologically connected and are non-jurisdictional. If the wells are hydrologically connected, they will be subject to forbearance requirements established by CDFW and the associated cultivation activities will be reduced in scope or duration to meet these requirements, or another viable non-jurisdictional water source or water storage strategy to meet forbearance requirements shall be implemented. The applicant is required to submit a permit modification to document the outcome of this condition.

16. For CUP-17-022, which proposes to source water from an adjacent property's well to meet forbearance requirements for 1 acre of outdoor cannabis cultivation, a contingent easement shall be prepared for recordation on form provided by the Planning and Building Department establishing a valid, permanent legal right to the adjacent property's water use and quantifying the amount of water deeded.
17. For CUP-16-030, one of the points of diversion identified in the current, valid Lake and Streambed Alteration Agreement ([LSAA] 1600-2016-0531-R1) is located on an adjacent property. Should this point of diversion serve as a source of irrigation for or otherwise support the cannabis cultivation authorized in CUP-16-030, a contingent easement shall be prepared for recordation on forms provided by the Planning and Building Department establishing a valid, permanent legal right to the adjacent property's water use and quantifying the amount of water deeded.
18. The applicant shall implement all corrective actions detailed within the Water Resource Protection Plans developed for each project, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program. A letter or similar communication from the RWQCB verifying that all their requirements have been met will satisfy this condition.
19. The applicant shall submit documentation establishing that two acres of the existing outdoor cultivation area approved for this project under CUP-17-021 and CUP-17-022 has been leased to one or more lessees that are eligible for permits under the CMMLUO to the satisfaction of the Planning Director. A copy of the leases, and required documentation and acknowledgments, including their agreement to comply with the terms of the issued CUP, shall be submitted to the Planning Division prior to the initiation of use. The fee for required conformance with conditions review shall accompany the request.
20. The applicant shall provide invoices, or equivalent documentation, to the Division of Environmental Health (DEH) to confirm the use of portable toilets to serve the needs of cultivation staff. A letter from DEH confirming this documentation has been submitted will satisfy this condition.
21. Should temporary non-illuminated greenhouses be utilized in any of these five projects, all greenhouses shall have pervious floors.
22. For all decommissioned cultivation areas, the applicant is required to remove all associated infrastructure used for cultivation. The applicant shall retain a professional biologist to complete and submit Remediation, Restoration and Monitoring Plans for all areas decommissioned from cannabis cultivation across all properties to the satisfaction of the County and CDFW. At minimum, restoration should include removal of invasive non-native plant species, minor re-contouring by hand using the native soil with any imported non-native soils removed, the areas mulched to prevent erosion, and the areas replanted with native species. Remediation Plans shall include provisions for post-treatment monitoring and further remedial measures instituted if required.
23. For CUP 16-107 (zoned TPZ), CUP 17-021 (zoned U), CUP 16-030 (zoned U), and CUP 16-031 (zoned U), the applicant shall provide 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, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE, the applicant shall

secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall provide CAL-FIRE written Notice of Availability of the RPF's report. If CAL-FIRE takes no action within 10 days of the notice of availability, the report recommendations shall become final and shall be implemented by the applicant. If CAL-FIRE makes additional recommendations, these shall also be completed to the satisfaction of CAL-FIRE. A letter from the RPF, and written confirmation from CAL-FIRE (if additional requirements are imposed), verifying that all their requirements have been met will satisfy this condition.

24. Water meters shall be installed on the water lines providing irrigation flow to the cultivation sites. The water meters shall have the capacity to measure at least 100,000 gallons of flow before resetting. The water meters shall be used to measure the amount of water provided to the cultivation area during the forbearance period. The meters shall be installed at a point on the water lines that provides an accurate measurement of the water used for irrigation. Both the surface water point of diversion onsite and the off-site well shall be metered. Household water use at the residence, if applicable, shall be separately metered if required

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. Off-site processing is method of processing chosen. When the off-site licensed processing facility is selected, this permit shall be supplemented to provide the identity of the off-site licensed facility. If on-site processing facility be proposed in the future, a modification of this permit is required.
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 MAUCRSA, 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 MCRSA, 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 plans. 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, parklands or Tribal Cultural Resources (TCRs), 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. R1-2015-0023, 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 NCRWQB 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 and all applicable Streambed Alteration (1600) Permits obtained from the Department of Fish & Wildlife.
11. Comply with the terms of all less-than-3-acre conversion exemptions or timberland conversion permits, approved by the California Department of Forestry and Fire Protection (CAL-FIRE), as applicable.
12. Consent to an annual on-site compliance inspection, with at least 24 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. Where surface water diversion provides any part of the water supply for irrigation of cannabis cultivation, permittee shall either: 1) forebear from any such diversion during the period from May 15th to October 31st of each year (or whatever is dictated in the final LSAA, whichever is more stringent) and establish on-site water storage for retention of wet season flows sufficient to provide adequate irrigation water for the size of the area to be cultivated, or 2) comply with the approved water management plan prepared by a qualified person such as a licensed engineer, hydrologist, or similar qualified professional, that establishes minimum water storage and forbearance period, if required, based upon local site conditions, or 3) adhere to the RWQCB approved Water Resources Protection Plan or other clearance issued by the agency. If the method of compliance changes during the term of the Conditional Use Permits, permittee shall notify the Planning and Building Department and furnish appropriate documentation of compliance with this standard.
16. Water meters shall be installed on the water lines providing irrigation flow to the cultivation sites. The water meters shall have the capacity to measure at least 100,000 gallons of flow before resetting. The water meters shall be used to measure the amount of water provided to the cultivation area during the forbearance period. The meters shall be installed at a point

on the water lines that provides an accurate measurement of the water used for irrigation. Both the surface water point of diversion onsite and the off-site well shall be metered. Household water use at the residence, if applicable, shall be separately metered if required.

17. The noise produced by generators shall not be audible by humans from 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 States 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.
18. 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.
19. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
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.
22. Exterior lighting and security lighting shall be shielded to direct lighting downward to prevent illumination and visual effects on off-site areas in the nightscape.

Performance Standards for Cultivation and Processing Operations

23. 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."
24. 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).
25. 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.

26. 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:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;
 - (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (e) Materials handling policies;
 - (f) Job hazard analyses; and
 - (g) 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:
 - (a) Operation manager contacts;
 - (b) Emergency responder contacts;
 - (c) 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.

27. 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.

28. 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.

29. 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 Marijuana 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 Marijuana Regulation and Safety Act.
 - IV. The above acknowledgements shall also apply to commercial cultivation, processing, manufacturing, and distribution of cannabis for adult use conducted in compliance with the Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA") (SB 94) and the Adult Use of Marijuana Act (AUMA) (Proposition 64).
30. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- a. Identifying information for the new Owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - c. The specific date on which the transfer is to occur; and
 - d. Acknowledgement of full responsibility for complying with the existing Permit; and
 - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
31. 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 cultural resources are encountered during ground disturbing activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) (THPOs) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.
2. 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. 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 NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

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

3. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
4. 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 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.
5. The provisional permit approvals shall expire and become null and void at the expiration of one 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 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 28 of the Ongoing Requirements /Development Restrictions, above. The period within which construction or use must be initially commenced may be extended as provided by Section 312-11.3 of the Humboldt county Code.
6. The Applicant is responsible for costs for post-approval review for determining project 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 1 – Exhibit A



ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION

839-5401

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

JUN -

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

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

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

ADMINISTRATION
BUSINESS
ENGINEERING
FACILITY MAINTENANCE

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

NATURAL RESOURCES
NATURAL RESOURCES PLANNING
PARKS
ROADS & EQUIPMENT MAINTENANCE

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM



TO: Elanah Adler, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer II

DATE: 06/02/2017

RE: **PANTHER GAP FARMS, APN 107-124-015 & 107-235-008, CUP16-030, APPS# 10508**

The Department of Public Works reviews projects for issues relating to the adequacy of the roadway network to accommodate the proposed use; issues relating to encroachments (such as driveways and private roads) onto County maintained roads; ensuring that any outstanding violations relating to County Encroachment Permit Ordinance and Visibility Ordinance have been addressed; identifying any necessary frontage improvements that are required along County maintained roads; impacts of projects on nearby airports; ensuring that deferred subdivision improvements, if any, are completed; and identifying impacts of the proposed project to adjacent County owned properties or facilities.

The Department's review of this project is limited to what is shown on the submitted plot plan and accompanying materials.

ROADS: The subject property is located within the State Responsibility Area.

The Department has not conducted a field investigation of the roadway(s) serving the subject property. The roadway(s) serving the subject property may or may not meet road category 4 standards. The road(s) may or may not have capacity to accommodate the proposed use. The applicant shall submit a *Road Evaluation Report* pursuant to County Code Section 313-55.4.11(u)(viii) "description of increased road use resulting from processing and a plan to minimize that impact". The Department has developed the attached *Road Evaluation Report* forms that are to be used.

See the attached diagram of the road(s) that need to be evaluated. The Department has used its best judgement to determine the offsite road(s) that would most likely be used for the project. If this is not the correct route that would be used, please contact the Department for clarification before preparing the *Road Evaluation Report*.

In general, road(s) must meet Category 4 road standards in being at least 20 feet in width when 2-way traffic is expected. In addition, a 4 foot wide shoulder is necessary when pedestrians are expected. However, 2-way traffic on a single lane road (Category 2 road) may be appropriate when a road serves only the cannabis operation and when no other parcels of land use the road for access. Access roads not meeting the above standards must be improved to those standards, unless otherwise approved by the Department.

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In lieu of constructing road improvements to meet a category 4 road standard, the Department may approve a *Neighborhood Traffic Management Plan*. The Department's criteria for approving a *Neighborhood Traffic Management Plan* is based upon site specific conditions; sound engineering judgment; the proposed ADT and DHV of the roads; the need to accommodate other road users (pedestrians, bicycles, equestrians, etc); and the frequency and quantity of traffic associated with the proposed use. The applicant's Civil Engineer can address this in Part B of the *Road Evaluation Report*.

The Department recommends that the Road Evaluation Report be submitted to the County prior to the project being presented to the Planning Commission for approval.

The intersection of the existing access road, Panther Gap Road (non-County), and the County road, Panther Gap Road, shall 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 rocked for a minimum width of 20 feet and a length of 50 feet. References: County Code Sections 341-1, 411-51]

Prior to constructing improvements within a County maintained road right of way, the applicant shall apply for and obtain an encroachment permit from the Department of Public Works. [Reference: County Code 411-11(a)(b)]

Note: There may be other projects that have been conditioned to improve the road(s). Prior to constructing any improvements the Department recommends that the applicant determine what work has already been accomplished so that efforts are not duplicated.

DRIVEWAYS: The driveway within the subject property has not been reviewed by the Department for conformance with Fire Safe Regulations (County Code Section 3112-12). This is an on-site issue that is to be reviewed by the Building Division or the Planning and Building Department.

AIRPORT: The subject property is not located near a public airport.

DEFERRED SUBDIVISION IMPROVEMENTS: The subject property does not have any deferred subdivision improvements that have not been fulfilled.

ADJACENT COUNTY OWNED PROPERTY OR FACILITIES: The proposed project does not have any impact on any adjacent county owned property or facilities.

PUBLIC WORKS RECOMMENDED CONDITIONS:

1. Applicant must apply for and obtain an encroachment permit to surface the existing road intersection on Panther Gap Road. The permit will require the applicant to surface an existing access road entrance with asphalt concrete or as approved by the Department. [reference: County Code section 411-11 (a)(b)]
2. 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 rocked for a minimum width of 20 feet and a length of 50 feet. [References: County Code Sections 341-1, 411-51]
3. The applicant shall submit a *Road Evaluation Report* pursuant to County Code Section 313-55.4.11(u)(viii) "*description of increased road use resulting from processing and a plan to minimize that impact*".

// END //





DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION 839-5401

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

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MAINTENANCE	445-7493	ROADS & EQUIPMENT MAINTENANCE	445-7421

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Elanah Adler, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer II

DATE: 06/02/2017

RE: **PANTHER GAP FARMS, APN 107-235-007, CUP16-031, APPS# 10509**



JUN - 2 2017

The Department of Public Works reviews projects for issues relating to the adequacy of the roadway network to accommodate the proposed use; issues relating to encroachments (such as driveways and private roads) onto County maintained roads; ensuring that any outstanding violations relating to County Encroachment Permit Ordinance and Visibility Ordinance have been addressed; identifying any necessary frontage improvements that are required along County maintained roads; impacts of projects on nearby airports; ensuring that deferred subdivision improvements, if any, are completed; and identifying impacts of the proposed project to adjacent County owned properties or facilities.

The Department's review of this project is limited to what is shown on the submitted plot plan and accompanying materials.

ROADS: The subject property is located within the State Responsibility Area.

The Department has not conducted a field investigation of the roadway(s) serving the subject property. The roadway(s) serving the subject property may or may not meet road category 4 standards. The road(s) may or may not have capacity to accommodate the proposed use. The applicant shall submit a *Road Evaluation Report* pursuant to County Code Section 313-55.4.11(u)(viii) "*description of increased road use resulting from processing and a plan to minimize that impact*". The Department has developed the attached *Road Evaluation Report* forms that are to be used.

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u:\pwrk_landdevprojects\referrals\107-235-007 panther gap farms cup16-031.docx

In lieu of constructing road improvements to meet a category 4 road standard, the Department may approve a *Neighborhood Traffic Management Plan*. The Department's criteria for approving a *Neighborhood Traffic Management Plan* is based upon site specific conditions; sound engineering judgment; the proposed ADT and DHV of the roads; the need to accommodate other road users (pedestrians, bicycles, equestrians, etc); and the frequency and quantity of traffic associated with the proposed use. The applicant's Civil Engineer can address this in Part B of the *Road Evaluation Report*.

The Department recommends that the Road Evaluation Report be submitted to the County prior to the project being presented to the Planning Commission for approval.

The intersection of the existing access road, Panther Gap Road (non-County), and the County road, Panther Gap Road, shall 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 rockered for a minimum width of 20 feet and a length of 50 feet. References: County Code Sections 341-1, 411-51]

Prior to constructing improvements within a County maintained road right of way, the applicant shall apply for and obtain an encroachment permit from the Department of Public Works. [Reference: County Code 411-11(a)(b)]

Note: There may be other projects that have been conditioned to improve the road(s). Prior to constructing any improvements the Department recommends that the applicant determine what work has already been accomplished so that efforts are not duplicated.

DRIVEWAYS: The driveway within the subject property has not been reviewed by the Department for conformance with Fire Safe Regulations (County Code Section 3112-12). This is an on-site issue that is to be reviewed by the Building Division or the Planning and Building Department.

AIRPORT: The subject property is not located near a public airport.

DEFERRED SUBDIVISION IMPROVEMENTS: The subject property does not have any deferred subdivision improvements that have not been fulfilled.

ADJACENT COUNTY OWNED PROPERTY OR FACILITIES: The proposed project does not have any impact on any adjacent county owned property or facilities.

PUBLIC WORKS RECOMMENDED CONDITIONS:

1. Applicant must apply for and obtain an encroachment permit to surface the existing road intersection on Panther Gap Road. The permit will require the applicant to surface an existing access road entrance with asphalt concrete or as approved by the Department. [reference: County Code section 411-11 (a)(b)]
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// END //



Humboldt County Department of Public Works - Land Use Division Diagram of road(s) that need to be evaluated

Planning & Building Department File/Case No.: CUP16-031



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Map Disclaimer:
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Indicates the project area



Indicates the access road(s) that need to be evaluated



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DEPARTMENT OF PUBLIC WORKS
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HARRIS & H ST., EUREKA
FAX 445-7388

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Elanah Adler, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer II 

DATE: 06/07/2017

RE: **PANTHER GAP FARMS, APN 107-234-012 & 107-111-001, CUP16-107, APPS# 10934**

The Department of Public Works reviews projects for issues relating to the adequacy of the roadway network to accommodate the proposed use; issues relating to encroachments (such as driveways and private roads) onto County maintained roads; ensuring that any outstanding violations relating to County Encroachment Permit Ordinance and Visibility Ordinance have been addressed; identifying any necessary frontage improvements that are required along County maintained roads; impacts of projects on nearby airports; ensuring that deferred subdivision improvements, if any, are completed; and identifying impacts of the proposed project to adjacent County owned properties or facilities.

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In lieu of constructing road improvements to meet a category 4 road standard, the Department may approve a *Neighborhood Traffic Management Plan*. The Department's criteria for approving a *Neighborhood Traffic Management Plan* is based upon site specific conditions; sound engineering judgment; the proposed ADT and DHV of the roads; the need to accommodate other road users (pedestrians, bicycles, equestrians, etc); and the frequency and quantity of traffic associated with the proposed use. The applicant's Civil Engineer can address this in Part B of the *Road Evaluation Report*.

The Department recommends that the Road Evaluation Report be submitted to the County prior to the project being presented to the Planning Commission for approval.

The intersection of the existing access road, Panther Gap Road (non-County), and the County road, Panther Gap Road, shall 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 rocked for a minimum width of 20 feet and a length of 50 feet. References: County Code Sections 341-1, 411-51]

Prior to constructing improvements within a County maintained road right of way, the applicant shall apply for and obtain an encroachment permit from the Department of Public Works. [Reference: County Code 411-11(a)(b)]

Note: There may be other projects that have been conditioned to improve the road(s). Prior to constructing any improvements the Department recommends that the applicant determine what work has already been accomplished so that efforts are not duplicated.

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AIRPORT: The subject property is not located near a public airport.

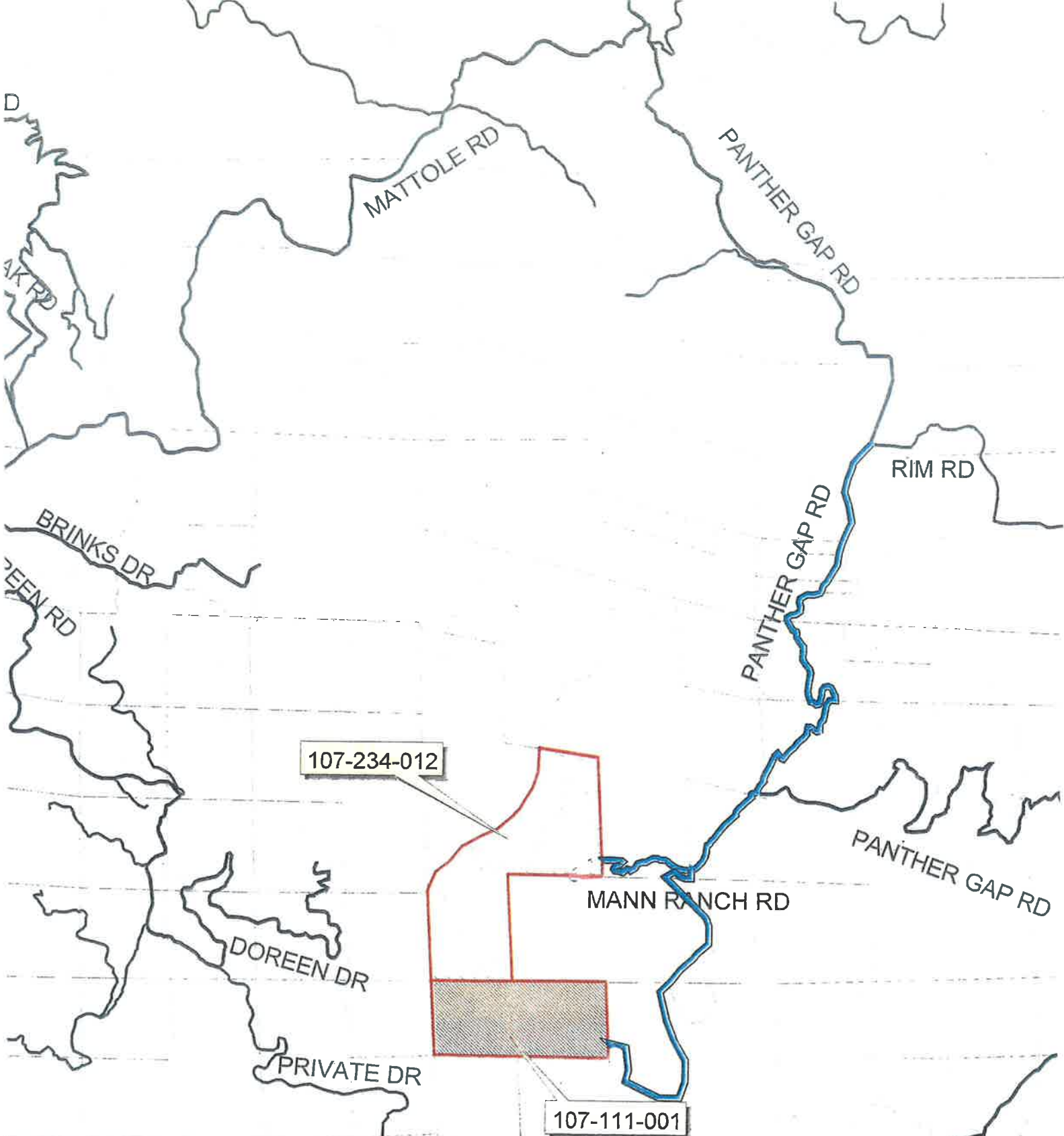
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PUBLIC WORKS RECOMMENDED CONDITIONS:

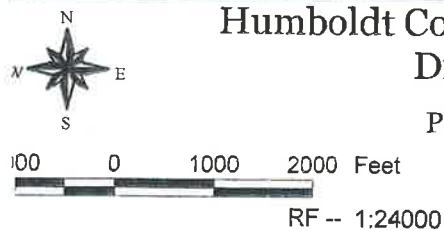
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// END //



Humboldt County Department of Public Works - Land Use Division Diagram of road(s) that need to be evaluated

Planning & Building Department File/Case No.: CUPB-107



- Indicates the project areas
- Indicates the access road(s) that need to be evaluated

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Printed 15:35 Wed Apr 07 2017 by P:\WORK\3722

CUPs 16-030, 16-031, 17-021, 17-022 and 16-107 Innovation West - Panther Gap Farms 10508, 10509, 10552, 10553 and 10934

January 18, 2018

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AVIATION

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DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

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AREA CODE 707



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LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Elanah Adler, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer II

DATE: 06/05/2017

RE: PANTHER GAP FARMS, APN 107-236-011, CUP17-021,
APPS# 10552

The Department of Public Works reviews projects for issues relating to the adequacy of the roadway network to accommodate the proposed use; issues relating to encroachments (such as driveways and private roads) onto County maintained roads; ensuring that any outstanding violations relating to County Encroachment Permit Ordinance and Visibility Ordinance have been addressed; identifying any necessary frontage improvements that are required along County maintained roads; impacts of projects on nearby airports; ensuring that deferred subdivision improvements, if any, are completed; and identifying impacts of the proposed project to adjacent County owned properties or facilities.

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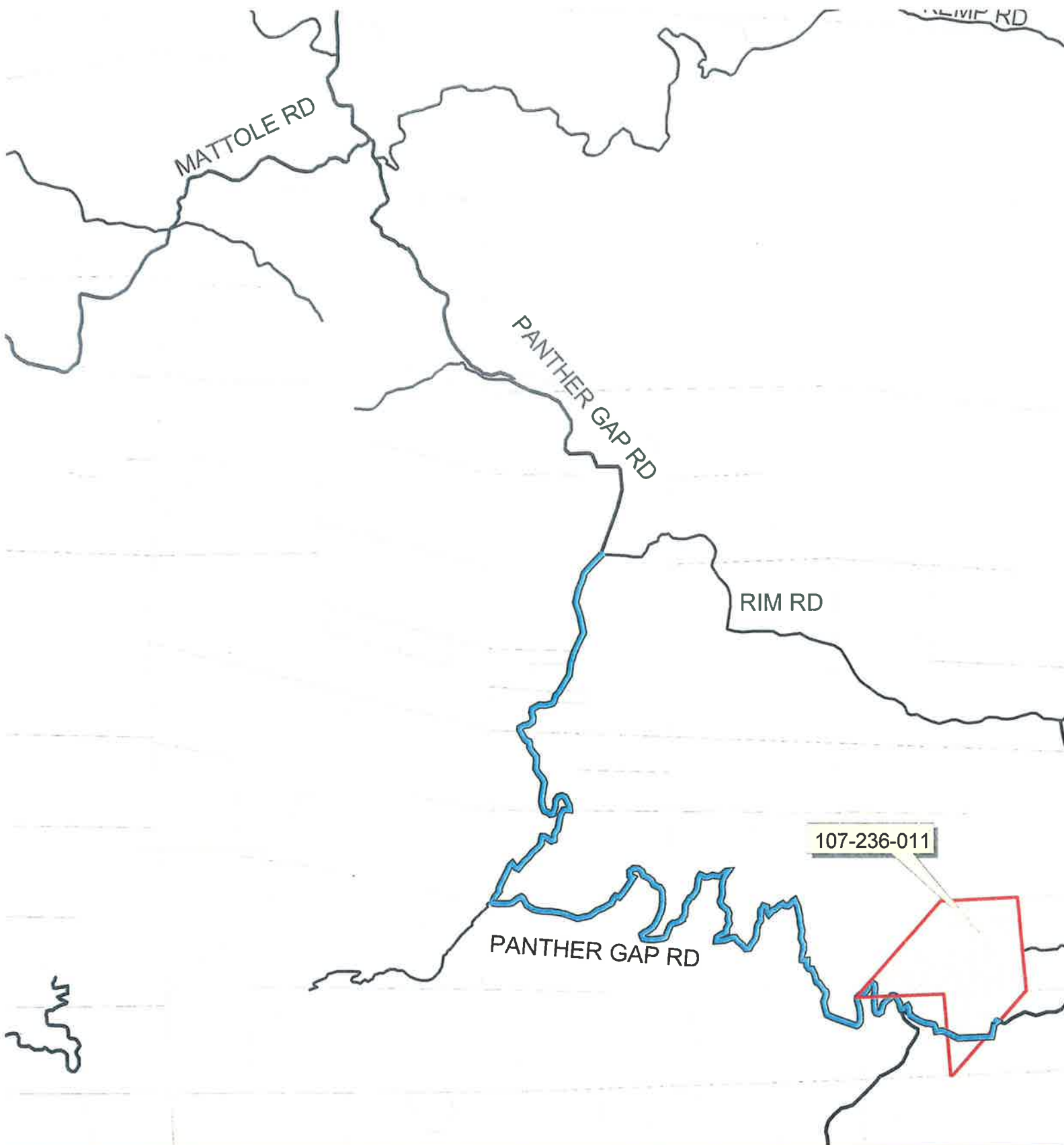
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// END //



Humboldt County Department of Public Works - Land Use Division Diagram of road(s) that need to be evaluated

Planning & Building Department File/Case No.: CUP17-021



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- Indicates the access road(s) that need to be evaluated



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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AREA CODE 707



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LAND USE

445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Elanah Adler, Planner, Planning & Building Department

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

DATE: 06/05/2017

RE: **PANTHER GAP FARMS, APN 107-236-010, CUP17-022,
APPS# 10553**

JUN - 5 2017

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// END //



107-236-010

PANTHER GAP RD

RIM RD

KEMP RD

MATTOLE RD

PANTHER GAP RD

Humboldt County Department of Public Works - Land Use Division Diagram of road(s) that need to be evaluated

Planning & Building Department File/Case No.: CUP17-022



1000 0 1000 2000 Feet

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Indicates the project area



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Printed 13:39 1/18/2018 for PWK3372

CUPs 16-030, 16-031, 17-021, 17-022 and 16-107 Innovation West - Panther Gap Farms 10508, 10509, 10552, 10553 and 10934

January 18, 2018

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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, Sections 312-1.1.2 and 312-17.1 of the Humboldt County Code (HCC) (Required Findings for All Discretionary Permits) specify the findings that are required to grant a Conditional Use Permit and 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 midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence: 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; and
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 CEQA Guidelines have been made.

Staff Analysis of the Evidence Supporting the 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.

1. The proposed development must be consistent with the General Plan. The following table identifies the substantial evidence which supports finding that the proposed development is in conformance with all applicable policies and standards of the Humboldt County General Plan.

Plan Section	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 Section 4.8</p>	<p>Residential Agriculture (RA40): This designation applies to large lot residential uses that typically rely upon on-site water and wastewater systems. RA40 designations are applied to more remote, steep, and high hazard areas or where appropriate to ensure compatibility with adjacent resource production and open space uses.</p> <p>Density range for RA40 is 40 acres/unit</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 use, and other uses.</p> <p>Density range is 40 –160 acres/unit</p>	<p>The projects involve 4 Conditional Use Permits (CUPs) located within the "RA40" area—CUP 16-030, 16-031, 17-021, and 17-022. One of the CUPs—CUP 16-107—is located within the "T" area.</p> <p>The Medical Marijuana Regulation and Safety Act, Health and Safety Code section 11362.777(a) provides that medical cannabis is an agricultural product, subject to extensive state and local regulation. The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) provides for the cultivation and processing of medical cannabis within the zoning districts where agriculture is a principally permitted use, with limits and in compliance with performance standards that will preserve space for more traditional agricultural activities that supply food and fiber contributing to a diverse economic base. The existing cultivation is considered an agricultural use, and the reduction of existing cannabis cultivation size to 1 acre per CUP is consistent with the limits established in the CMMLUO for compatibility with adjacent resource production and open space uses.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Circulation Chapter 7	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible, and convenient circulation system that is appropriate for each type of unincorporated community (C-G1, C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County. (C-G4 , C-G5)</p> <p>Related policies: C-P3. Consideration of Transportation Impacts in Land Use Decision Making</p>	<p>Road access is via Panther Gap Road, which begins at the County maintained, paved Honeydew Road, connects with short unnamed private roads and Mann Ranch Road to access the subject properties, and has east and west branches accessing other of the properties directly. A portion of Panther Gap Road is county-maintained. The applicant has completed road evaluation reports for all non-county-maintained road access segments to all associated properties, with photo points, maps, and measurements recorded by Manhard Consulting certifying a Category 4 equivalence for all roads. The applicant has submitted a supplemental transportation plan for employee access that will reduce traffic impacts to roads.</p> <p>Conditions of approval require that the applicant secure an encroachment permit and implement improvement of the junction of the non-county-maintained segment of Panther Gap Road to meet county visibility ordinance and encroachment permit ordinance standards.</p>
Housing Chapter 8	<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; 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>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<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>One of the five proposed projects (CUP 16-107) is located within the Open Space Action Program because the project site is planned Timberland and is zoned Timberland Production Zone. The project can be found consistent with the Open Space Plan's Open Space Action Program because the proposed project is consistent with the allowable uses of the Land Use Designations. The proposed cannabis cultivation, an agricultural product, is within land planned for agricultural purposes, consistent with the use of Open Space land for managed production of resources.</p> <p>Information has not been submitted indicating how the timber removal (if any) was performed to create the existing cultivation site for CUP 16-107. A condition of approval has been incorporated requiring clearance from Calfire to evidence conformance with GP Timberland policies.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<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 projects are consistent with the goals and policies of the Biological Resources Section of the Conservation and Open Space Elements because they commit to forbearance of all surface water diversion for existing outdoor cannabis cultivation between March 15 and October 31, replacing former diversion sites with hydrologically disconnected well sources and thus ensuring improved water quality and quantity available for fish and wildlife. There is an existing water storage pond (80,000 gallons) and spillway associated with CUP 17-021 within 150 feet of an SMA associated with a stream. The applicant is required to either cease use of this pond and restore/remediate the site to the satisfaction of the County and CDFW; or convert this pond to a rainwater catchment pond that would require the removal of infrastructure used to fill the pond, with restoration efforts conducted by a professional biologist. The applicant shall also obtain a Special Permit for the associated spillway due to the proximity to the SMA. These requirements have been added as conditions of approval.</p> <p>In addition, with the exception of the existing pond site and associated spillway for CUP 17-021, none of the projects are planned for areas with threatened or endangered species, sensitive or critical habitats, or Streamside Management Areas (SMAs). Project conditions regarding mitigation of generator noise are designed to prevent direct or indirect impacts to spotted owl or marbled murrelet species into the future.</p> <p>Only one timberland conversion evaluation report has been prepared for the project, for CUP 17-022 (Application 10553). The conclusion of the report indicated that the area that has been cleared had been previously used as a log landing and therefore did not recommend a less-than-3-acre conversion permit. The report has been</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
		<p>provided to Cal Fire. All other properties have been cleared of timber for cultivation activities. As such, the applicant is required to have all properties associated with CUP 17-021 (zoned U), CUP 16-030 (zoned U), CUP 16-031(zoned U), and CUP 16-107 (zoned TPZ) evaluated for timber conversion. This project is conditioned on the applicant submitting a copy of a less-than-3-acre timber conversion exemption or timberland conversion permit, approved by Cal Fire for the above mentioned CUPs. This requirement has been included as a condition of approval.</p> <p>All cultivations are outdoor with no artificial lighting. A condition has been included to require exterior and security lighting to be shielded to direct light downward to reduce the potential of illumination and visual effects on off-site areas in the nightscape, and to further avoid impacts to wildlife populations.</p>
<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 applicant retained Archaeological Research and Supply Company (ARSC) for the preparation of a Cultural Resources Investigation of the project sites. ARSC conducted a records search, consulted with the Native American Heritage Commission, local Native American Tribal representatives, and other interested parties; and an intensive pedestrian field survey of the entire project area for all five projects. The report concludes that no significant archaeological or historic period cultural resources, that for the purposes of CEQA would be considered an historic resource, exist in the limits of the project area. This report was provided to the Tribal Historic Preservation Officer (THPO) of the Bear River Band of the Rohnerville Rancheria and the Sinkyone Intertribal Wilderness Council. The Bear River Band of the Rohnerville Rancheria responded. The Bear River Band recommended a condition of project approval be incorporated regarding inadvertent discovery protocol. Ongoing conditions of approval are incorporated regarding the inadvertent discovery protocol to protect cultural resources.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.6</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 involves outdoor cultivation, consolidated into areas on properties that abut each other, without the use of artificial light. This project design minimizes impacts to scenic resources and will not result in direct light either within the property boundaries or off site.</p> <p>In these rural areas illumination is visible for many miles. An ongoing condition has been incorporated into this project requiring that exterior and security lighting be shielded such that light is directed downward to prevent illumination and visual impacts on off-site areas.</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>All five project sites fall 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 retained Timberland Resource Consultants for the preparation of separate WRPPs. Each WRPP has been prepared to describe and address the required elements and compliance with the 12 Standard Conditions established by the Order. Stream crossing sites on multiple properties were identified as requiring remediation or improvement, and the applicant has already submitted and obtained a Lake and Streambed Alteration Agreements (LSAA) permit for the work, and improvements consistent with WRPP recommendations are a condition of approval. Other sites identified in the WRPP have standard corrective actions as conditions of approval.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Water Resources Chapter 11</p> <p>On-site Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as on-site 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>In order to accomplish on-site wastewater management for the cultivation operations, the applicant will contract with an appropriate temporary sanitation facilities services provider to provide and maintain toilet and hand-washing facilities. As a condition of approval, the applicant will provide invoices, or equivalent documentation, to the Division of Environmental Health (DEH) to confirm the ongoing use of portable toilets to serve the needs of cultivation staff.</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 existing outdoor cultivation areas do not require artificial lighting, and there is no on-site processing planned. Electrical generators will be used at each facility only on an occasional basis for maintenance purposes, so there will be minimal noise generated by the project. A noise pollution prevention plan is a condition of approval for all five projects, to ensure that noise generated from the occasionally-used generators complies with the standards set forth in Section 55.4.11(o) of the CMMLUO and Department Policy Statement DPS-16-005.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<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. The existing cultivation areas principally occur on slopes of 15 percent or less seismically classified moderate instability, with a few cultivation areas occurring on slopes of 15 to 30 percent seismically classified moderate instability. Given the existing contours of the sites, the existing use is not expected to be affected by geologic instability. The project also does not pose a threat to public safety related from exposure to natural or manmade hazards. The applicant must secure a grading permit for any new construction (including a proposed pond or any ancillary buildings such as those to attenuate generator noise or for use for cultivation related activities), and as part of the permit the applicant will incorporate standard erosion control measures.</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>All project sites are outside any mapped flood hazard areas. The project sites are also not within a mapped dam or levee inundation area and are well 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</p>	<p>The subject property is located within the State Fire Responsibility Area where the state of California has the primary financial responsibility for the prevention and suppression of wildland fires. California Department of Forestry and Fire Protection (Cal-FIRE) comments recommended compliance with the requirements of the County's Fire Safe Regulations. The Humboldt County Fire Safe Ordinance (Section 3111-1 et seq.) establishes development standards for minimizing</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
	Safe Regulations;	<p>wildfire danger in state responsibility designated areas. The applicant is proposing development of a 175,000-gallon pond which would provide fire protection in addition to cultivation needs.</p> <p>According to the applicant, each operation will employ up to three full-time employees who will live off site, for a total of up to 15 employees.</p>
Air Quality Chapter 15	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements. (AQ-G4)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading Dust Control, AQ-P7. Interagency Coordination.</p>	As a condition of project approval, applications for grading and or building permits shall be referred to the North Coast Air Quality Management District (NCAQMD) for review and consultation. Dust control practices during construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.

2. Zoning Compliance and 3. Conforms with 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 That Supports the Zoning Finding
§312-1.1.2 Legal Lot Requirement	Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	The parcels of land known as APN 107-111-001, APN 107-124-015 and 107-235-008 as a single parcel, APN 107-235-007, APN 107-236-010, APN 107-236-011 and APN 107-234-012 as a single parcel (5 total parcels) have been recorded and verified as legal parcels in the Book of Parcel Maps or pursuant to Certificates of Subdivision Compliance. There is no evidence indicating there have been any subsequent acts to merge or divide any of the parcels; therefore, it has been determined the subject parcels were lawfully created in their current configuration.

<p>§314-7.4 Timberland Production (TPZ)</p> <p>§314-8.1 Unclassified (U)</p>	<p>Timberland Production: Intended to provide standards and restrictions for the preservation of timberlands for growing and harvesting timber.</p> <p>Unclassified: This area has not been sufficiently studied to justify precise zoning classifications. The following Code sections have been adopted to protect the health, safety, and general welfare of the citizens and to insure orderly development in conformance with the General Plan.</p>	<p>Grazing and other agricultural use is enumerated as a principally permitted use in the TPZ zoning district as long as it does not significantly detract from the use of the property for, or inhibit, growing and harvesting of timber. General agriculture is a principally permitted use of the Unclassified Zone. The projects propose the cultivation of commercial medical cannabis in existing, already cleared outdoor locations. Commercial medical cannabis cultivation is recognized under state law as an agricultural product. Although state law specifies it is agricultural use and general agricultural uses are principally permitted in U, pursuant to Humboldt County Code Section 314-55.4.3.7, the commercial cultivation of cannabis for medical use is a regulated specialty crop and the cultivation of that specialty crop is not a principal permitted use under the General Agriculture use type classification in the Humboldt County Zoning Regulations. The applicant has applied for the requisite permit. Based on the referenced principally permitted use and the above, a finding of consistency with the TPZ and U zoning districts can be made for the projects.</p> <p>Only one timberland conversion evaluation report prepared by a registered professional forester (RPF) has been prepared for the project, for CUP 17-022 (Application 10553). The conclusion of the report indicated that the area that has been cleared had been previously used as a log landing and therefore did not recommend a less-than-3-acre conversion permit. The report has been provided to Cal Fire. All other properties have been cleared of timber for cultivation activities. As such, the applicant is required to have all properties associated with CUP 17-021 (zoned U), CUP 16-030 (zoned U), CUP 16-031(zoned U), and CUP 16-107 (zoned TPZ) evaluated for timber conversion. This project is conditioned on the applicant submitting a copy of a less-than-3-acre timber conversion exemption or timberland conversion permit, approved by Cal Fire for the above mentioned CUPs. This requirement has been included as a condition of approval.</p>
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Minimum Lot Size	TPZ: 160 acres; or 40 acres if the provisions of Government Code Section 51119.5 are met. U: 6,000 square feet.	The subject parcels in the U zone are the following sizes: APN 107-124-015 is 20 acres, APN 107-235-007 is 130 acres, APN 107-235-008 is 111 acres, APN 107-236-010 is 68 acres, and APN 107-236-011 is 80 acres. All parcels zoned Unclassified are larger than minimum lot size. The subject parcels in the TPZ zone are the following sizes: APN 107-111-001 is 80 acres, and APN 107-234-012 is 75 acres. Pursuant to HCC Section 314-107.2.1, a substandard lot may be developed or sold if it was legally created. As discussed above, the subject parcel is a separate legal parcel.
Maximum Ground Coverage	TPZ: None specified. U: 40 percent.	The maximum allowable coverage for the smallest parcel is 348,480 square feet. The maximum coverage of any cultivation project is 1 acre, or 43,560 square feet, which is well below the lot coverage.
Minimum Lot Width	TPZ: None specified. U: 50 feet.	All subject parcels have a width greater than 50 feet.
Maximum Lot Depth	TPZ: None specified. U: Three times the width.	All subject parcels in the U zone have a lot depth greater than three times the width.
Setbacks (Fire Safe setbacks supersede both U and TPZ zones))	Front: 30 feet Rear: 30 feet Side: 30 feet	According to the submitted plot plans, the minimum setbacks for all cultivation areas for all five projects are as follows: Front: 30-foot setback. Rear: 30-foot setback. Side: 30-foot setback.
Max. Building Height	TPZ: None specified. U: None specified.	N/A
§314-61.1 Streamside Management Area (SMA)	Purpose: to provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.	There are five existing spring/stream diversions located on tributaries to Middle Creek and the Mattole River, and one existing stream diversion located on an unnamed tributary to Dry Creek and the Mattole River. LSAA's have been completed for all diversions, and no water will be diverted for cannabis irrigation between March 15 and October 31 to protect the SMA from being negatively impacted by the diversions. In addition, LSAA 1600-2015-0468-R1 provides for four stream crossing improvements to enhance the protection and health of the SMA on an unnamed Class III tributary to Middle Creek and the Mattole River.

<p>§314-109.1 Off-Street Parking</p>	<p>Off Street Parking for Agricultural use*: Parking space per employee at peak shift. A minimum of three parking spaces are required.</p> <p><i>*Use for this activity is not specified. Per Section 314-109.1.2.9, the Director may fix the required number of parking spaces based on standards for most comparable use.</i></p>	<p>There are one to three full-time employees anticipated for each of the five cultivation operations. The on-site land use is agricultural, and the Code is silent as to the requirement for agricultural employees. The most comparable standard for employees in this situation is one space for each employee at peak shift (per Section 314-109.1.3.4.2 - Manufacturing).</p> <p>No designated parking spaces are noted on the plans; however, the applicant has submitted a transportation plan that provides for carpooling. There is also sufficient space on the associated properties for the employees to park. A condition has been applied to require a revised plot plan for each project that will identify available parking spaces to ensure no conflict with safety and fire access to the site. No parking on Panther Gap Road is authorized.</p>
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314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)

<p>§ 314-55.4.8.2.2</p>	<p>A Use Permit may be issued for outdoor commercial cannabis cultivation in existence prior to January 1, 2016 in U and TPZ districts on parcels one acre or larger... the total cultivation area allowed on a single parcel shall not exceed one acre for outdoor cultivation.</p>	<p>In accordance with the referenced section the applicant has applied for five CUPs as the parcels included in the proposed project are over one acre in area. One acre of existing outdoor cultivation is permissible in the zoning districts. As a condition of approval, a revised plot plan will be submitted for each of the five projects respectively, reducing the size of the existing cultivation areas for each project from 44,000 to 43,560 square feet, or one acre maximum per project. The five projects as proposed and conditioned are in conformance with the ordinance.</p>
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<p>§314-55.4.8.2.2</p> <p>Criteria for approval of existing outdoor and mix-light cultivation areas</p>	<p>No slope requirement specified</p> <p>With documented current water right or other non-diversionary source of irrigation water.</p>	<p>The applicant's irrigation will involve a combination of diverted water with pending small domestic use appropriations with the California State Water Resources Control Board and governed by current, valid CDFW Lake and Streambed Alteration Agreements, in addition to permitted well sources one of which has been confirmed by CDFW to be not hydrologically connected to streams or springs. The other wells will require further evaluation. All five operations will forbear the use of diverted water between March 15 and October 31 for cannabis irrigation, utilizing well water instead. For potential points of diversion or wells not located on properties where the water will be utilized, obtaining easements for that water is a condition of approval. In addition, should the applicant proceed with a proposed pond for CUP-17-022 and utilize the pond's storage to meet irrigation needs while conforming to forbearance requirements, obtaining an appropriative water right will be a condition of approval. Based on the submitted evidence, the project complies with the referenced section.</p>
<p>§314-55.4.8.2</p>	<p>In all zones where cultivation is allowed consisting of timberland, the commercial cultivation of cannabis for medical use shall only be permitted within a 3-acre conversion exemption area, or non-timberland open area, subject to the conditions and limitations set forth in this Section.</p>	<p>Only one timberland conversion evaluation report prepared by a registered professional forester (RPF) has been prepared for the project, for CUP 17-022 (Application 10553). The conclusion of the report indicated that the area that has been cleared had been previously used as a log landing and therefore did not recommend a less-than-3-acre conversion permit. The report has been provided to Cal Fire. All other properties have been cleared of timber for cultivation activities. As such, the applicant is required to have all properties associated with CUP 17-021 (zoned U), CUP 16-030 (zoned U), CUP 16-031(zoned U), and CUP 16-107 (zoned TPZ) evaluated for timber conversion. This project is conditioned on the applicant submitting a copy of a less-than-3-acre timber conversion exemption or timberland conversion permit, approved by Cal Fire for the above mentioned CUPs. This requirement has been included as a condition of approval.</p>

§314-55.4.8.10 Permit Limit	No more than four commercial cannabis activity permits may be issued to a single person, as defined in the referenced section.	Innovation West dba Panther Gap Farms has five cannabis project applications contained in this series of CUPs, and one contained in a pending Special Permit (SP). The applicant proposes to lease the two permit applications proposed herein as CUP 17-021 and 17-022 to an assignee operator, to conform with the 4-permit limit. The verified lease of these permits is included as a condition of approval.
§314-55.4.9.1 Accessory Processing	Processing for cultivation requiring a Special Permit or Use Permit will be considered in the Use Permit application.	All commercial medical cannabis cultivated will be processed at a licensed off-site location.
§314-55.4.9.4 Pre-Application Registration	Existing cultivation sites shall register with the County within 180 days of the effective date of this ordinance.	Commercial Cannabis Registration Forms for the projects were filed with the Planning Division on May 21, 2016, and within the specified window.
§314-55.4.10 Application Requirements	Identifies the Information Required for All Applications.	Attachment 3 identifies the information submitted with the application, and shows all the required information was received.
§314-55.4.11 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities.	All the applicable performance standards are included as Conditions of project approval. They are required to be met throughout the timeframe of the permit.
§314-55.4.11.c Performance Standards-Water	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.	The applicant has pending registrations for small domestic use appropriations with the California State Water Resources Control Board for all associated diversions, as well as current, valid CDFW LSAA for all diversions. Permitted well sources once confirmed by CDFW to be not hydrologically connected to streams or springs will provide all irrigation water between March 15 and October 31. During the forbearance period, no diverted water will be used for any of these operations. For potential points of diversion or wells not located on properties where the water will be utilized, obtaining easements for that water is a condition of approval. In addition, should the applicant proceed with a proposed pond for CUP-17-022 and utilize the pond's storage to meet irrigation needs while conforming to forbearance requirements, obtaining an appropriative water right will be a condition of approval. Based on the submitted evidence, the project complies with the referenced section.

§314-55.4.11.d Performance Standards- Setbacks	The area of cannabis cultivation... 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).	The applicant's site plan show that all cultivation areas conform to the 30-foot setbacks from property lines, as well as 600 feet from any school, school bus stop, church or other place of religious worship, public park, or TCRs. An archaeological survey and cultural resources report has been completed to verify that there are no TCRs on any of the sites. Additionally, CUP-030 9107-124-15) and CUP-17-022 (107-236-010) are contiguous with properties owned by the United States of America. These USA holdings are not managed as public parks requiring further setbacks for cultivation areas, and, further, the cultivation areas are setback further than 600 feet according to the submitted site plans.
§314-55.4.11.o Performance Standards- Generator Noise	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 States Fish and Wildlife Service	As discussed above, the existing outdoor cultivation areas do not require artificial lighting, and there is no on-site processing planned. Electrical generators will be used at each facility only on an occasional basis for maintenance purposes, so there will be minimal noise generated by the project. A noise pollution prevention plan is a condition of approval for all five projects, to ensure that noise generated from the occasionally-used generators complies with the standards set forth in Section 55.4.11(o).
§314-55.4.17 Sunset Date	No application for any Use Permit pursuant to the CMMLUO shall be processed for issuance or approval that is received after December 31, 2016.	The applicant filed the application on May 21, 2016.

4. Public Health, Safety and Welfare, and 6. Environmental Impact: 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, and will not adversely impact the environment.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1.4	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 Department finds that the proposed project will not be detrimental to the public health, safety, and welfare since all reviewing referral agencies have approved the proposed project design. The project as proposed and conditioned is consistent with the general plan and zoning ordinances; and the proposed project is not expected to cause significant environmental damage.
§§15301, 15304, and 15333 of CEQA	Categorically exempt from state environmental review.	CEQA Exemption Sections Class 1, 15301 (Existing Facilities), Class 4, 15304 (Minor Alterations to Land), and Class 33, 15333 (Small Habitat Restoration Projects) of the state CEQA Guidelines. Per the submitted evidence and agency responses, none of the exceptions to the Categorical Exemption per Section 15300.2 of the state CEQA Guidelines apply to this project.

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
17.1.5 Housing Element Densities	The proposed development shall 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's 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 property was not included in the 2014 Housing Inventory because of the land use designation and zoning. The project does not involve residential development; 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. The project is in conformance with the standards in the Housing Element.

ATTACHMENT 3

Applicant's Evidence In Support of the Required Findings

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

1. The name, contact address and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (Not applicable)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within 0.25 mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Attached)
4. A cultivation and operations plan (Panther Gap Farms Revised Outdoor Cultivation Operations Manual, and Addendum No. 1 to Panther Gap Farms Revised Outdoor Cultivation Operations Manual dated June 20, 2017 and September 28, 2017) 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 (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 (On file).
6. Description of water source, storage, irrigation plan, and projected water usage (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 (NCRWQCB) demonstrating enrollment in Tier 1, 2 or 3, NCRWQCB 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 (On file).

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 and conditioned).
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. Cultural Resources Study, Archaeological Research and Supply Company, October 2017 (On file and confidential).
16. Comprehensive Panther Gap Farms Road Evaluation, including photo documentation, maps, and measurements (On file).
17. DEH Worksheet (On file).

PROJECT: APPS #: 10508
 APN: 107-124-015 & 107-235-008
 Applicant: Innovation West DBA Panther Gap Farms



GENERAL: This Addendum No. 1 supplements the previously submitted Operations Manual for the above referenced project.

This addendum consists of 2 page(s).

ADDENDUM No. 1:

1. Employee Transportation Plan:

- a. Vehicle trips to the project site will be reduced through carpooling. Initially, employees will park at the Fortuna park-and-ride, or other convenient locations, and consolidate into as few vehicles as practical to shuttle employees to and from the project site for work. It is anticipated that only one or two vehicles will be needed to transport employees to and from work. There is adequate parking for the vehicles onsite.



LOT ID	COUNTY	ROUTE	POSTMILE	NAME
101	HUM	101	59.9	FORTUNA

2. Soils Management Plan:

- a. Soils used for cultivation will be re-fortified after harvest so that it may be used again for future cultivation, and the cycle repeated as many times as feasible to minimize the amount of imported soil necessary. In the event that soil cannot be reused, it will be disposed of appropriately as solid waste.

3. Projected Water Usage:

- a. The chart below shows the projected water usage in gallons listed underneath the corresponding month.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
6,200	5,600	6,200	6,000	26,040	25,200	26,040	26,040	25,200	26,040	6,000	6,200

INNOVATION WEST (Corp)
Dba Panther Gap Farms

Medical Cannabis Outdoor Cultivation Facility

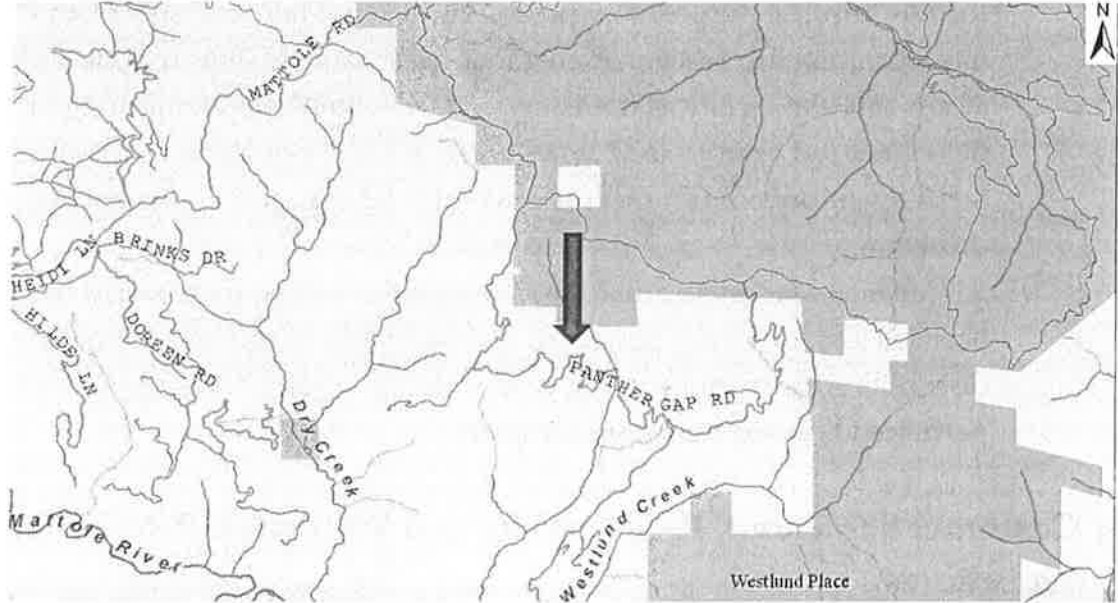
3400 Panther Gap Road, Honeydew, CA

APN: 107-235-08 & 107-124-15

Outdoor Cultivation Operations Plan

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3) Cultivation Operations Performance Standards:.....	18
a) Labor:	18
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c) Employee/Worker Safety.....	18
d) Emergency Contact List:	19
e) Safe Drinking Water, Toilets, & Sanitary Facilities:	19
f) On-Site Housing:	19

4) Location Map



5) Security Measures

- a) The security measures located on the premises will include the following:
 - i) Lighting -- outdoor lighting will be controlled by photocell switching, timers, infrared motion sensors and/or other state-of-the-art control systems to provide an appropriate light level at the exterior of the facilities to ensure that personnel and the video surveillance system can effectively monitor the space in and around the facility at all times. Exterior lighting will be directed so as to not pose a nuisance to neighboring properties.
 - ii) Alarm -- A security/burglar alarm system will be installed and operated at all appropriate times within the facility. When technologically feasible, this system will be monitored by a third-party remote central control station which will have the responsibility for automatically providing notification to law enforcement of any breach in the facility's security system.
 - iii) Access Control -- All entrances to the occupied building space of the facility will be restricted by an access control system. 24 hour access to the facility by emergency responders (Fire Dept.) will be provided via a Knox Box.
 - iv) The Safety of Staff -- working in concert together, the access control system, lighting, and alarm system, will provide a secure and protected facility for the staff to occupy.

- c) All outgoing product will be tracked by SKU, batch number, invoice, and shipping documents; unless the product is not for sale and will be destroyed. The process for documenting product to be destroyed is described separately in this manual.
- d) The methodologies for tracking and Inventory Control of Medical Marijuana may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.

8) Not Used

9) Description of chemicals stored or discharged:

- a) The facility does not currently intend to handle any hazardous materials in amounts requiring a Hazardous Material Business Plan (HMBP); however, if the facility handles any non-exempt hazardous materials, it will register its hazardous materials with the local agency using the Hazardous Materials/Waste Registration Form so that the local agency can evaluate the storage or use and give notice of any permits or storage/use fees that may apply.
- b) If the facility begins to handle any individual hazardous material or mixture containing a hazardous material which has a quantity at any time during the reporting year equal to or greater than those listed below, it will complete a Hazardous Material Business Plan (HMBP) and submit a copy to the local agency (Humboldt County DHHS Division of Environmental Health):
 - i) 500 pounds for solid hazardous materials. [H&SC §25503.5(a)]
 - ii) The following amounts for liquid hazardous materials:
 - (a) Lubricating oil as defined by H&SC §25503.5(b)(2)(B): 55 gallons of any type or 275 gallons aggregate quantity on site. H&SC §25503.5(b)(2)(A)]
 - (b) All others, including waste oil: 55 gallons. [H&SC §25503.5(a)]
 - iii) The following amounts of hazardous material gases:
 - (a) Oxygen, Nitrogen, or Nitrous Oxide stored/handled at a physician, dentist, podiatrist, veterinarian, or pharmacist's place of business: 1,000 cubic feet of each material on site. [H&SC §25503.5(b)(1)]

11) Health and Safety:

a) Training.

- i) Prior to engaging in the harvesting of any product, the Licensee will have an owner or employee who has successfully passed an approved and accredited food safety certification examination as specified in Sections 113947.2 and 113947.3 of the California Retail Food Code. Food safety certification will be achieved by successfully passing an examination from an accredited food protection manager certification organization. The certification organization will be accredited by the American National Standards Institute as meeting the requirements of the Conference for Food Protection's "Standards for Accreditation of Food Protection Manager Certification Programs."

b) Employee Knowledge:

- i) All employees will have adequate knowledge of, and will be properly trained in, food safety as it relates to their assigned duties.
- ii) There will be at least one food safety certified owner or employee at the facility responsible for setting policy and providing training to employees. The certified owner or employee need not be present at the food facility during all hours of operation.
- iii) The certified owner or employee will be responsible for ensuring that all employees who handle, or have responsibility for handling harvested medical marijuana, have sufficient knowledge to ensure the safe handling of the product. The nature and extent of the knowledge that each employee is required to have may be tailored, as appropriate, to the employee's duties.

c) Physical Plant Inspection:

- i) The Facility will welcome inspection of the Medical Marijuana cultivation center by the local fire department, building inspector, or code enforcement officer to confirm that no health or safety concerns are present. It is understood that the inspections may result in additional specific standards to meet local jurisdiction restrictions related to Medical Marijuana. An annual fire safety inspection may result in the required installation of fire suppression devices, or other means necessary for adequate fire safety.

d) Sanitary Conditions:

- viii) That toxic cleaning compounds, sanitizing agents, and other chemicals will be identified, held, stored and disposed of in a manner that protects against contamination of Medical Marijuana in a manner that is in accordance with any applicable local, state or federal law, rule, regulation or ordinance;
- ix) That all operations will be conducted in accordance with adequate sanitation principles;
- x) That employees are provided with adequate and readily accessible toilet facilities that are maintained in a sanitary condition and good repair; and
- xi) That Medical Marijuana that can support the rapid growth of undesirable microorganisms are held in a manner that prevents the growth of these microorganisms.

12) Solid Waste:

- a) Refuse will be sorted to divert recyclables such as paper, plastic, glass, and metals from the waste stream. Those recyclables will be taken to a recycling center for recycling.
- b) The remaining solid wastes will be collected and deposited into a solid waste receptacle for temporary storage, which will be kept covered. The solid waste will be removed from the site no less frequently than weekly and disposed of at an authorized waste transfer facility.

13) Disposal of Waste and Destroyed Product:

- a) Medical Marijuana waste will be made unusable and Unrecognizable prior to leaving the Facility.
 - i) Methods to make waste unusable and unrecognizable. Medical Marijuana waste will be rendered unusable and unrecognizable through one of the following methods unless another method is prescribed by the County of Humboldt or the State of California:
 - (1) Grinding and incorporating the marijuana waste with non-consumable, solid wastes listed below such that the resulting mixture is at least 50 percent non-marijuana waste:
 - (a) Non-recyclable solid waste;
 - (b) Food waste;
 - (c) Grease or other compostable oil waste;
 - (d) Bokashi, or other compost activators;

is also on record with the County DEH. No water is intended nor required to be stored for use during the forbearance period.

(3) At all times, water will be applied using no more than agronomic rates.

(4) If required by Cal Fire, water will be stored on site for fire protection purposes in the requisite amounts.

ii) A copy of the Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 2, is attached.

iii) Because surface water diversion provides part of the water supply for irrigation of cannabis cultivation, the applicant consents to forebear from any such diversion during the period from May 15th to October 31st of each year. In lieu of establishing on-site water storage for retention of wet season flows sufficient to provide adequate irrigation water for the size of the area to be cultivated, water from the existing permitted well will be used to meet all water usage requirements. Forbearance from May 15th to October 31st of each year and water sourced from the well are at the heart of the Water Management Plan that will be submitted to Fish & Wildlife as part of the 1603 Agreement.

iv) An approval from the RWQCB has been obtained through enrollment pursuant to NCRWQB Order No. 2015-0023 and preparation of a Water Resources Protection Plan. The facility will comply with all measures required for the assigned Tier level.

v) Copies of the statement of water diversion, and/or other permits, licenses or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable, are attached to this Operation Plan & Manual.

vi) The applicant/operator 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 will not support diversions for irrigation.

b) Drainage, Run-off, and Erosion Control:

i) Drainage, Run-off, and Erosion Control will all be managed within the RWQCB's requirements for dischargers. Initially, the site has been

- i) Watershed and habitat protection will be provided through compliance with within the RWQCB's and the Department of Fish & Wildlife's requirements associated with their respective permits and agreements.
- d) Storage of fertilizers, pesticides, and other regulated products:
 - i) Storage of fertilizers, pesticides, and other regulated products used on the parcel will be in accordance with best practices, which include storage within an enclosed space to prevent surface water contamination.
 - (1) Pesticides/Herbicides:
 - (a) Under California law, the only pesticide products not illegal to use on cannabis are those that contain an active ingredient that is exempt from residue tolerance requirements and either registered and labeled for a broad enough use to include use on cannabis or exempt from registration requirements as a minimum risk pesticide under FIFRA section 25(b) and California Code of Regulations, title 3, section 6147. For the purpose of compliance with conditions of this Order, any uses of pesticide products will be consistent with product labelling and any products on the site will be placed, used, and stored in a manner that ensures that they will not enter or be released into surface or ground waters.
 - (2) Fertilizers and Soil Amendments:
 - (a) Fertilizers, potting soils, compost, and other soils and soil amendments will be stored in locations and in a manner in which they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater.
 - (b) Fertilizers and soil amendments will be applied and used per packaging instructions and/or at proper agronomic rates.
 - (c) Cultivation areas will be maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.
- e) Electrical Power:
 - i) The facility is not on the electrical grid. See "Electrical Generators" below for details.
- f) Cultivation Activities:

modified watercourse or wetland setbacks have been agreed to by the operator and RWQCB under enrollment pursuant to NCRWQB Order No. 2015-0023 and/or preparation of a Water Resources Protection Plan, these may control and supersede any setback applied pursuant to 314-61.1.

b) Land Use –

- i) The cultivation is not located on land designated for timberland; therefore, a 3 acre conversion is not required.

c) Chemical, Hazardous, and Dangerous Materials –

- i) Operator will refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide. It is recognized that Hazardous materials and wastes from agricultural businesses are regulated by the Humboldt County Environmental Health Division, that administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA).

d) Electrical Generators:

- i) Electrical Generators will be used at this facility only on an occasional basis for maintenance purposes and the following guidelines will be adhered to:
 - (1) Noise – The noise produced by the generator used for cannabis cultivation will not be audible by humans from neighboring residences. The decibel level for generators at the property line will be no more than 60 decibels. If applicable, sound levels will 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. We understand that conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary.
 - (2) Storage of Fuel -- Fuel will be stored and handled in compliance with applicable state and local laws and regulations, and in such a way that no spillage occurs.
 - (3) The Generator(s) and its operation will meet all requirements of the North Coast Unified Air Quality Management District including registration and permitting as applicable.

- (g) Personal protective equipment policies, including respiratory protection.
- d) Emergency Contact List:
 - i) The employer will visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts;
 - (3) Poison control contacts.
- e) Safe Drinking Water, Toilets, & Sanitary Facilities:
 - i) At all times, employees will have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. The employer will contract with an appropriate temporary sanitation facilities services provider to provide and maintain toilet and hand-washing facilities in accordance with the requirements of Cal-OSHA and ADA/California Accessibility regulations.
- f) On-Site Housing:
 - i) Any and all on site-housing provided to employees, if any, will comply with all applicable federal, state, and local laws and regulations. There is no intent to provide on-site housing at this time.

PROJECT: APPS #: 10509
 APN: 107-235-007
 Applicant: Innovation West DBA Panther Gap Farms

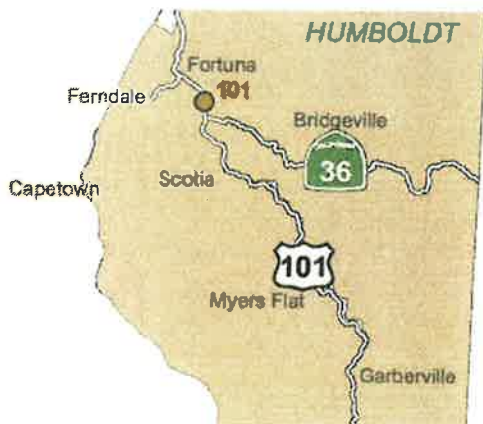
GENERAL: This Addendum No. 1 supplements the previously submitted Operations Manual for the above referenced project.

This addendum consists of 2 page(s).

ADDENDUM No. 1:

1. Employee Transportation Plan:

- a. Vehicle trips to the project site will be reduced through carpooling. Initially, employees will park at the Fortuna park-and-ride, or other convenient locations, and consolidate into as few vehicles as practical to shuttle employees to and from the project site for work. It is anticipated that only one or two vehicles will be needed to transport employees to and from work. There is adequate parking for the vehicles onsite.



LOTID	COUNTY	ROUTE	POSTMILE	NAME
101	HUM	101	59.9	FORTUNA

Dropped 9/29/17

2. Soils Management Plan:

- a. Soils used for cultivation will be re-fortified after harvest so that it may be used again for future cultivation, and the cycle repeated as many times as feasible to minimize the amount of imported soil necessary. In the event that soil cannot be reused, it will be disposed of appropriately as solid waste.

3. Projected Water Usage:

- a. The chart below shows the projected water usage in gallons listed underneath the corresponding month.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
6,200	5,600	6,200	6,000	26,040	25,200	26,040	26,040	25,200	26,040	6,000	6,200

INNOVATION WEST (Corp)

DbA Panther Gap Farms

Medical Cannabis Outdoor Cultivation Facility

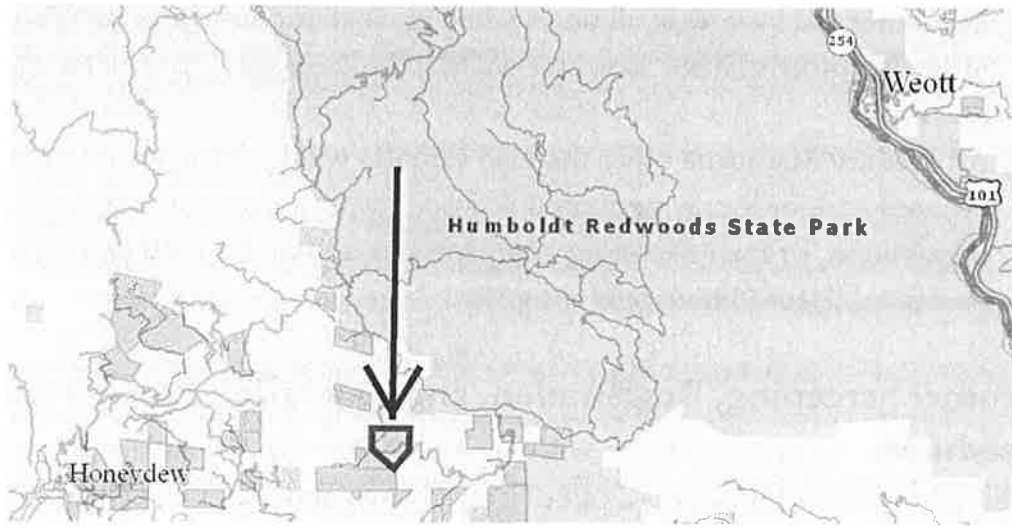
3000 Panther Gap Road, Honeydew, CA

APN: 107-235-07

Outdoor Cultivation Operations Plan

3) Cultivation Operations Performance Standards:	18
a) Labor:	18
b) Processing Practices:	18
c) Employee/Worker Safety	18
d) Emergency Contact List:	19
e) Safe Drinking Water, Toilets, & Sanitary Facilities:	19
f) On-Site Housing:	19

4) Location Map



5) Security Measures

- a) The security measures located on the premises will include the following:
 - i) Lighting -- outdoor lighting will be controlled by photocell switching, timers, infrared motion sensors and/or other state-of-the-art control systems to provide an appropriate light level at the exterior of the facilities to ensure that personnel and the video surveillance system can effectively monitor the space in and around the facility at all times. Exterior lighting will be directed so as to not pose a nuisance to neighboring properties.
 - ii) Alarm -- A security/burglar alarm system will be installed and operated at all appropriate times within the facility. When technologically feasible, this system will be monitored by a third-party remote central control station which will have the responsibility for automatically providing notification to law enforcement of any breach in the facility's security system.
 - iii) Access Control -- All entrances to the occupied building space of the facility will be restricted by an access control system. 24 hour access to the facility by emergency responders (Fire Dept.) will be provided via a Knox Box.
 - iv) The Safety of Staff -- working in concert together, the access control system, lighting, and alarm system, will provide a secure and protected facility for the staff to occupy.
 - v) The security measures will secure the medical marijuana against diversion for non-medical purposes by protecting against theft not only from intruders, but also from staff members and visitors. This is done by limiting

The process for documenting product to be destroyed is described separately in this manual.

- d) The methodologies for tracking and Inventory Control of Medical Marijuana may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.

8) Not used.

9) Description of chemicals stored or discharged:

- a) The facility does not currently intend to handle any hazardous materials in amounts requiring a Hazardous Material Business Plan (HMBP); however, if the facility handles any non-exempt hazardous materials, it will register its hazardous materials with the local agency using the Hazardous Materials/Waste Registration Form so that the local agency can evaluate the storage or use and give notice of any permits or storage/use fees that may apply.
- b) If the facility begins to handle any individual hazardous material or mixture containing a hazardous material which has a quantity at any time during the reporting year equal to or greater than those listed below, it will complete a Hazardous Material Business Plan (HMBP) and submit a copy to the local agency (Humboldt County DHHS Division of Environmental Health):
 - i) 500 pounds for solid hazardous materials. [H&SC §25503.5(a)]
 - ii) The following amounts for liquid hazardous materials:
 - (a) Lubricating oil as defined by H&SC §25503.5(b)(2)(B): 55 gallons of any type or 275 gallons aggregate quantity on site. H&SC §25503.5(b)(2)(A)]
 - (b) All others, including waste oil: 55 gallons. [H&SC §25503.5(a)]
 - iii) The following amounts of hazardous material gases:
 - (a) Oxygen, Nitrogen, or Nitrous Oxide stored/handled at a physician, dentist, podiatrist, veterinarian, or pharmacist's place of business: 1,000 cubic feet of each material on site. [H&SC §25503.5(b)(1)]
 - (b) All others: 200 cubic feet. [H&SC §25503.5(a)]
 - iv) Amounts of radioactive materials requiring an emergency plan under Parts 30, 40, or 70 of Title 10 Code of Federal Regulations or equal to or greater

- i) Prior to engaging in the harvesting of any product, the Licensee will have an owner or employee who has successfully passed an approved and accredited food safety certification examination as specified in Sections 113947.2 and 113947.3 of the California Retail Food Code. Food safety certification will be achieved by successfully passing an examination from an accredited food protection manager certification organization. The certification organization will be accredited by the American National Standards Institute as meeting the requirements of the Conference for Food Protection's "Standards for Accreditation of Food Protection Manager Certification Programs."
- b) Employee Knowledge:
 - i) All employees will have adequate knowledge of, and will be properly trained in, food safety as it relates to their assigned duties.
 - ii) There will be at least one food safety certified owner or employee at the facility responsible for setting policy and providing training to employees. The certified owner or employee need not be present at the food facility during all hours of operation.
 - iii) The certified owner or employee will be responsible for ensuring that all employees who handle, or have responsibility for handling harvested medical marijuana, have sufficient knowledge to ensure the safe handling of the product. The nature and extent of the knowledge that each employee is required to have may be tailored, as appropriate, to the employee's duties.
- c) Physical Plant Inspection:
 - i) The Facility will welcome inspection of the Medical Marijuana cultivation center by the local fire department, building inspector, or code enforcement officer to confirm that no health or safety concerns are present. It is understood that the inspections may result in additional specific standards to meet local jurisdiction restrictions related to Medical Marijuana. An annual fire safety inspection may result in the required installation of fire suppression devices, or other means necessary for adequate fire safety.
- d) Sanitary Conditions:

The Facility will take all reasonable measures and precautions to ensure the following:

accordance with any applicable local, state or federal law, rule, regulation or ordinance;

- ix) That all operations will be conducted in accordance with adequate sanitation principles;
- x) That employees are provided with adequate and readily accessible toilet facilities that are maintained in a sanitary condition and good repair; and
- xi) That Medical Marijuana that can support the rapid growth of undesirable microorganisms are held in a manner that prevents the growth of these microorganisms.

12) Solid Waste:

- a) Refuse will be sorted to divert recyclables such as paper, plastic, glass, and metals from the waste stream. Those recyclables will be taken to a recycling center for recycling.
- b) The remaining solid wastes will be collected and deposited into a solid waste receptacle for temporary storage, which will be kept covered. The solid waste will be removed from the site no less frequently than weekly and disposed of at an authorized waste transfer facility.

13) Disposal of Waste and Destroyed Product:

- a) Medical Marijuana waste will be made unusable and Unrecognizable prior to leaving the Facility.
- i) Methods to make waste unusable and unrecognizable. Medical Marijuana waste will be rendered unusable and unrecognizable through one of the following methods unless another method is prescribed by the County of Humboldt or the State of California:
 - (1) Grinding and incorporating the marijuana waste with non-consumable, solid wastes listed below such that the resulting mixture is at least 50 percent non-marijuana waste:
 - (a) Non-recyclable solid waste;
 - (b) Grease or other compostable oil waste;
 - (c) Bokashi, or other compost activators;
 - (d) Other wastes approved by the State Licensing Authority that will render the Medical Marijuana waste unusable and Unrecognizable as marijuana; and
 - (e) Soil.

- (4) If required by Cal Fire, water will be stored on site for fire protection purposes in the requisite amounts.
 - ii) A copy of the Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 2, is attached.
 - iii) Because surface water diversion provides part of the water supply for irrigation of cannabis cultivation, the applicant consents to forebear from any such diversion during the period from May 15th to October 31st of each year. In lieu of establishing on-site water storage for retention of wet season flows sufficient to provide adequate irrigation water for the size of the area to be cultivated, water from the existing permitted well will be used to meet all water usage requirements. Forbearance from May 15th to October 31st of each year and water sourced from the well are at the heart of the Water Management Plan that will be submitted to Fish & Wildlife as part of the 1603 Agreement.
 - iv) An approval from the RWQCB has been obtained through enrollment pursuant to NCRWQB Order No. 2015-0023 and preparation of a Water Resources Protection Plan. The facility will comply with all measures required for the assigned Tier level.
 - v) Copies of the statement of water diversion, and/or other permits, licenses or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable, are attached to this Operation Plan & Manual.
 - vi) The applicant/operator 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 will not support diversions for irrigation.
- b) Drainage, Run-off, and Erosion Control:
- i) Drainage, Run-off, and Erosion Control will all be managed within the RWQCB's requirements for dischargers. Initially, the site has been registered as Tier 2 out of abundance of caution; however, because the outdoor green house facility is entirely enclosed, the operations may merit Tier reduction to Tier 2* or better in the future. The cultivation is to be

d) Storage of fertilizers, pesticides, and other regulated products:

- i) Storage of fertilizers, pesticides, and other regulated products used on the parcel will be in accordance with best practices, which include storage within an enclosed space to prevent surface water contamination.

(1) Pesticides/Herbicides:

- (a) Under California law, the only pesticide products not illegal to use on cannabis are those that contain an active ingredient that is exempt from residue tolerance requirements and either registered and labeled for a broad enough use to include use on cannabis or exempt from registration requirements as a minimum risk pesticide under FIFRA section 25(b) and California Code of Regulations, title 3, section 6147. For the purpose of compliance with conditions of this Order, any uses of pesticide products will be consistent with product labelling and any products on the site will be placed, used, and stored in a manner that ensures that they will not enter or be released into surface or ground waters.

(2) Fertilizers and Soil Amendments:

- (a) Fertilizers, potting soils, compost, and other soils and soil amendments will be stored in locations and in a manner in which they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater.
- (b) Fertilizers and soil amendments will be applied and used per packaging instructions and/or at proper agronomic rates.
- (c) Cultivation areas will be maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.

e) Electrical Power:

- i) The facility is on the electrical grid and is served by electrical power supplied by Pacific Gas & Electric Company (PG&E). Generator power will not be used except in case of emergency, such as an extended PG&E power outage. See "Electrical Generators" below for details.

f) Cultivation Activities:

modified watercourse or wetland setbacks have been agreed to by the operator and RWQCB under enrollment pursuant to NCRWQB Order No. 2015-0023 and/or preparation of a Water Resources Protection Plan, these may control and supersede any setback applied pursuant to 314-61.1.

b) Land Use –

- i) The cultivation is not located on land designated for timberland; therefore, a 3 acre conversion is not required.

c) Chemical, Hazardous, and Dangerous Materials –

- i) Operator will refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide. It is recognized that Hazardous materials and wastes from agricultural businesses are regulated by the Humboldt County Environmental Health Division, that administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA).

d) Electrical Generators:


- i) This facility enjoys full electrical power service from Pacific Gas & Electric Company. As such is the case, Electrical Generators are not planned to be used at this facility unless in case of emergency caused by extended duration power loss from PG&E. In such rare occurrences, the following guidelines will be followed:
 - (1) Noise – The noise produced by the generator used for cannabis cultivation will not be audible by humans from neighboring residences. The decibel level for generators at the property line will be no more than 60 decibels. If applicable, sound levels will 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. We understand that conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary.
 - (2) Storage of Fuel -- Fuel will be stored and handled in compliance with applicable state and local laws and regulations, and in such a way that no spillage occurs.

- (g) Personal protective equipment policies, including respiratory protection.
- d) Emergency Contact List:
 - i) The employer will visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts;
 - (3) Poison control contacts.
- e) Safe Drinking Water, Toilets, & Sanitary Facilities:
 - i) At all times, employees will have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. The employer will contract with an appropriate temporary sanitation facilities services provider to provide and maintain toilet and hand-washing facilities in accordance with the requirements of Cal-OSHA and ADA/California Accessibility regulations.
- f) On-Site Housing:
 - i) Any and all on site-housing provided to employees, if any, will comply with all applicable federal, state, and local laws and regulations. There is no intent to provide on-site housing at this time.

APN 107-235-07/08

WRPP 2014 DOQ

 Property Boundary

 Point of Diversion

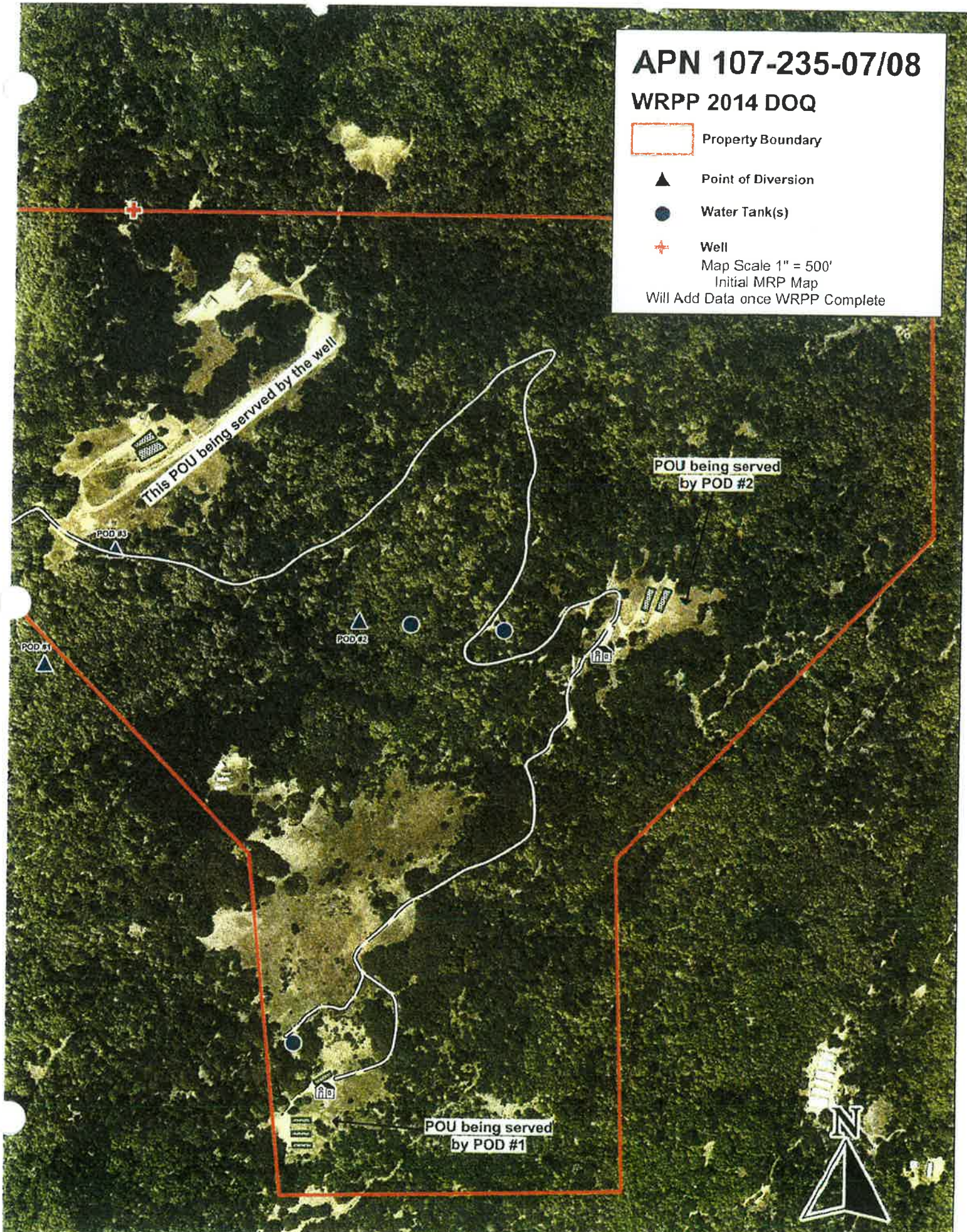
 Water Tank(s)

 Well

Map Scale 1" = 500'

Initial MRP Map

Will Add Data once WRPP Complete



PROJECT: APPS #: 10934
 APN: 107-111-001 & 107-234-012
 Applicant: Innovation West DBA Panther Gap Farms

GENERAL: This Addendum No. 1 supplements the previously submitted Operations Manual for the above referenced project.

This addendum consists of 2 page(s).

ADDENDUM No. 1:

1. Employee Transportation Plan:

- a. Vehicle trips to the project site will be reduced through carpooling. Initially, employees will park at the Fortuna park-and-ride, or other convenient locations, and consolidate into as few vehicles as practical to shuttle employees to and from the project site for work. It is anticipated that only one or two vehicles will be needed to transport employees to and from work. There is adequate parking for the vehicles onsite.



LOT ID	COUNTY	ROUTE	POSTMILE	NAME
101	HUM	101	59.9	FORTUNA

2. Soils Management Plan:

- a. Soils used for cultivation will be re-fortified after harvest so that it may be used again for future cultivation, and the cycle repeated as many times as feasible to minimize the amount of imported soil necessary. In the event that soil cannot be reused, it will be disposed of appropriately as solid waste.

3. Projected Water Usage:

- a. The chart below shows the projected water usage in gallons listed underneath the corresponding month.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
6,200	5,600	6,200	6,000	26,040	25,200	26,040	26,040	25,200	26,040	6,000	6,200

INNOVATION WEST (Corp)

Medical Cannabis Outdoor Cultivation Facility

Panther Gap Road, Honeydew, CA

APN: 107-111-01 / 107-234-12

Outdoor Cultivation Operations Plan

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OPERATIONS PLAN & MANUAL

1) County's Access to the Facility:

- a) All facility personnel will cooperate fully with all conditions in the Use Permit and Use Permit Application requiring that the County, its agents, and employees, be granted access to the facility to seek verification of the information contained within the conditional use permit, permit applications, the Operations Manual, and the Operating Standards at any time before or after the conditional use permit is issued.
- b) The Humboldt County Sheriff's Department will be authorized to have access to the facility's security surveillance video.

2) Staffing & Staff Screening Processes

- a) The facility will require 1 to 3 FTE employees depending on workload.
- b) All candidates for staff positions will undergo criminal background checks as part of the standard screening process. To the maximum effect allowed by California and federal employment law, candidates with a criminal history or a history of drug abuse will be screened from employment.

3) Days and Hours of Operation

- a) The facility is not open to the public and will not accept visitors without a specific business purpose.
- b) Hours of operation will typically be from 7 AM to 7 PM; however, during periods of seasonally high workload, the hours of operations within the facility may increase to 16 hours per day. Commercial activities such as shipping and receiving will be limited to 8:00 AM to 6:00 PM. Due to the remote location of the facility and the limited commercial activity window, there are anticipated to be no significant noise or traffic impacts upon the occupants of neighboring properties.

4) Location Map



5) Security Measures

- a) The security measures located on the premises will include the following:
 - i) Lighting -- outdoor lighting will be controlled by photocell switching, timers, infrared motion sensors and/or other state-of-the-art control systems to provide an appropriate light level at the exterior of the facilities to ensure that personnel and the video surveillance system can effectively monitor the space in and around the facility. Exterior lighting will be directed so as to not pose a nuisance to neighboring properties.
 - ii) Alarm -- A security/burglar alarm system will be installed and operated at all appropriate times within the facility. When technologically feasible, this system will be monitored by a third-party remote central control station which will have the responsibility for automatically providing notification to law enforcement of any breach in the facility's security system.
 - iii) Access Control -- All entrances to the occupied building space of the facility will be restricted by an access control system. 24 hour access to the facility by emergency responders (Fire Dept.) will be provided via a Knox Box.
 - iv) The Safety of Staff -- working in concert together, the access control system, lighting, and alarm system, will provide a secure and protected facility for the staff to occupy.
 - v) The security measures will secure the medical marijuana against diversion for non-medical purposes by protecting against theft not only from intruders, but also from staff members and visitors. This is done by limiting

access into the facility as necessary and by surveillance monitoring of personnel and visitors at all times when in close proximity to the product. Strict inventory control measures will also be engaged to prevent and detect diversion.

- vi) All Medical Marijuana other than lab samples will be transported to State licensed and/or locally permitted licensed medical cannabis wholesale, distribution, or manufacturing companies by a State licensed and/or locally permitted licensed transport company.

6) Customer Screening, Registration, and Validation Process and Procedures.

- a) The facility is for the purpose of cultivation only, and all products will be sold to State licensed facilities on a wholesale basis. As this is the case, the facility will not be open to the public and will not accept visitors without a specific pre-authorized business purpose. Only authorized representatives of state licensed customer facilities and appropriately licensed vendors will be allowed to enter the facility and be in close proximity to medical cannabis, but in all cases supervised at all times. Any other vendors or maintenance workers allowed in the facility will be at all times escorted and sequestered from the finished products and harvested materials.

7) Inventory control processes and procedures

- a) The facilities inventory control process includes tracking of all incoming seedlings, including the name and state license number of the cultivator, the testing lab data (as applicable), the strain, the supplier's product tracking identification data, and bill of lading from the transport company or nursery.
- b) All incoming plants will be assigned a unique number or identifier that can be cross-referenced to the above referenced data and stays with the product through the cultivation, harvesting, off-site processing, and to final sale to our authorized customers.
- c) All outgoing product will be tracked by SKU, batch number, invoice, and shipping documents; unless the product is not for sale and will be destroyed.

The process for documenting product to be destroyed is described separately in this manual.

- d) The methodologies for tracking and Inventory Control of Medical Marijuana may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.

8) **Not Used:**

9) **Description of chemicals stored or discharged:**

- a) The facility does not currently intend to handle any hazardous materials in amounts requiring a Hazardous Material Business Plan (HMBP); however, if the facility handles any non-exempt hazardous materials, it will register its hazardous materials with the local agency using the Hazardous Materials/Waste Registration Form so that the local agency can evaluate the storage or use and give notice of any permits or storage/use fees that may apply.
- b) If the facility begins to handle any individual hazardous material or mixture containing a hazardous material which has a quantity at any time during the reporting year equal to or greater than those listed below, it will complete a Hazardous Material Business Plan (HMBP) and submit a copy to the local agency (Humboldt County DHHS Division of Environmental Health):
 - i) 500 pounds for solid hazardous materials. [H&SC §25503.5(a)]
 - ii) The following amounts for liquid hazardous materials:
 - (a) Lubricating oil as defined by H&SC §25503.5(b)(2)(B): 55 gallons of any type or 275 gallons aggregate quantity on site. H&SC §25503.5(b)(2)(A)]
 - (b) All others, including waste oil: 55 gallons. [H&SC §25503.5(a)]
 - iii) The following amounts of hazardous material gases:
 - (a) Oxygen, Nitrogen, or Nitrous Oxide stored/handled at a physician, dentist, podiatrist, veterinarian, or pharmacist's place of business: 1,000 cubic feet of each material on site. [H&SC §25503.5(b)(1)]
 - (b) All others: 200 cubic feet. [H&SC §25503.5(a)]

- iv) Amounts of radioactive materials requiring an emergency plan under Parts 30, 40, or 70 of Title 10 Code of Federal Regulations or equal to or greater than applicable amounts specified in items 1, 2, or 3, above, whichever amount is smaller. [H&SC §25503.5(a)]
 - v) Applicable federal threshold planning quantities for extremely hazardous substances listed in 40 CFR Part 355, Appendix A.
- c) Disposal of any chemical, dangerous, or hazardous waste will be conducted in a manner consistent with federal, state and local laws, regulations, rules or other requirements. Any waste solvents or other chemicals will be handled and disposed of properly by *Safety-Kleen* or another highly qualified and properly licensed contractor.

10) Quality/consumer safety control processes, procedures, and documentation.

- a) Product Quality Control:
 - i) In addition to meeting all State and local requirements for product quality control, the standard procedures for operation will include the following:
 - (1) Samples from each batch of finished products will be screened and tested by a State licensed and/or locally permitted licensed independent laboratory for pesticides, mold, and other undesirable qualities prior to release for sale to wholesalers and retailers.
 - (2) Documentation of all lab test results will be kept on file.
- b) Packaging:
 - i) All final packaging of processed goods will meet State requirements for packaging.

11) Health and Safety:

- a) Training.
 - i) Prior to engaging in the harvesting of any product, the Licensee will have an owner or employee who has successfully passed an approved and accredited food safety certification examination as specified in Sections 113947.2 and 113947.3 of the California Retail Food Code. Food safety certification will be achieved by successfully passing an examination from an accredited food

protection manager certification organization. The certification organization will be accredited by the American National Standards Institute as meeting the requirements of the Conference for Food Protection's "Standards for Accreditation of Food Protection Manager Certification Programs."

b) Employee Knowledge:

- i) All employees will have adequate knowledge of, and will be properly trained in, food safety as it relates to their assigned duties.
- ii) There will be at least one food safety certified owner or employee at the facility responsible for setting policy and providing training to employees. The certified owner or employee need not be present at the facility during all hours of operation.
- iii) The certified owner or employee will be responsible for ensuring that all employees who handle, or have responsibility for handling harvested medical marijuana, have sufficient knowledge to ensure the safe handling of the product. The nature and extent of the knowledge that each employee is required to have may be tailored, as appropriate, to the employee's duties.

c) Physical Plant Inspection:

- i) The Facility will welcome inspection of the Medical Marijuana cultivation center by the local fire department, building inspector, or code enforcement officer to confirm that no health or safety concerns are present. It is understood that the inspections may result in additional specific standards to meet local jurisdiction restrictions related to Medical Marijuana. An annual fire safety inspection may result in the required installation of fire suppression devices, or other means necessary for adequate fire safety.

d) Sanitary Conditions:

The Facility will take all reasonable measures and precautions to ensure the following:

- i) That any person who, by medical examination or supervisory observation, is shown to have, or appears to have, an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination for whom there is a reasonable possibility of contact with

- Medical Marijuana will be excluded from any operations which may be expected to result in contamination until the condition is corrected;
- ii) Hand-washing facilities will be adequate and convenient and be furnished with running water. Hand-washing facilities will be located at the Facility and where good sanitary practices require employees to wash or sanitize their hands, and provide effective hand-cleaning and sanitizing preparations and sanitary towel service or suitable drying devices;
 - iii) That all persons working in direct contact with Medical Marijuana will conform to hygienic practices while on duty, including but not limited to:
 - (1) Maintaining adequate personal cleanliness;
 - (2) Washing hands thoroughly in an adequate hand-washing area(s) before starting work and at any other time when the hands may have become soiled or contaminated; and
 - (3) Refraining from having direct contact with Medical Marijuana if the person has or may have an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, until such condition is corrected.
 - iv) That litter and waste are properly removed and the operating systems for waste disposal are maintained in an adequate manner so that they do not constitute a source of contamination in areas where Medical Marijuana is exposed;
 - v) That there is appropriate lighting in all areas where Medical Marijuana are stored, and where equipment or utensils are cleaned;
 - vi) That there is adequate screening or other protection against the entry of pests. Rubbish will be disposed of so as to minimize the development of odor and minimize the potential for the waste becoming an attractant, harborage, or breeding place for pests;
 - vii) That fixtures and other facilities are maintained in a sanitary condition;
 - viii) That toxic cleaning compounds, sanitizing agents, and other chemicals will be identified, held, stored and disposed of in a manner that protects against contamination of Medical Marijuana in a manner that is in accordance with any applicable local, state or federal law, rule, regulation or ordinance;
 - ix) That all operations will be conducted in accordance with adequate sanitation principles;

- x) That employees are provided with adequate and readily accessible toilet facilities that are maintained in a sanitary condition and good repair; and
- xi) That Medical Marijuana that can support the rapid growth of undesirable microorganisms are held in a manner that prevents the growth of these microorganisms.

12) Disposal of Waste and Destroyed Product:

- a) Medical Marijuana waste will be made unusable and Unrecognizable prior to leaving the Facility.
 - i) Methods to make waste unusable and unrecognizable. Medical Marijuana waste will be rendered unusable and unrecognizable through one of the following methods unless another method is prescribed by the County of Humboldt or the State of California:
 - (1) Grinding and incorporating the marijuana waste with non-consumable, solid wastes listed below such that the resulting mixture is at least 50 percent non-marijuana waste:
 - (a) Non-recyclable solid waste;
 - (b) Food waste;
 - (c) Grease or other compostable oil waste;
 - (d) Bokashi, or other compost activators;
 - (e) Other wastes approved by the State Licensing Authority that will render the Medical Marijuana waste unusable and Unrecognizable as marijuana; and
 - (f) Soil.
 - ii) The methodology for destroying and disposing of Medical Marijuana may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.
 - ii) The methodology for destroying and disposing of Medical Marijuana may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.
- b) Records of destroyed product:
 - i) Records of destroyed raw materials and product will be kept and cross-referenced by batch number and SKU and/or other unique identifier. The weight or volume, as appropriate, will be recorded along with the method of disposal.

- ii) The methodology for recording destroyed Medical Marijuana may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.

Cultivation Plan

1) Basic Requirements

a) Water Quality, Conservation, & Use

- i) Description of water source, storage, irrigation plan, and projected water usage.

- (1) During the wet weather months, water will be supplied from approved on-site sources consisting of surface water diversion (subject to a Fish & Wildlife 1603 permit and enrollment in NCRWQCB Order No. R1-2015-0023 – Tier 2 initially). Quantities of water diverted for cultivation use are subject to limitations imposed by the SWRCB Division of Water Rights and the State Department of Fish & Wildlife.

- (2) During the forbearance period from May 15 through October 15, all surface water diversion for cultivation purposes will cease and water will be supplied by a new water-well to be located on the parcel. The well will be installed according to the requirements of County DEH.

- (3) At all times, water will be applied using no more than agronomic rates.

- (4) If required by Cal Fire, water will be stored on site for fire protection purposes in the requisite amounts.

- ii) A copy of the Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 2, is attached.

- iii) Because surface water diversion provides part of the water supply for irrigation of cannabis cultivation, the applicant consents to forebear from any such diversion during the period from May 15th to October 31st of each year. In lieu of establishing on-site water storage for retention of wet season flows sufficient to provide adequate irrigation water for the size of the area to be cultivated, water from a permitted well will be used to meet all water usage requirements. Forbearance from May 15th to October 31st of each year and water sourced from the well are at the heart of the Water

Management Plan that will be submitted to Fish & Wildlife as part of the 1603 Agreement.

- iv) An approval from the RWQCB has been obtained through enrollment pursuant to NCRWQB Order No. 2015-0023 and preparation of a Water Resources Protection Plan. The facility will comply with all measures required for the assigned Tier level.
 - v) Copies of the statement of water diversion, and/or other permits, licenses or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable, are attached to this Operation Plan & Manual.
 - vi) The applicant/operator 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 will not support diversions for irrigation.
- b) Drainage, Run-off, and Erosion Control:
- i) Drainage, Run-off, and Erosion Control will all be managed within the RWQCB's requirements for dischargers. Initially, the site has been registered as Tier 2 out of abundance of caution; however, because the cultivation facility is entirely enclosed, the operations may merit Tier reduction to Tier 2* or better in the future. The cultivation is to be located within a fully enclosed structure which prevents soil erosion, and any excess water used during cultivation will be recycled or evaporated instead of discharged. No cultivation water will be disposed of by discharge.
 - ii) Site maintenance, erosion control and drainage features may include the following:
 - (1) Roads will be maintained as appropriate (with adequate surfacing and drainage features) to avoid developing surface ruts, gullies, or surface erosion that results in sediment delivery to surface waters.
 - (2) Roads, driveways, trails, and other defined corridors for foot or vehicle traffic of any kind will have adequate ditch relief drains or rolling dips and/or other measures to prevent or minimize erosion along the flow paths and at their respective outlets.

- (3) Roads and other features will be maintained so that surface runoff drains away from potentially unstable slopes or earthen fills. Where road runoff cannot be drained away from an unstable feature, an engineered structure or system will be installed to ensure that surface flows will not cause slope failure.
 - (4) Roads, clearings, fill prisms, and terraced areas (cleared/developed areas with the potential for sediment erosion and transport) will be maintained so that they are hydrologically disconnected, as feasible, from surface waters, including wetlands, ephemeral, intermittent and perennial streams.
 - (5) Ditch relief drains, rolling dip outlets, and road pad or terrace surfaces will be maintained to promote infiltration/dispersal of outflows and have no apparent erosion or evidence of soil transport to receiving waters.
 - (6) Stockpiled construction materials will be stored in a location and manner so as to prevent their transport to receiving waters.
- c) Watershed and habitat protection:
- i) Watershed and habitat protection will be provided through compliance with within the RWQCB's and the Department of Fish & Wildlife's requirements associated with their respective permits and agreements.
- d) Storage of fertilizers, pesticides, and other regulated products:
- i) Storage of fertilizers, pesticides, and other regulated products used on the parcel will be in accordance with best practices, which include storage within an enclosed space to prevent surface water contamination.
- (1) Pesticides/Herbicides:
- (a) Under California law, the only pesticide products not illegal to use on cannabis are those that contain an active ingredient that is exempt from residue tolerance requirements and either registered and labeled for a broad enough use to include use on cannabis or exempt from registration requirements as a minimum risk pesticide under FIFRA section 25(b) and California Code of Regulations, title 3, section 6147. For the purpose of compliance with conditions of this Order, any uses of pesticide products will be consistent with product

labelling and any products on the site will be placed, used, and stored in a manner that ensures that they will not enter or be released into surface or ground waters.

(2) Fertilizers and Soil Amendments:

- (a) Fertilizers, potting soils, compost, and other soils and soil amendments will be stored in locations and in a manner in which they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater.
- (b) Fertilizers and soil amendments will be applied and used per packaging instructions and/or at proper agronomic rates.
- (c) Cultivation areas will be maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.

e) Electrical Power:

- i) The facility is not on the electrical grid. Generator power will not be used for artificial lighting to enhance cultivation. Generators will only be used for ancillary purposes. See “Electrical Generators” below for details.

f) Cultivation Activities:

- i) Cultivation activities are described as “Outdoor” as defined in Humboldt County’s CMMLUO.
- ii) Schedule of activities:
 - (1) Planting in April.
 - (2) Basic Plant Care April through September.
 - (3) Harvest October

g) Cultivation-related wastes

- i) Cultivation-related wastes including, but not limited to, empty soil bags, soil amendment bags, fertilizer bags and containers, empty plant pots or containers, dead or harvested plant waste, and spent growth medium will, for as long as they remain on the site, be stored at locations where they will not enter or be blown into surface waters, and in a manner that ensures that residues and pollutants within those materials do not migrate or leach into surface water or groundwaters.

h) Refuse and human waste

- i) Refuse and garbage will be stored in a location and manner that prevents its discharge to receiving waters and prevents any leachate or contact water from entering or percolating to receiving waters.
- ii) Garbage and refuse will be disposed of at an appropriate waste disposal location.

2) General Performance Requirements:

- a) Water Quality – See “Water Quality, Conservation, & Use” above.
- a) Setbacks –
 - i) The area of cannabis cultivation is located as shown on the application site plan, set back at least 30 feet from any property line, and more than 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, Public Park, or Tribal Cultural Resource.
 - ii) Cultivation areas and associated facilities observe all required setbacks from watercourses, wetlands and Environmentally Sensitive Habitat Areas, as described within sections 313-33 and 313-38 of the code, as well as applicable resource protection policies. Where enhanced, reduced, or modified watercourse or wetland setbacks have been agreed to by the operator and RWQCB under enrollment pursuant to NCRWQB Order No. 2015-0023 and/or preparation of a Water Resources Protection Plan, these may control and supersede any setback applied pursuant to 314-61.1.
- b) Land Use –
 - i) The cultivation is located on land with a zoning classification of TPZ, but only in non-timberland open areas.
- c) Chemical, Hazardous, and Dangerous Materials –
 - i) Operator will refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide. It is recognized that Hazardous materials and wastes from agricultural businesses are regulated by the Humboldt County Environmental Health Division, that administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA).

d) Electrical Generators:

i) Electrical Generators are planned to be used occasionally at this facility and the following guidelines will be adhered to:

- (1) Noise – The noise produced by the generator will not be audible by humans from neighboring residences. The decibel level for generators at the property line will be no more than 60 decibels. If applicable, sound levels will 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. We understand that conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary.
- (2) Storage of Fuel -- Fuel will be stored and handled in compliance with applicable state and local laws and regulations, and in such a way that no spillage occurs.

3) Cultivation Operations Performance Standards:

a) Labor:

- i) Pursuant to the MMRSA, Health and Safety Code section 19322(a)(9), the applicant hereby declares that it is a 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.”
- ii) In addition to the above declaration of status as an “Agricultural Employer” per Labor Code Sections 1140-1166.3, the applicant/employer hereby agrees to 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).

b) Processing Practices:

- i) After being harvested, cannabis is trimmed and hung to dry. After drying, the cannabis is taken to an adjoining processing facility where it is further

processed, cured and sorted. Great care is taken to maintain all work surfaces and equipment in a clean and sanitary condition. Protocols to prevent contamination of cannabis product with mold and mildew are strictly followed. Curing takes place in an environment with temperature and humidity control. The finished product is then moved to a secure location.

ii) Processing operations include the following Processing Practices:

- (1) Processing operations will be maintained in a clean and sanitary condition including all work surfaces and equipment.
- (2) Processing operations will implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
- (3) Employees handling cannabis in processing operations will have access to facemasks and gloves in good operable condition as applicable to their job function.
- (4) Employees will wash hands sufficiently when handling cannabis or use gloves.

c) Employee/Worker Safety

i) Regarding employees engaging in commercial cannabis cultivation and processing, the Applicant/Employer will comply with the following Employee Safety Practices:

- (1) Cultivation operations will implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;
 - (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (e) Materials handling policies;
 - (f) Job hazard analyses; and
 - (g) Personal protective equipment policies, including respiratory protection.

d) Emergency Contact List:

- i) The employer will visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts;
 - (3) Poison control contacts.
- e) Safe Drinking Water, Toilets, & Sanitary Facilities:
 - i) At all times, employees will have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. The employer will contract with an appropriate temporary sanitation facilities services provider to provide and maintain toilet and hand-washing facilities in accordance with the requirements of Cal-OSHA and ADA/California Accessibility regulations.
- f) On-Site Housing:
 - i) Any and all on site-housing provided to employees, if any, will comply with all applicable federal, state, and local laws and regulations. There is no intent to provide on-site housing at this time.

PROJECT: APPS #: 10553
 APN: 107-236-010
 Applicant: Innovation West DBA Panther Gap Farms

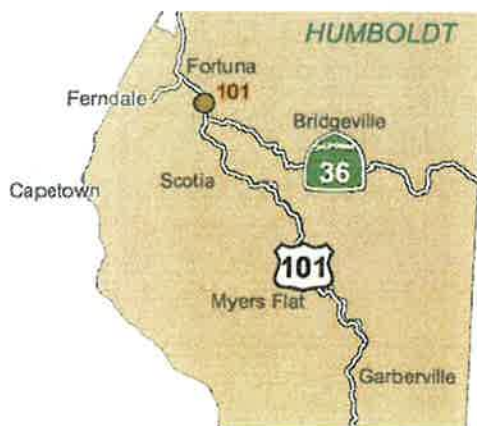
GENERAL: This Addendum No. 1 supplements the previously submitted Operations Manual for the above referenced project.

This addendum consists of 2 page(s).

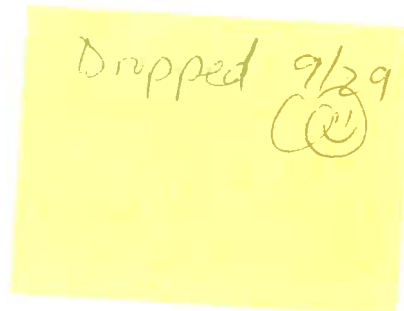
ADDENDUM No. 1:

1. Employee Transportation Plan:

- a. Vehicle trips to the project site will be reduced through carpooling. Initially, employees will park at the Fortuna park-and-ride, or other convenient locations, and consolidate into as few vehicles as practical to shuttle employees to and from the project site for work. It is anticipated that only one or two vehicles will be needed to transport employees to and from work. There is adequate parking for the vehicles onsite.



LOT ID	COUNTY	ROUTE	POSTMILE	NAME
101	HUM	101	59.9	FORTUNA



2. Soils Management Plan:

- a. Soils used for cultivation will be re-fortified after harvest so that it may be used again for future cultivation, and the cycle repeated as many times as feasible to minimize the amount of imported soil necessary. In the event that soil cannot be reused, it will be disposed of appropriately as solid waste.

3. Projected Water Usage:

- a. The chart below shows the projected water usage in gallons listed underneath the corresponding month.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
6,200	5,600	6,200	6,000	26,040	25,200	26,040	26,040	25,200	26,040	6,000	6,200

INNOVATION WEST
Dba Panther Gap Farms

Medical Cannabis Outdoor Cultivation Facility

Panther Gap Road, Honeydew, CA

APN: 107-236-11

Outdoor Cultivation Operations Plan

Revised 6/20/2017

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OPERATIONS PLAN & MANUAL

1) County's Access to the Facility:

- a) All facility personnel will cooperate fully with all conditions in the Use Permit and Use Permit Application requiring that the County, its agents, and employees, be granted access to the facility to seek verification of the information contained within the conditional use permit, permit applications, the Operations Manual, and the Operating Standards at any time before or after the conditional use permit is issued.
- b) The Humboldt County Sheriff's Department will be authorized to have 24 hour access to the facility's security surveillance video.

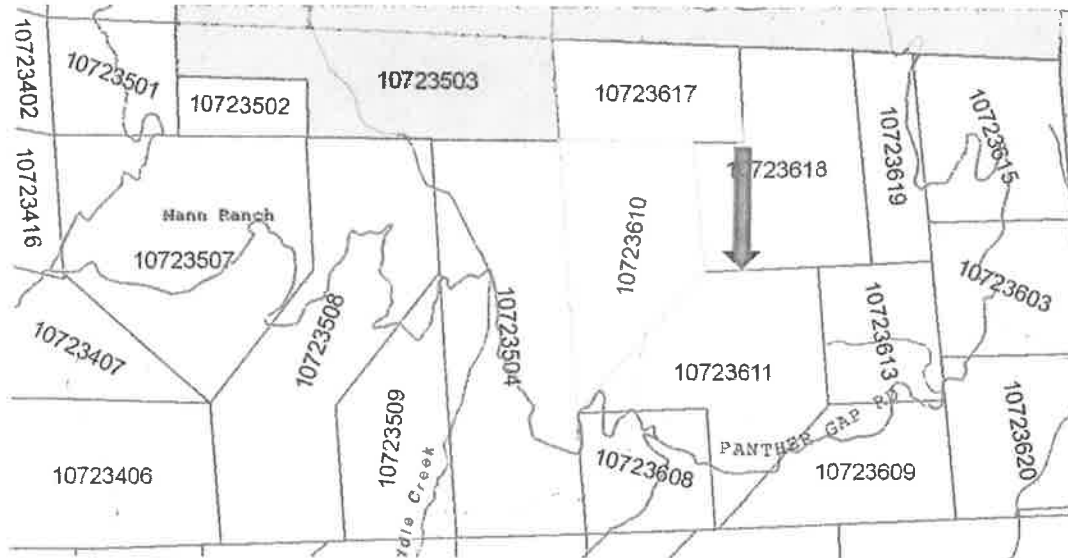
2) Staffing & Staff Screening Processes

- a) The facility will require 1 to 3 FTE employees depending on workload.
- b) All candidates for staff positions will undergo criminal background checks as part of the standard screening process. To the maximum effect allowed by California and federal employment law, candidates with a criminal history or a history of drug abuse will be screened from employment.

3) Days and Hours of Operation

- a) The facility is not open to the public and will not accept visitors without a specific business purpose.
- b) Hours of operation will typically be from 7 AM to 7 PM; however, during periods of seasonally high workload, the hours of operations within the facility may increase to 16 hours per day. Commercial activities such as shipping and receiving will be limited to 8:00 AM to 6:00 PM. Due to the remote location of the facility and the limited commercial activity window, there are anticipated to be no significant noise or traffic impacts upon the occupants of neighboring properties.

4) Location Map



5) Security Measures

- a) The security measures located on the premises will include the following:
 - i) Lighting -- outdoor lighting will be controlled by photocell switching, timers, infrared motion sensors and/or other state-of-the-art control systems to provide an appropriate light level at the exterior of the facilities to ensure that personnel and the video surveillance system can effectively monitor the space in and around the facility at all times. Exterior lighting will be directed so as to not pose a nuisance to neighboring properties.
 - ii) Alarm -- A security/burglar alarm system will be installed and operated at all appropriate times within the facility. When technologically feasible, this system will be monitored by a third-party remote central control station which will have the responsibility for automatically providing notification to law enforcement of any breach in the facility's security system.
 - iii) Access Control -- All entrances to the occupied building space of the facility will be restricted by an access control system. 24 hour access to the facility by emergency responders (Fire Dept.) will be provided via a Knox Box.
 - iv) The Safety of Staff -- working in concert together, the access control system, lighting, and alarm system, will provide a secure and protected facility for the staff to occupy.
 - v) The security measures will secure the medical marijuana against diversion for non-medical purposes by protecting against theft not only from

intruders, but also from staff members and visitors. This is done by limiting access into the facility as necessary and by surveillance monitoring of personnel and visitors at all times when in close proximity to the product. Strict inventory control measures will also be engaged to prevent and detect diversion.

- vi) All Medical Marijuana other than lab samples will be transported to State licensed and/or locally permitted licensed medical cannabis wholesale, distribution, or manufacturing companies by a State licensed and/or locally permitted licensed transport company.

6) Customer Screening, Registration, and Validation Process and Procedures.

- a) The facility is for the purpose of cultivation only, and all products will be sold to State licensed facilities on a wholesale basis. As this is the case, the facility will not be open to the public and will not accept visitors without a specific pre-authorized business purpose. Only authorized representatives of state licensed customer facilities and appropriately licensed vendors will be allowed to enter the facility and be in close proximity to medical cannabis, but in all cases supervised at all times. Any other vendors or maintenance workers allowed in the facility will be at all times escorted and sequestered from the finished products and harvested materials.

7) Inventory control processes and procedures

- a) The facilities inventory control process includes tracking of all incoming seedlings, including the name and state license number of the cultivator, the testing lab data (as applicable), the strain, the supplier's product tracking identification data, and bill of lading from the transport company or nursery.
- b) All incoming plants will be assigned a unique number or identifier that can be cross-referenced to the above referenced data and stays with the product through the cultivation, harvesting, off-site processing, and to final sale to our authorized customers.
- c) All outgoing product will be tracked by SKU, batch number, invoice, and shipping documents; unless the product is not for sale and will be destroyed.

The process for documenting product to be destroyed is described separately in this manual.

- d) The methodologies for tracking and Inventory Control of Medical Marijuana may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.

8) Not Used

9) Description of chemicals stored or discharged:

- a) The facility does not currently intend to handle any hazardous materials in amounts requiring a Hazardous Material Business Plan (HMBP); however, if the facility handles any non-exempt hazardous materials, it will register its hazardous materials with the local agency using the Hazardous Materials/Waste Registration Form so that the local agency can evaluate the storage or use and give notice of any permits or storage/use fees that may apply.
- b) If the facility begins to handle any individual hazardous material or mixture containing a hazardous material which has a quantity at any time during the reporting year equal to or greater than those listed below, it will complete a Hazardous Material Business Plan (HMBP) and submit a copy to the local agency (Humboldt County DHHS Division of Environmental Health):
 - i) 500 pounds for solid hazardous materials. [H&SC §25503.5(a)]
 - ii) The following amounts for liquid hazardous materials:
 - (a) Lubricating oil as defined by H&SC §25503.5(b)(2)(B): 55 gallons of any type or 275 gallons aggregate quantity on site. H&SC §25503.5(b)(2)(A)]
 - (b) All others, including waste oil: 55 gallons. [H&SC §25503.5(a)]
 - iii) The following amounts of hazardous material gases:
 - (a) Oxygen, Nitrogen, or Nitrous Oxide stored/handled at a physician, dentist, podiatrist, veterinarian, or pharmacist's place of business: 1,000 cubic feet of each material on site. [H&SC §25503.5(b)(1)]
 - (b) All others: 200 cubic feet. [H&SC §25503.5(a)]

- iv) Amounts of radioactive materials requiring an emergency plan under Parts 30, 40, or 70 of Title 10 Code of Federal Regulations or equal to or greater than applicable amounts specified in items 1, 2, or 3, above, whichever amount is smaller. [H&SC §25503.5(a)]
 - v) Applicable federal threshold planning quantities for extremely hazardous substances listed in 40 CFR Part 355, Appendix A.
- c) Disposal of any chemical, dangerous, or hazardous waste will be conducted in a manner consistent with federal, state and local laws, regulations, rules or other requirements. Any waste solvents or other chemicals will be handled and disposed of properly by *Safety-Kleen* or another highly qualified and properly licensed contractor.

10) **Quality/consumer safety control processes, procedures, and documentation.**

- a) Product Quality Control:
 - i) In addition to meeting all State and local requirements for product quality control, the standard procedures for operation will include the following:
 - (1) Samples from each batch of finished products will be screened and tested by a State licensed and/or locally permitted licensed independent laboratory for pesticides, mold, and other undesirable qualities prior to release for sale to wholesalers and retailers.
 - (2) Documentation of all lab test results will be kept on file.
- b) Packaging:
 - i) All final packaging of processed goods will meet State requirements for packaging. In advance of State requirements being issued, the facility will follow the following guidelines:
 - (1) Because the processing into finished product and packaging will be performed at an off-site location by a permitted processing/manufacturing facility, no packaging will be performed at the cultivation facility. As such is the case, packaging operations are not applicable to this operation and permit.

11) **Health and Safety:**

a) Training.

- i) Prior to engaging in the harvesting of any product, the Licensee will have an owner or employee who has successfully passed an approved and accredited food safety certification examination as specified in Sections 113947.2 and 113947.3 of the California Retail Food Code. Food safety certification will be achieved by successfully passing an examination from an accredited food protection manager certification organization. The certification organization will be accredited by the American National Standards Institute as meeting the requirements of the Conference for Food Protection's "Standards for Accreditation of Food Protection Manager Certification Programs."

b) Employee Knowledge:

- i) All employees will have adequate knowledge of, and will be properly trained in, food safety as it relates to their assigned duties.
- ii) There will be at least one food safety certified owner or employee at the facility responsible for setting policy and providing training to employees. The certified owner or employee need not be present at the food facility during all hours of operation.
- iii) The certified owner or employee will be responsible for ensuring that all employees who handle, or have responsibility for handling harvested medical marijuana, have sufficient knowledge to ensure the safe handling of the product. The nature and extent of the knowledge that each employee is required to have may be tailored, as appropriate, to the employee's duties.

c) Physical Plant Inspection:

- i) The Facility will welcome inspection of the Medical Marijuana cultivation center by the local fire department, building inspector, or code enforcement officer to confirm that no health or safety concerns are present. It is understood that the inspections may result in additional specific standards to meet local jurisdiction restrictions related to Medical Marijuana. An annual fire safety inspection may result in the required installation of fire suppression devices, or other means necessary for adequate fire safety.

d) Sanitary Conditions:

The Facility will take all reasonable measures and precautions to ensure the following:

- i) That any person who, by medical examination or supervisory observation, is shown to have, or appears to have, an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination for whom there is a reasonable possibility of contact with Medical Marijuana will be excluded from any operations which may be expected to result in contamination until the condition is corrected;
- ii) Hand-washing facilities will be adequate and convenient and be furnished with running water. Hand-washing facilities will be located at the Facility and where good sanitary practices require employees to wash or sanitize their hands, and provide effective hand-cleaning and sanitizing preparations and sanitary towel service or suitable drying devices;
- iii) That all persons working in direct contact with Medical Marijuana will conform to hygienic practices while on duty, including but not limited to:
 - (1) Maintaining adequate personal cleanliness;
 - (2) Washing hands thoroughly in an adequate hand-washing area(s) before starting work and at any other time when the hands may have become soiled or contaminated; and
 - (3) Refraining from having direct contact with Medical Marijuana if the person has or may have an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, until such condition is corrected.
- iv) That litter and waste are properly removed and the operating systems for waste disposal are maintained in an adequate manner so that they do not constitute a source of contamination in areas where Medical Marijuana is exposed;
- v) That there is appropriate lighting in all areas where Medical Marijuana are stored, and where equipment or utensils are cleaned;
- vi) That there is adequate screening or other protection against the entry of pests. Rubbish will be disposed of so as to minimize the development of odor and minimize the potential for the waste becoming an attractant, harborage, or breeding place for pests;
- vii) That fixtures and other facilities are maintained in a sanitary condition;

- viii) That toxic cleaning compounds, sanitizing agents, and other chemicals will be identified, held, stored and disposed of in a manner that protects against contamination of Medical Marijuana in a manner that is in accordance with any applicable local, state or federal law, rule, regulation or ordinance;
- ix) That all operations will be conducted in accordance with adequate sanitation principles;
- x) That employees are provided with adequate and readily accessible toilet facilities that are maintained in a sanitary condition and good repair; and
- xi) That Medical Marijuana that can support the rapid growth of undesirable microorganisms are held in a manner that prevents the growth of these microorganisms.

12) Solid Waste:

- a) Refuse will be sorted to divert recyclables such as paper, plastic, glass, and metals from the waste stream. Those recyclables will be taken to a recycling center for recycling.
- b) The remaining solid wastes will be collected and deposited into a solid waste receptacle for temporary storage, which will be kept covered. The solid waste will be removed from the site no less frequently than weekly and disposed of at an authorized waste transfer facility.

13) Disposal of Waste and Destroyed Product:

- a) Medical Marijuana waste will be made unusable and Unrecognizable prior to leaving the Facility.
 - i) Methods to make waste unusable and unrecognizable. Medical Marijuana waste will be rendered unusable and unrecognizable through one of the following methods unless another method is prescribed by the County of Humboldt or the State of California:
 - (1) Grinding and incorporating the marijuana waste with non-consumable, solid wastes listed below such that the resulting mixture is at least 50 percent non-marijuana waste:
 - (a) Non-recyclable solid waste;
 - (b) Grease or other compostable oil waste;
 - (c) Bokashi, or other compost activators;

- (d) Other wastes approved by the State Licensing Authority that will render the Medical Marijuana waste unusable and Unrecognizable as marijuana; and
 - (e) Soil.
 - ii) The methodology for destroying and disposing of Medical Marijuana may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.
- b) Records of destroyed product:
- i) Records of destroyed raw materials and product will be kept and cross-referenced by batch number and SKU and/or other unique identifier. The weight or volume, as appropriate, will be recorded along with the method of disposal.
 - ii) The methodology for recording destroyed Medical Marijuana may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.

Cultivation Plan

1) Basic Requirements

- a) Water Quality, Conservation, & Use
 - i) Description of water source, storage, irrigation plan, and projected water usage.
 - (1) During the wet weather months, water will be supplied from approved sources consisting of surface water diversion (subject to a Fish & Wildlife 1603 permit and enrollment in NCRWQCB Order No. R1-2015-0023 – Tier 2 initially). Quantities of water diverted for cultivation use are subject to limitations imposed by the SWRCB Division of Water Rights and the State Department of Fish & Wildlife.
 - (2) During the forbearance period from May 15 through October 15, all surface water diversion for cultivation purposes will cease and water will be supplied by a new water-well to be located on the parcel. The well will be installed according to the requirements of County DEH. No water is intended nor required to be stored for use during the forbearance period.

- (3) At all times, water will be applied using no more than agronomic rates.
 - (4) If required by Cal Fire, water will be stored on site for fire protection purposes in the requisite amounts.
 - ii) A copy of the Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 2, is attached.
 - iii) Because surface water diversion provides part of the water supply for irrigation of cannabis cultivation, the applicant consents to forebear from any such diversion during the period from May 15th to October 31st of each year. In lieu of establishing on-site water storage for retention of wet season flows sufficient to provide adequate irrigation water for the size of the area to be cultivated, water from the existing permitted well will be used to meet all water usage requirements. Forbearance from May 15th to October 31st of each year and water sourced from the well are at the heart of the Water Management Plan that will be submitted to Fish & Wildlife as part of the 1603 Agreement.
 - iv) An approval from the RWQCB has been obtained through enrollment pursuant to NCRWQB Order No. 2015-0023 and preparation of a Water Resources Protection Plan. The facility will comply with all measures required for the assigned Tier level.
 - v) Copies of the statement of water diversion, and/or other permits, licenses or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable, are attached to this Operation Plan & Manual.
 - vi) The applicant/operator 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 will not support diversions for irrigation.
- b) Drainage, Run-off, and Erosion Control:
- i) Drainage, Run-off, and Erosion Control will all be managed within the RWQCB's requirements for dischargers. Initially, the site has been registered as Tier 2 out of abundance of caution; however, because the outdoor facility is entirely enclosed, the operations may merit Tier reduction

to Tier 2* or better in the future. The cultivation is to be located within an existing fully enclosed structure which prevents soil erosion, and any excess water used during cultivation will be recycled or evaporated instead of discharged. No cultivation water will be disposed of by discharge.

ii) Site maintenance, erosion control and drainage features may include the following:

- (1) Roads will be maintained as appropriate (with adequate surfacing and drainage features) to avoid developing surface ruts, gullies, or surface erosion that results in sediment delivery to surface waters.
- (2) Roads, driveways, trails, and other defined corridors for foot or vehicle traffic of any kind will have adequate ditch relief drains or rolling dips and/or other measures to prevent or minimize erosion along the flow paths and at their respective outlets.
- (3) Roads and other features will be maintained so that surface runoff drains away from potentially unstable slopes or earthen fills. Where road runoff cannot be drained away from an unstable feature, an engineered structure or system will be installed to ensure that surface flows will not cause slope failure.
- (4) Roads, clearings, fill prisms, and terraced areas (cleared/developed areas with the potential for sediment erosion and transport) will be maintained so that they are hydrologically disconnected, as feasible, from surface waters, including wetlands, ephemeral, intermittent and perennial streams.
- (5) Ditch relief drains, rolling dip outlets, and road pad or terrace surfaces will be maintained to promote infiltration/dispersal of outflows and have no apparent erosion or evidence of soil transport to receiving waters.
- (6) Stockpiled construction materials will be stored in a location and manner so as to prevent their transport to receiving waters.

c) Watershed and habitat protection:

- i) Watershed and habitat protection will be provided through compliance with within the RWQCB's and the Department of Fish & Wildlife's requirements associated with their respective permits and agreements.

- d) Storage of fertilizers, pesticides, and other regulated products:
 - i) Storage of fertilizers, pesticides, and other regulated products used on the parcel will be in accordance with best practices, which include storage within an enclosed space to prevent surface water contamination.
 - (1) Pesticides/Herbicides:
 - (a) Under California law, the only pesticide products not illegal to use on cannabis are those that contain an active ingredient that is exempt from residue tolerance requirements and either registered and labeled for a broad enough use to include use on cannabis or exempt from registration requirements as a minimum risk pesticide under FIFRA section 25(b) and California Code of Regulations, title 3, section 6147. For the purpose of compliance with conditions of this Order, any uses of pesticide products will be consistent with product labelling and any products on the site will be placed, used, and stored in a manner that ensures that they will not enter or be released into surface or ground waters.
 - (2) Fertilizers and Soil Amendments:
 - (a) Fertilizers, potting soils, compost, and other soils and soil amendments will be stored in locations and in a manner in which they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater.
 - (b) Fertilizers and soil amendments will be applied and used per packaging instructions and/or at proper agronomic rates.
 - (c) Cultivation areas will be maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.
- e) Electrical Power:
 - i) The facility is not on the electrical grid. See “Electrical Generators” below for details.
- f) Cultivation Activities:
 - i) Cultivation activities are described as “outdoor” as defined in Humboldt County’s CMMLUO.
 - ii) Schedule of activities:

- (1) Planting in April and July.
- (2) Basic Plant Care April through September.
- (3) Harvest July and October

g) Cultivation-related wastes

- i) Cultivation-related wastes including, but not limited to, empty soil bags, soil amendment bags, fertilizer bags and containers, empty plant pots or containers, dead or harvested plant waste, and spent growth medium will, for as long as they remain on the site, be stored at locations where they will not enter or be blown into surface waters, and in a manner that ensures that residues and pollutants within those materials do not migrate or leach into surface water or groundwaters.

h) Refuse and human waste

- i) Refuse and garbage will be stored in a location and manner that prevents its discharge to receiving waters and prevents any leachate or contact water from entering or percolating to receiving waters.
- ii) Garbage and refuse will be disposed of at an appropriate waste disposal location.

2) General Performance Requirements:

- a) Water Quality – See “Water Quality, Conservation, & Use” above.

a) Setbacks –

- i) The area of cannabis cultivation is located as shown on the application site plan, set back at least 30 feet from any property line, and more than 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, Public Park, or Tribal Cultural Resource.
- ii) Cultivation areas and associated facilities observe all required setbacks from watercourses, wetlands and Environmentally Sensitive Habitat Areas, as described within sections 313-33 and 313-38 of the code, as well as applicable resource protection policies. Where enhanced, reduced, or modified watercourse or wetland setbacks have been agreed to by the operator and RWQCB under enrollment pursuant to NCRWQB Order No.

2015-0023 and/or preparation of a Water Resources Protection Plan, these may control and supersede any setback applied pursuant to 314-61.1.

b) Land Use –

- i) The cultivation is not located on land designated for timberland; therefore, a 3 acre conversion is not required.

c) Chemical, Hazardous, and Dangerous Materials –

- i) Operator will refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide. It is recognized that Hazardous materials and wastes from agricultural businesses are regulated by the Humboldt County Environmental Health Division, that administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA).

d) Electrical Generators:

- i) Electrical Generators will be used at this facility only on an occasional basis for maintenance purposes and the following guidelines will be adhered to:
 - (1) Noise – The noise produced by the generator used for cannabis cultivation will not be audible by humans from neighboring residences. The decibel level for generators at the property line will be no more than 60 decibels. If applicable, sound levels will 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. We understand that conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary.
 - (2) Storage of Fuel -- Fuel will be stored and handled in compliance with applicable state and local laws and regulations, and in such a way that no spillage occurs.
 - (3) The Generator(s) and its operation will meet all requirements of the North Coast Unified Air Quality Management District including registration and permitting as applicable.

3) Cultivation Operations Performance Standards:

- a) Labor:
 - i) Pursuant to the MMRSA, Health and Safety Code section 19322(a)(9), the applicant hereby declares that it is a 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.”
 - ii) In addition to the above declaration of status as an “Agricultural Employer” per Labor Code Sections 1140-1166.3, the applicant/employer hereby agrees to 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).
- b) Processing Practices:
 - i) Processing is not intended to be performed on site. All processing will be performed off-site at a facility permitted under the Humboldt County CMMLUO and licensed by the State of California as applicable.
- c) Employee/Worker Safety
 - i) Regarding employees engaging in commercial cannabis cultivation and processing, the Applicant/Employer will comply with the following Employee Safety Practices:
 - (1) Cultivation operations will implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;
 - (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (e) Materials handling policies;
 - (f) Job hazard analyses; and
 - (g) Personal protective equipment policies, including respiratory protection.

d) Emergency Contact List:

i) The employer will visibly post and maintain an emergency contact list which includes at a minimum:

- (1) Operation manager contacts;
- (2) Emergency responder contacts;
- (3) Poison control contacts.

e) Safe Drinking Water, Toilets, & Sanitary Facilities:

i) At all times, employees will have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. The employer will contract with an appropriate temporary sanitation facilities services provider to provide and maintain toilet and hand-washing facilities in accordance with the requirements of Cal-OSHA and ADA/California Accessibility regulations.

f) On-Site Housing:

i) Any and all on site-housing provided to employees, if any, will comply with all applicable federal, state, and local laws and regulations. There is no intent to provide on-site housing at this time.

Revised 6/20/17
#10552

INNOVATION WEST
Dba Panther Gap Farms

Medical Cannabis Outdoor Cultivation Facility

Panther Gap Road, Honeydew, CA

APN: 107-236-10

Revised

Outdoor Cultivation Operations Plan

Revised 6/20/2017

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OPERATIONS PLAN & MANUAL

1) County's Access to the Facility:

- a) All facility personnel will cooperate fully with all conditions in the Use Permit and Use Permit Application requiring that the County, its agents, and employees, be granted access to the facility to seek verification of the information contained within the conditional use permit, permit applications, the Operations Manual, and the Operating Standards at any time before or after the conditional use permit is issued.
- b) The Humboldt County Sheriff's Department will be authorized to have 24 hour access to the facility's security surveillance video.

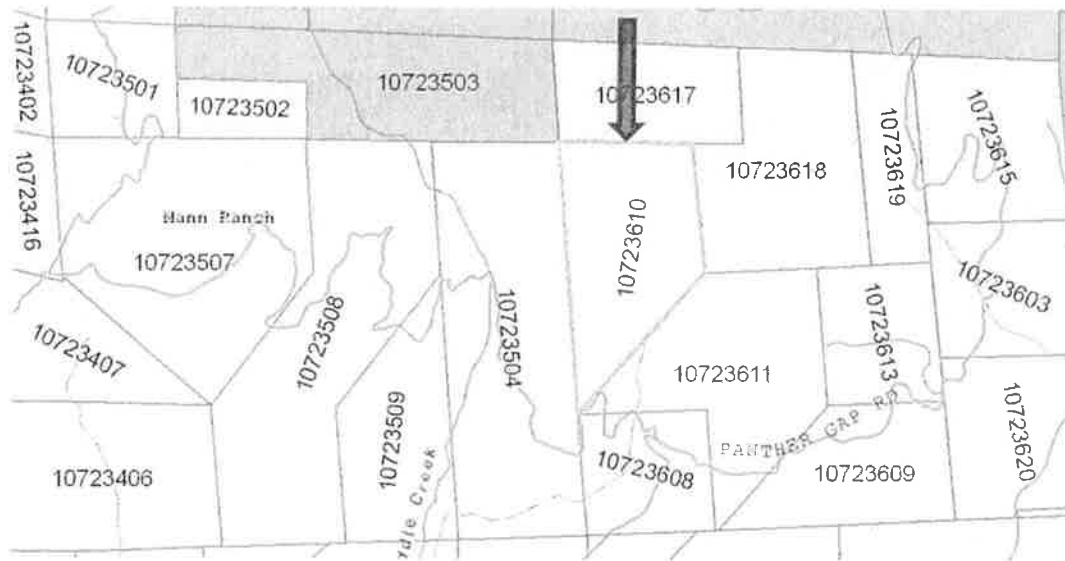
2) Staffing & Staff Screening Processes

- a) The facility will require 1 to 3 FTE employees depending on workload.
- b) All candidates for staff positions will undergo criminal background checks as part of the standard screening process. To the maximum effect allowed by California and federal employment law, candidates with a criminal history or a history of drug abuse will be screened from employment.

3) Days and Hours of Operation

- a) The facility is not open to the public and will not accept visitors without a specific business purpose.
- b) Hours of operation will typically be from 7 AM to 7 PM; however, during periods of seasonally high workload, the hours of operations within the facility may increase to 16 hours per day. Commercial activities such as shipping and receiving will be limited to 8:00 AM to 6:00 PM. Due to the remote location of the facility and the limited commercial activity window, there are anticipated to be no significant noise or traffic impacts upon the occupants of neighboring properties.

4) Location Map



5) Security Measures

- a) The security measures located on the premises will include the following:
 - i) Lighting -- outdoor lighting will be controlled by photocell switching, timers, infrared motion sensors and/or other state-of-the-art control systems to provide an appropriate light level at the exterior of the facilities to ensure that personnel and the video surveillance system can effectively monitor the space in and around the facility at all times. Exterior lighting will be directed so as to not pose a nuisance to neighboring properties.
 - ii) Alarm -- A security/burglar alarm system will be installed and operated at all appropriate times within the facility. When technologically feasible, this system will be monitored by a third-party remote central control station which will have the responsibility for automatically providing notification to law enforcement of any breach in the facility's security system.
 - iii) Access Control -- All entrances to the occupied building space of the facility will be restricted by an access control system. 24 hour access to the facility by emergency responders (Fire Dept.) will be provided via a Knox Box.
 - iv) The Safety of Staff -- working in concert together, the access control system, lighting, and alarm system, will provide a secure and protected facility for the staff to occupy.
 - v) The security measures will secure the medical marijuana against diversion for non-medical purposes by protecting against theft not only from intruders, but also from staff members and visitors. This is done by limiting

access into the facility as necessary and by surveillance monitoring of personnel and visitors at all times when in close proximity to the product. Strict inventory control measures will also be engaged to prevent and detect diversion.

- vi) All Medical Marijuana other than lab samples will be transported to State licensed and/or locally permitted licensed medical cannabis wholesale, distribution, or manufacturing companies by a State licensed and/or locally permitted licensed transport company.

6) Customer Screening, Registration, and Validation Process and Procedures.

- a) The facility is for the purpose of cultivation only, and all products will be sold to State licensed facilities on a wholesale basis. As this is the case, the facility will not be open to the public and will not accept visitors without a specific pre-authorized business purpose. Only authorized representatives of state licensed customer facilities and appropriately licensed vendors will be allowed to enter the facility and be in close proximity to medical cannabis, but in all cases supervised at all times. Any other vendors or maintenance workers allowed in the facility will be at all times escorted and sequestered from the finished products and harvested materials.

7) Inventory control processes and procedures

- a) The facilities inventory control process includes tracking of all incoming seedlings, including the name and state license number of the cultivator, the testing lab data (as applicable), the strain, the supplier's product tracking identification data, and bill of lading from the transport company or nursery.
- b) All incoming plants will be assigned a unique number or identifier that can be cross-referenced to the above referenced data and stays with the product through the cultivation, harvesting, off-site processing, and to final sale to our authorized customers.
- c) All outgoing product will be tracked by SKU, batch number, invoice, and shipping documents; unless the product is not for sale and will be destroyed.

The process for documenting product to be destroyed is described separately in this manual.

- d) The methodologies for tracking and Inventory Control of Medical Marijuana may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.

8) Not Used

9) Description of chemicals stored or discharged:

- a) The facility does not currently intend to handle any hazardous materials in amounts requiring a Hazardous Material Business Plan (HMBP); however, if the facility handles any non-exempt hazardous materials, it will register its hazardous materials with the local agency using the Hazardous Materials/Waste Registration Form so that the local agency can evaluate the storage or use and give notice of any permits or storage/use fees that may apply.
- b) If the facility begins to handle any individual hazardous material or mixture containing a hazardous material which has a quantity at any time during the reporting year equal to or greater than those listed below, it will complete a Hazardous Material Business Plan (HMBP) and submit a copy to the local agency (Humboldt County DHHS Division of Environmental Health):
 - i) 500 pounds for solid hazardous materials. [H&SC §25503.5(a)]
 - ii) The following amounts for liquid hazardous materials:
 - (a) Lubricating oil as defined by H&SC §25503.5(b)(2)(B): 55 gallons of any type or 275 gallons aggregate quantity on site. [H&SC §25503.5(b)(2)(A)]
 - (b) All others, including waste oil: 55 gallons. [H&SC §25503.5(a)]
 - iii) The following amounts of hazardous material gases:
 - (a) Oxygen, Nitrogen, or Nitrous Oxide stored/handled at a physician, dentist, podiatrist, veterinarian, or pharmacist's place of business: 1,000 cubic feet of each material on site. [H&SC §25503.5(b)(1)]
 - (b) All others: 200 cubic feet. [H&SC §25503.5(a)]

- iv) Amounts of radioactive materials requiring an emergency plan under Parts 30, 40, or 70 of Title 10 Code of Federal Regulations or equal to or greater than applicable amounts specified in items 1, 2, or 3, above, whichever amount is smaller. [H&SC §25503.5(a)]
- v) Applicable federal threshold planning quantities for extremely hazardous substances listed in 40 CFR Part 355, Appendix A.
- c) Disposal of any chemical, dangerous, or hazardous waste will be conducted in a manner consistent with federal, state and local laws, regulations, rules or other requirements. Any waste solvents or other chemicals will be handled and disposed of properly by *Safety-Kleen* or another highly qualified and properly licensed contractor.

10) Quality/consumer safety control processes, procedures, and documentation.

- a) Product Quality Control:
 - i) In addition to meeting all State and local requirements for product quality control, the standard procedures for operation will include the following:
 - (1) Samples from each batch of finished products will be screened and tested by a State licensed and/or locally permitted licensed independent laboratory for pesticides, mold, and other undesirable qualities prior to release for sale to wholesalers and retailers.
 - (2) Documentation of all lab test results will be kept on file.
- b) Packaging:
 - i) All final packaging of processed goods will meet State requirements for packaging. In advance of State requirements being issued, the facility will follow the following guidelines:
 - (1) Because the processing into finished product and packaging will be performed at an off-site location by a permitted processing/manufacturing facility, no packaging will be performed at the cultivation facility. As such is the case, packaging operations are not applicable to this operation and permit.

11) Health and Safety:

a) Training.

- i) Prior to engaging in the harvesting of any product, the Licensee will have an owner or employee who has successfully passed an approved and accredited food safety certification examination as specified in Sections 113947.2 and 113947.3 of the California Retail Food Code. Food safety certification will be achieved by successfully passing an examination from an accredited food protection manager certification organization. The certification organization will be accredited by the American National Standards Institute as meeting the requirements of the Conference for Food Protection's "Standards for Accreditation of Food Protection Manager Certification Programs."

b) Employee Knowledge:

- i) All employees will have adequate knowledge of, and will be properly trained in, food safety as it relates to their assigned duties.
- ii) There will be at least one food safety certified owner or employee at the facility responsible for setting policy and providing training to employees. The certified owner or employee need not be present at the food facility during all hours of operation.
- iii) The certified owner or employee will be responsible for ensuring that all employees who handle, or have responsibility for handling harvested medical marijuana, have sufficient knowledge to ensure the safe handling of the product. The nature and extent of the knowledge that each employee is required to have may be tailored, as appropriate, to the employee's duties.

c) Physical Plant Inspection:

- i) The Facility will welcome inspection of the Medical Marijuana cultivation center by the local fire department, building inspector, or code enforcement officer to confirm that no health or safety concerns are present. It is understood that the inspections may result in additional specific standards to meet local jurisdiction restrictions related to Medical Marijuana. An annual fire safety inspection may result in the required installation of fire suppression devices, or other means necessary for adequate fire safety.

d) Sanitary Conditions:

The Facility will take all reasonable measures and precautions to ensure the following:

- i) That any person who, by medical examination or supervisory observation, is shown to have, or appears to have, an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination for whom there is a reasonable possibility of contact with Medical Marijuana will be excluded from any operations which may be expected to result in contamination until the condition is corrected;
- ii) Hand-washing facilities will be adequate and convenient and be furnished with running water. Hand-washing facilities will be located at the Facility and where good sanitary practices require employees to wash or sanitize their hands, and provide effective hand-cleaning and sanitizing preparations and sanitary towel service or suitable drying devices;
- iii) That all persons working in direct contact with Medical Marijuana will conform to hygienic practices while on duty, including but not limited to:
 - (1) Maintaining adequate personal cleanliness;
 - (2) Washing hands thoroughly in an adequate hand-washing area(s) before starting work and at any other time when the hands may have become soiled or contaminated; and
 - (3) Refraining from having direct contact with Medical Marijuana if the person has or may have an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, until such condition is corrected.
- iv) That litter and waste are properly removed and the operating systems for waste disposal are maintained in an adequate manner so that they do not constitute a source of contamination in areas where Medical Marijuana is exposed;
- v) That there is appropriate lighting in all areas where Medical Marijuana are stored, and where equipment or utensils are cleaned;
- vi) That there is adequate screening or other protection against the entry of pests. Rubbish will be disposed of so as to minimize the development of odor and minimize the potential for the waste becoming an attractant, harborage, or breeding place for pests;
- vii) That fixtures and other facilities are maintained in a sanitary condition;

- viii) That toxic cleaning compounds, sanitizing agents, and other chemicals will be identified, held, stored and disposed of in a manner that protects against contamination of Medical Marijuana in a manner that is in accordance with any applicable local, state or federal law, rule, regulation or ordinance;
- ix) That all operations will be conducted in accordance with adequate sanitation principles;
- x) That employees are provided with adequate and readily accessible toilet facilities that are maintained in a sanitary condition and good repair; and
- xi) That Medical Marijuana that can support the rapid growth of undesirable microorganisms are held in a manner that prevents the growth of these microorganisms.

12) Solid Waste:

- a) Refuse will be sorted to divert recyclables such as paper, plastic, glass, and metals from the waste stream. Those recyclables will be taken to a recycling center for recycling.
- b) The remaining solid wastes will be collected and deposited into a solid waste receptacle for temporary storage, which will be kept covered. The solid waste will be removed from the site no less frequently than weekly and disposed of at an authorized waste transfer facility.

13) Disposal of Waste and Destroyed Product:

- a) Medical Marijuana waste will be made unusable and Unrecognizable prior to leaving the Facility.
 - i) Methods to make waste unusable and unrecognizable. Medical Marijuana waste will be rendered unusable and unrecognizable through one of the following methods unless another method is prescribed by the County of Humboldt or the State of California:
 - (1) Grinding and incorporating the marijuana waste with non-consumable, solid wastes listed below such that the resulting mixture is at least 50 percent non-marijuana waste:
 - (a) Non-recyclable solid waste;
 - (b) Food waste;
 - (c) Grease or other compostable oil waste;
 - (d) Bokashi, or other compost activators;

- (e) Other wastes approved by the State Licensing Authority that will render the Medical Marijuana waste unusable and Unrecognizable as marijuana; and
 - (f) Soil.
 - ii) The methodology for destroying and disposing of Medical Marijuana may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.
- b) Records of destroyed product:
- i) Records of destroyed raw materials and product will be kept and cross-referenced by batch number and SKU and/or other unique identifier. The weight or volume, as appropriate, will be recorded along with the method of disposal.
 - ii) The methodology for recording destroyed Medical Marijuana may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.

Cultivation Plan

1) Basic Requirements

- a) Water Quality, Conservation, & Use
 - i) Description of water source, storage, irrigation plan, and projected water usage.
 - (1) During the wet weather months, water will be supplied from approved sources consisting of surface water diversion (subject to a Fish & Wildlife 1603 permit and enrollment in NCRWQCB Order No. R1-2015-0023 – Tier 2 initially). Quantities of water diverted for cultivation use are subject to limitations imposed by the SWRCB Division of Water Rights and the State Department of Fish & Wildlife.
 - (2) During the forbearance period from May 15 through October 15, all surface water diversion for cultivation purposes will cease and water will be supplied by a new water-well to be located on the adjoining parcel with the APN 107-236-011. The well will be installed according to the

requirements of County DEH. No water is intended nor required to be stored for use during the forbearance period.

- (3) At all times, water will be applied using no more than agronomic rates.
- (4) If required by Cal Fire, water will be stored on site for fire protection purposes in the requisite amounts.
- ii) A copy of the Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 2, is attached.
- iii) Because surface water diversion provides part of the water supply for irrigation of cannabis cultivation, the applicant consents to forbear from any such diversion during the period from May 15th to October 31st of each year. In lieu of establishing on-site water storage for retention of wet season flows sufficient to provide adequate irrigation water for the size of the area to be cultivated, water from the existing permitted well will be used to meet all water usage requirements. Forbearance from May 15th to October 31st of each year and water sourced from the well are at the heart of the Water Management Plan that will be submitted to Fish & Wildlife as part of the 1603 Agreement.
- iv) An approval from the RWQCB has been obtained through enrollment pursuant to NCRWQB Order No. 2015-0023 and preparation of a Water Resources Protection Plan. The facility will comply with all measures required for the assigned Tier level.
- v) Copies of the statement of water diversion, and/or other permits, licenses or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable, are attached to this Operation Plan & Manual.
- vi) The applicant/operator 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 will not support diversions for irrigation.

b) Drainage, Run-off, and Erosion Control:

- i) Drainage, Run-off, and Erosion Control will all be managed within the RWQCB's requirements for dischargers. Initially, the site has been

registered as Tier 2 out of abundance of caution; however, because the outdoor greenhouse facility is entirely enclosed, the operations may merit Tier reduction to Tier 2* or better in the future. The cultivation is to be located within an existing fully enclosed structure which prevents soil erosion, and any excess water used during cultivation will be recycled or evaporated instead of discharged. No cultivation water will be disposed of by discharge.

ii) Site maintenance, erosion control and drainage features may include the following:

- (1) Roads will be maintained as appropriate (with adequate surfacing and drainage features) to avoid developing surface ruts, gullies, or surface erosion that results in sediment delivery to surface waters.
- (2) Roads, driveways, trails, and other defined corridors for foot or vehicle traffic of any kind will have adequate ditch relief drains or rolling dips and/or other measures to prevent or minimize erosion along the flow paths and at their respective outlets.
- (3) Roads and other features will be maintained so that surface runoff drains away from potentially unstable slopes or earthen fills. Where road runoff cannot be drained away from an unstable feature, an engineered structure or system will be installed to ensure that surface flows will not cause slope failure.
- (4) Roads, clearings, fill prisms, and terraced areas (cleared/developed areas with the potential for sediment erosion and transport) will be maintained so that they are hydrologically disconnected, as feasible, from surface waters, including wetlands, ephemeral, intermittent and perennial streams.
- (5) Ditch relief drains, rolling dip outlets, and road pad or terrace surfaces will be maintained to promote infiltration/dispersal of outflows and have no apparent erosion or evidence of soil transport to receiving waters.
- (6) Stockpiled construction materials will be stored in a location and manner so as to prevent their transport to receiving waters.

c) Watershed and habitat protection:

- i) Watershed and habitat protection will be provided through compliance with within the RWQCB's and the Department of Fish & Wildlife's requirements associated with their respective permits and agreements.
- d) Storage of fertilizers, pesticides, and other regulated products:
 - i) Storage of fertilizers, pesticides, and other regulated products used on the parcel will be in accordance with best practices, which include storage within an enclosed space to prevent surface water contamination.
 - (1) Pesticides/Herbicides:
 - (a) Under California law, the only pesticide products not illegal to use on cannabis are those that contain an active ingredient that is exempt from residue tolerance requirements and either registered and labeled for a broad enough use to include use on cannabis or exempt from registration requirements as a minimum risk pesticide under FIFRA section 25(b) and California Code of Regulations, title 3, section 6147. For the purpose of compliance with conditions of this Order, any uses of pesticide products will be consistent with product labelling and any products on the site will be placed, used, and stored in a manner that ensures that they will not enter or be released into surface or ground waters.
 - (2) Fertilizers and Soil Amendments:
 - (a) Fertilizers, potting soils, compost, and other soils and soil amendments will be stored in locations and in a manner in which they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater.
 - (b) Fertilizers and soil amendments will be applied and used per packaging instructions and/or at proper agronomic rates.
 - (c) Cultivation areas will be maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.
- e) Electrical Power:
 - i) The facility is not on the electrical grid. See "Electrical Generators" below for details.
- f) Cultivation Activities:

- i) Cultivation activities are described as “outdoor” as defined in Humboldt County’s CMMLUO.
- ii) Schedule of activities:
 - (1) Planting in April and July.
 - (2) Basic Plant Care April through September.
 - (3) Harvest July and October
- g) Cultivation-related wastes
 - i) Cultivation-related wastes including, but not limited to, empty soil bags, soil amendment bags, fertilizer bags and containers, empty plant pots or containers, dead or harvested plant waste, and spent growth medium will, for as long as they remain on the site, be stored at locations where they will not enter or be blown into surface waters, and in a manner that ensures that residues and pollutants within those materials do not migrate or leach into surface water or groundwaters.
- h) Refuse and human waste
 - i) Refuse and garbage will be stored in a location and manner that prevents its discharge to receiving waters and prevents any leachate or contact water from entering or percolating to receiving waters.
 - ii) Garbage and refuse will be disposed of at an appropriate waste disposal location.

2) General Performance Requirements:

- a) Water Quality – See “Water Quality, Conservation, & Use” above.
- a) Setbacks –
 - i) The area of cannabis cultivation is located as shown on the application site plan, set back at least 30 feet from any property line, and more than 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, Public Park, or Tribal Cultural Resource.
 - ii) Cultivation areas and associated facilities observe all required setbacks from watercourses, wetlands and Environmentally Sensitive Habitat Areas, as described within sections 313-33 and 313-38 of the code, as well as applicable resource protection policies. Where enhanced, reduced, or

modified watercourse or wetland setbacks have been agreed to by the operator and RWQCB under enrollment pursuant to NCRWQB Order No. 2015-0023 and/or preparation of a Water Resources Protection Plan, these may control and supersede any setback applied pursuant to 314-61.1.

b) Land Use –

- i) The cultivation is not located on land designated for timberland; therefore, a 3 acre conversion is not required.

c) Chemical, Hazardous, and Dangerous Materials –

- i) Operator will refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide. It is recognized that Hazardous materials and wastes from agricultural businesses are regulated by the Humboldt County Environmental Health Division, that administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA).

d) Electrical Generators:

- i) Electrical Generators will be used at this facility only on an occasional basis for maintenance purposes and the following guidelines will be adhered to:
 - (1) Noise – The noise produced by the generator used for cannabis cultivation will not be audible by humans from neighboring residences. The decibel level for generators at the property line will be no more than 60 decibels. If applicable, sound levels will 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. We understand that conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary.
 - (2) Storage of Fuel -- Fuel will be stored and handled in compliance with applicable state and local laws and regulations, and in such a way that no spillage occurs.
 - (3) The Generator(s) and its operation will meet all requirements of the North Coast Unified Air Quality Management District including registration and permitting as applicable.

3) Cultivation Operations Performance Standards:

a) Labor:

- i) Pursuant to the MMRSA, Health and Safety Code section 19322(a)(9), the applicant hereby declares that it is a 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."
- ii) In addition to the above declaration of status as an "Agricultural Employer" per Labor Code Sections 1140-1166.3, the applicant/employer hereby agrees to 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).

b) Processing Practices:

- i) Processing is not intended to be performed on site. All processing will be performed off-site at a facility permitted under the Humboldt County CMMLUO and licensed by the State of California as applicable.

c) Employee/Worker Safety

- i) Regarding employees engaging in commercial cannabis cultivation and processing, the Applicant/Employer will comply with the following Employee Safety Practices:
 - (1) Cultivation operations will implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;
 - (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (e) Materials handling policies;
 - (f) Job hazard analyses; and

- (g) Personal protective equipment policies, including respiratory protection.
- d) Emergency Contact List:
 - i) The employer will visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts;
 - (3) Poison control contacts.
- e) Safe Drinking Water, Toilets, & Sanitary Facilities:
 - i) At all times, employees will have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. The employer will contract with an appropriate temporary sanitation facilities services provider to provide and maintain toilet and hand-washing facilities in accordance with the requirements of Cal-OSHA and ADA/California Accessibility regulations.
- f) On-Site Housing:
 - i) Any and all on site-housing provided to employees, if any, will comply with all applicable federal, state, and local laws and regulations. There is no intent to provide on-site housing at this time.

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Approval	On file with Planning
Land Use Division	✓	Conditional Approval	Exhibit A of Attachment 1
Division Environmental Health	✓	Conditional Approval	On file with Planning
Calfire	✓	Conditional Approval	On file with Planning
Department of Fish & Wildlife	✓	No Response	
NWIC	✓	Further Study	On file with Planning
Bear River Band of the Rohnerville Rancheria	✓	Conditional Approval	On file with Planning
Sinkyone Intertribal Wilderness Council		No response	
RWQCB		No Response	
CA Division of Water Rights		No Response	
Humboldt County Sheriff		No response	
Humboldt County District Attorney		No response	
Humboldt County Agricultural Commissioner		No response	
Mattole Unified School District	✓	Commented	On file with Planning
North Coast Unified Air Quality Management District			