



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: August 15, 2019

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Golden Gardens, LLC**
Application Number 10987
Case Numbers SP-16-119
Assessor's Parcel Number 524-075-027
2120 Friday Ridge Road, Willow Creek

Table of Contents	Page
Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	6
 Maps	
Zoning Map	7
Aerial Map	8
Topo Map	9
Site Plan	10
 Attachments	
Attachment 1: Recommended Conditions of Approval	11
Attachment 2: Staff Analysis of the Evidence Supporting the Required Findings	18
Attachment 3: CEQA Addendum	36
Attachment 4: Applicant's Evidence in Support of the Required Findings	40
Attachment 5: Referral Agency Comments and Recommendations	112

Please contact Caitlin Castellano, Planner, at (707) 268-3731, or by email at ccastellano1@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
August 15, 2019	Special Permit	Caitlin Castellano

Project Description: Golden Gardens, LLC seeks a Special Permit for continued operation of 6,300 square feet (SF) of existing outdoor commercial cannabis cultivation on an 8.7-acre parcel. The operation includes five (5) light deprivation greenhouses totaling 6,300 and an ancillary propagation greenhouse. Water is supplied by two (2) permitted wells. Total water storage is approximately 40,000 gallons in 16 hard tanks. Estimated annual water usage is approximately 59,500 gallons (9.4 gal/SF). Drying occurs within three (3) shipping containers. Processing, including trimming and packaging, occurs onsite in an existing 800 SF shop or offsite at a license facility. All cultivation activities will be performed by four (4) managing members. Power is supplied by PGE.

Project Location: The project site is located in the Willow Creek area approximately 2.6 miles east from the intersection of State Highway 299 and Friday Ridge Road and approximately 1,636 feet from the intersection of Friday Ridge Road and 4 Mile Creek Road, on 4 Mile Creek Road, at the property known as 2120 Friday Ridge Road, Willow Creek.

Present Plan Land Use Designations: Residential Agriculture (RA40), Humboldt County General Plan, Density: 5 to 10 acres per dwelling unit, Slope Stability: Moderate Instability (2)

Present Zoning: Unclassified (U)

Case Numbers: SP-16-119

Application Number: 10987

Assessor Parcel Number: 524-075-027-000

Applicant

Golden Gardens, LLC
PO Box 1427
Willow Creek, CA 95573

Owner

Jill Marie Foreman and
Tyler Dean Foreman
PO Box 1427
Willow Creek, CA 95573

Agent

1 Degree Consulting
1580 Nursery Way, Suite D
McKinleyville, CA 95519

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

Major Issue: None.

State Appeal Status: Project is located outside the Coastal Zone and is therefore NOT appealable to the California Coastal Commission.

Golden Gardens, LLC Special Permit
Case Number SP-16-119
Assessor's Parcel Number (APN): 524-075-027

Recommended Zoning Administrator Action

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Find that the Zoning Administrator has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit based on evidence in the staff report, and adopt the Resolution approving the proposed Golden Gardens, LLC project subject to the recommended conditions.

Executive Summary

The proposed Special Permit would allow continued operation of an existing outdoor 6,300 square foot (SF) commercial cannabis cultivation operation on an 8.7-acre parcel in compliance with the County Commercial Medical Marijuana Land Use Ordinance (CMMLUO).

The previous owner/applicant applied for 9,600 SF of mixed-light cultivation in two cultivation areas (north and south). After the County performed a cultivation area verification (CAV) for issuance on an Interim Permit it was determined that there was no mixed-light in existence prior to January 1, 2016 and one of the cultivation areas was also not in existence prior to January 1, 2016. A Corrective Action Order was issued in June 2017. Subsequently, the previous owner/applicants paid a penalty fee, removed the cultivation area in violation, and transferred the permit application to Golden Gardens, LLC in November 2017. An Interim Permit for 6,300 SF of outdoor cultivation was issued in April 2018.

The current cultivation operation consists of a combination of greenhouses and open-air outdoor cultivation. The proposed configuration will combine two greenhouses into one structure and construct two new greenhouses for a total of five (5) light deprivation greenhouses and one ancillary propagation greenhouse that will utilize supplemental lighting and follow Dark Sky Standards. The footprint will not exceed 6,300 square feet of outdoor and will occupy the existing cultivation footprint. The cultivation area will be slightly reconfigured within the area of disturbance such that none of the cultivation area is within the 30-foot setback of the property line required per CMMLUO Section 55.4.11 (d) and Fire Safe Regulations (HCC §3111-3) due to being located in a State Responsibility Area (SRA) for fire protection. Additionally, the site plan shows a proposed 1,562 SF ancillary propagation greenhouses which is approximately 25% of the total cultivation area. The Department typically supports an ancillary propagation greenhouse that is 10% of the total cultivation area that can be excluded from cannabis excise taxes. However, the applicant provided justification (Attachment 4) on the need to exceed 10% due to varying weather conditions in the spring, summer and fall and their process of utilizing mother plants to create clones which are rooted in 1 and 2 gallon pots (weather depending) and need adequate space to ensure they are free from mold and pests in order to be viable and successful in the outdoor greenhouses. Included in the justification is a calculation of the minimum space needed to accommodate the starts in 1 and 2 gallon pots, which leads to a size requirement of 1,562 sf. As a result, staff supports the proposed 1,562 SF ancillary propagation greenhouse. Should the Zoning Administrator, not support staff's recommendation, the project can be conditioned to submit a revised site plan and install a smaller propagation greenhouse (or modify the existing one) so that its size is no larger than 10% of the total cultivation area, which is 630 SF, with proof of reduction 30 days after effective date of the permit.

The irrigation water source is from two (2) existing permitted wells that are not hydrologically connected to surface water. Currently there are 16 – 2,500 gallon, inline water tanks (40,000 gallons stored) serviced by these wells. These tanks are kept full for water storage during the summer months. To conserve water, the

plant are grown in soil beds. The project's projected annual water use is approximately 59,500 gallons per year (9.4 gal/SF). With a 40,000-gallon storage capacity and two wells the project has more than adequate supply for irrigation, domestic use, and fire protection. The applicant anticipated three (3) cultivation cycles utilizing light deprivation methods within the greenhouses which results in harvests in June, August and October.

Harvested plants will be hung in a drying area (3 storage containers) near the 800 SF shop. Drying is done with fans, air conditioners and dehumidifiers; all power is supplied from PGE. Once dried, the product will be broken off the stock into tubs. Processing, such as trimming and packaging, occurs in the 800 sf shop or product is transported to a processing facility. The shop will be converted to meet commercial building codes and ADA-accessibility standards within two years. If not, all processing will occur offsite at a licensed facility. Restroom facilities and drinking water are provided in the applicant's residence adjacent to the cultivation area which has a permitted septic. A portable toilet will also be provided.

Tree removal occurred in two(2) sections on the property without requesting clearance from the County or Cal Fire. Consequently, a Timber Conversion Evaluation was prepared by Timberland Resources Consultants (TRC) on March 9, 2018, in accordance with Humboldt County Code, Ordinance No. 2559 Section 55.4.10(j). TRC evaluated the area where timberland was converted, noted past forest practices, occurrences of special status species, and made a cultural resources investigation. The report included recommendations for rehabilitating an abandoned cultivation site, relocating and rehabilitating a cultivation area that occurred within a Streamside Management Area (SMA), and treating slash and woody debris. These recommendations are conditions of approval of this permit. Cal Fire issued a Notice of Violation and stated they do not anticipate any additional enforcement action and concurred with the mitigations proposed in the Timber Conversion Report.

The site enrolled with the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program as a Tier 2 discharger (WDID# 1B161192CHUM). A Water Resources Protection Plan (WRPP) was prepared by TRC in February 2017 and revised August 31, 2017 that described monitoring and mitigation measures to be implemented to ensure that the project does not deleteriously impact the natural aquatic environment. The WRPP identified a class III dry creek bed north of the cultivation area and that a portion of the cultivation area and associated trail system was within the 50-foot Streamside Management Area (SMA) setback. As a result, the WRPP outlined areas that needed to be restored and improved. Cultivation and related infrastructure – grow bags and waterlines, were removed by hand in November 2017 by Golden Gardens. However, it was determined the Class III watercourse and 50-foot SMA buffer is located outside of the subject property per a setback exhibit prepared by Omsberg and Preston as a result of field survey work completed February 27, 2018 and March 30, 2018. A site visit was performed on December 10, 2019 with County, California Department of Fish and Wildlife (CDFW), Golden Gardens and their TRC representative which revealed four(4) of the mitigation measures identified in the WRPP may no longer be necessary due to being located on the adjacent property and abandonment of a trail network utilized by the previous owners so access and trail crossings over the SMA was no longer needed. TRC indicated the class III watercourse is dry year-round and may have been created as a result of a historic food event up slope, that the SMA is in fairly stable condition and they would revise their recommendations for erosion control and stabilization within the SMA during development of the Site Management Plan (SMP) required under the new State Cannabis Cultivation Policy and Cannabis General Order adopted October 17, 2017 by the State Water Resources Control Board. Subsequently, the site transitioned to the new State Order by July 1, 2019 and TRC indicated they would complete a new site visit in the upcoming months to complete the SMP and determine appropriate erosion control measures to prevent further head-cut of the gully that starts where the class III watercourse leaves a flat bench and the channel gradient increases down to the access road. Consent from the adjacent property owner has been provided for a licensed professional to implement appropriate erosion control measures and remediation recommendations from the Timber Conversion Report. A Lake and Streambed Alteration Agreement from CDFW will be required for any activities that occur within the stream channel. These requirements are included in the Conditions of Approval. All other mitigation measures identified in the WRPP have been completed.

The project is located near potential Northern Spotted Owl (NSO) habitat, and two NSO Activity Centers

are within 1.3 miles of the cultivation area. For this reason, CDFW opposes the use of mixed-light and noise attenuation measures are necessary. However, the project is outdoor cultivation in hoop/greenhouses that utilize light deprivation techniques and power is provided by municipally supplied electricity (PGE). No generators are used, and the ancillary propagation greenhouse will adhere to Dark Sky Standards. The project is conditioned to ensure the lights in the propagation greenhouse are shielded 30 mins before sunset until 30 mins after sunrise. The greenhouses utilize fans and decibel readings were submitted indicating the decibel level of ambient noise and fan noise may exceed 50 decibels at edge of habitat or 100 feet whichever is closer in which the forest/habitat is approximately 30 feet north of the closest greenhouse. As a result, the project is conditioned on constructing noise attenuation structures for greenhouse fans so that noise is no greater than 50 decibels at the forest line surrounding the cultivation area. Additional conditions of project approval to limit impacts to biological resources and sensitive species include ensuring security lighting complies with International Dark Sky Standards and be motion activated, shielded, downward facing, only placed where needed and be of Low-Pressure Sodium or low spectrum Light Emitting Diodes and, refrain from using rodenticide and synthetic netting and ensure refuse is contained in wildlife proof storage.

The project is accessed via Friday Ridge Road, which is a County maintained road. The road passes through Federal lands before it intersects with Highway 299. Representatives from federal agencies have stated that they will not condone the transportation of cannabis on roads or across lands that are within their jurisdiction. Approval of this permit does not authorize transportation across federal lands. The department of Public Works Land Use referral comments indicated the encroachment of 4 Mile Road to the County maintained road has been improved to meet their standards. They requested the applicant prepare a Road Evaluation Report which was done with photos, according to County direction, and found that the 0.5-mile segment of 4 Mile Creek Road used to access their parcel is developed to the equivalent of a road category 4 standard. Public Works also stated the driveway is subject to Fire Safe Regulations (HHC § 3112-12) which requires adequate emergency access and turn around and the applicant's site plan shows conformance with these standards. Additionally, verbal comments received from a neighbor indicated concern for the integrity of a bridge (railcar bridge) on Four Mile Creek Road used to access six (6) other properties in the neighborhood. As a result, the project is conditioned to restore the bridge to its pre-existing condition should any damage be incurred as a result of the commercial cannabis operation utilizing it.

The Northwest Information Center stated that the proposed project area has the possibility of containing unrecorded archaeological site(s) and recommended the preparation of a study by a qualified professional archaeologist prior to commencement of project activities. This project was referred to the Tribal Historic Preservation Officers (THPO) of the Hoopa Valley and Tsnungwe Tribes. Neither tribe requested that a Cultural Resources report be prepared. Ongoing conditions of approval are incorporated regarding the inadvertent discovery protocol to protect cultural resources.

Recommendation: Based on the evidence in the record, staff recommends that the Zoning Administrator approve the application subject to the recommended conditions.

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

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 19-
Case Numbers SP-16-119
Assessor's Parcel Number: 524-075-027**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Golden Gardens, LLC Special Permit request.

WHEREAS, Golden Gardens, LLC submitted an application and evidence in support of approving the Special Permit for an existing 6,300 square foot outdoor commercial cannabis cultivation site within greenhouses with appurtenant 1,562 sf propagation nursery and associated processing activities; and

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

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

WHEREAS, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Special Permits (Case Number SP-16-119/Record Number PLN-10987-SP); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Zoning Administrator on August 15, 2019.

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

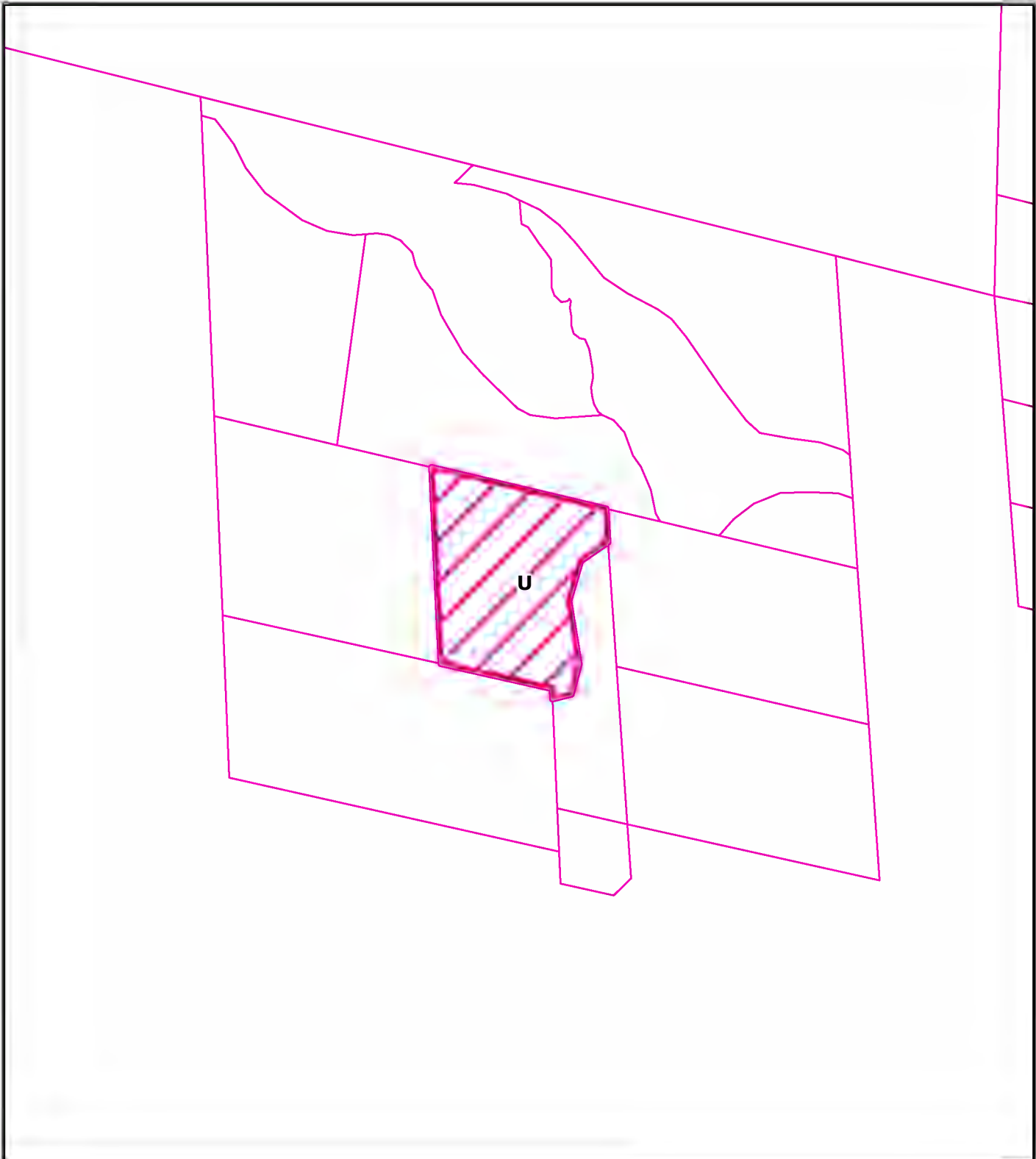
- The Zoning Administrator considered the Addendum to the MND adopted for the Commercial Medical Marijuana Land Use Ordinance; and
- The Zoning Administrator makes all of the required findings in Attachment 2 of the Zoning Administrator staff report support for Case Number SP-16-119/Record Number PLN-10987-SP based on the submitted substantial evidence; and
- The Special Permit (Case Number SP-16-119 /Record Number PLN-10987-SP) is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on August 15, 2019.

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

John Ford, Zoning Administrator
Planning and Building Department
County of Humboldt

(ic)



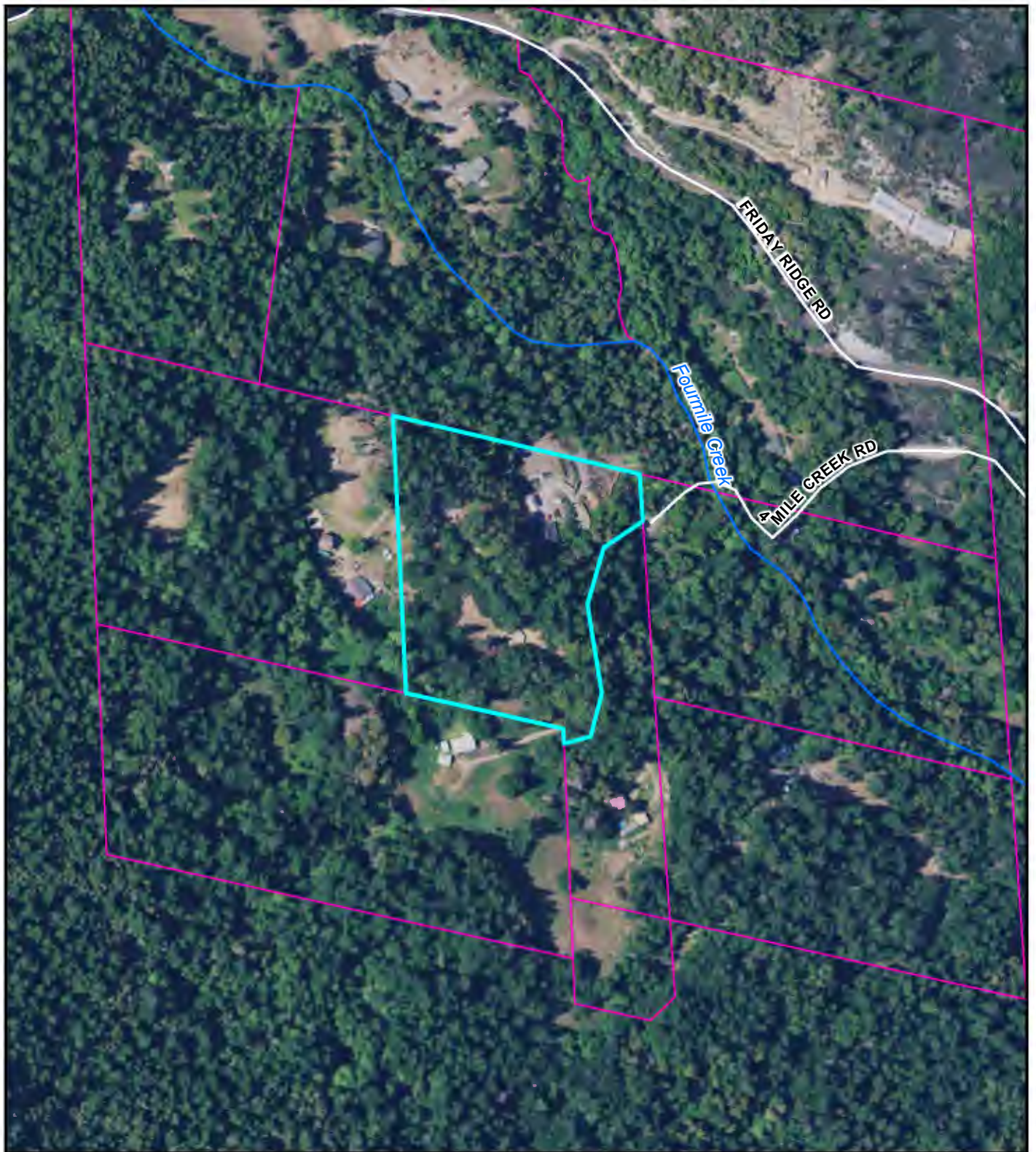
Project Area = 

**ZONING MAP
PROPOSED GOLDEN GARDENS, LLC
WILLOW CREEK AREA
Sp-16-119
APN: 524-075-027
T06N R05E S20 HB&M (WILLOW CREEK)**



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.

0 650 1,300 Feet




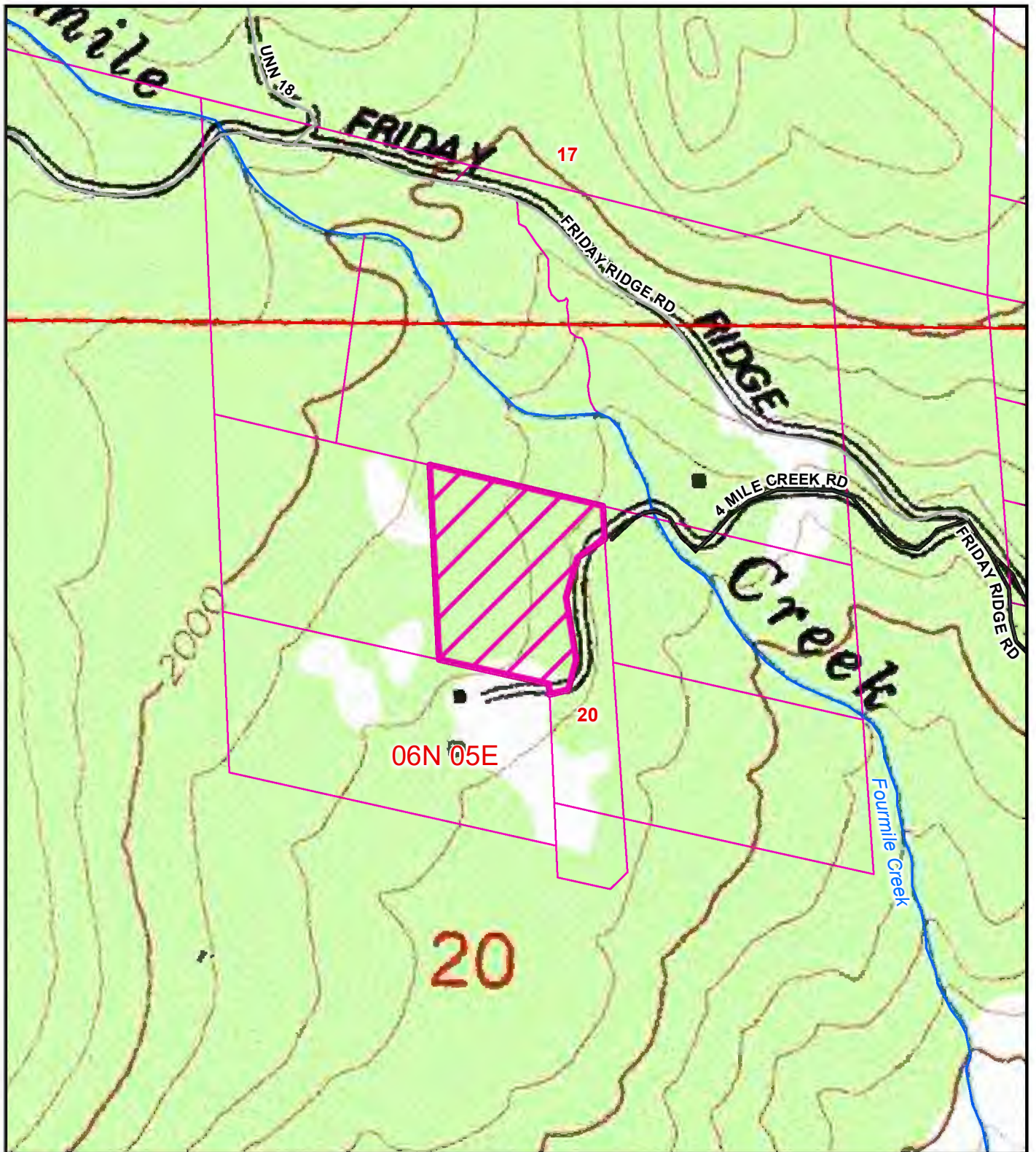
Project Area = 

AERIAL MAP
PROPOSED GOLDEN GARDENS, LLC
WILLOW CREEK AREA
Sp-16-119
APN: 524-075-027
T06N R05E S20 HB&M (WILLOW CREEK)

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.

0 460 920 Feet



Project Area = 

TOPO MAP
PROPOSED GOLDEN GARDENS, LLC
WILLOW CREEK AREA
Sp-16-119
APN: 524-075-027
T06N R05E S20 HB&M (WILLOW CREEK)

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.

0 650 1,300 Feet



APN: 524-075-025

PARCEL INFORMATION
APN: 524-075-027
ZONING: U
LOT SIZE: 8.7 ACRES (ASSESSED)

APN: 524-075-026

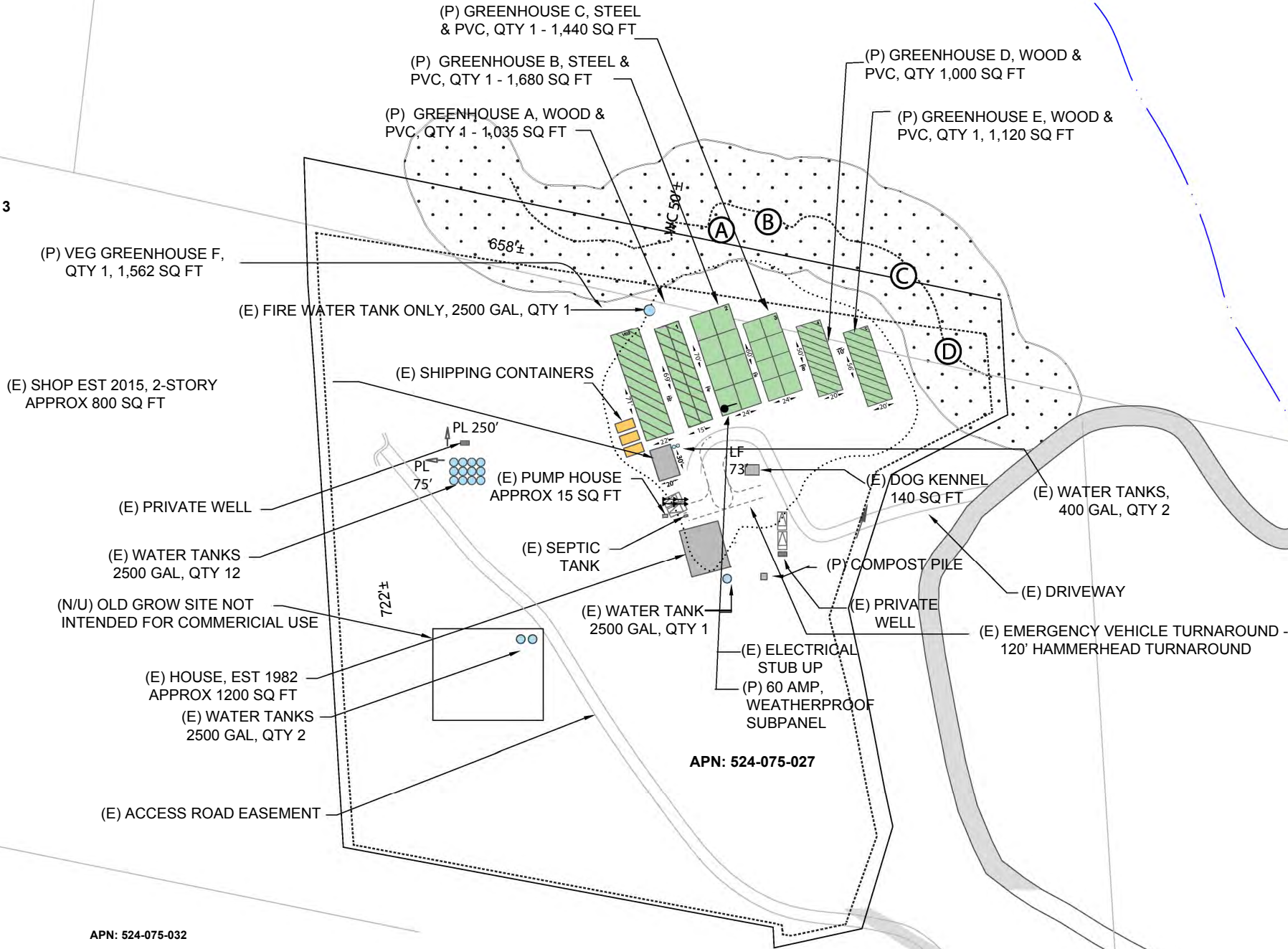
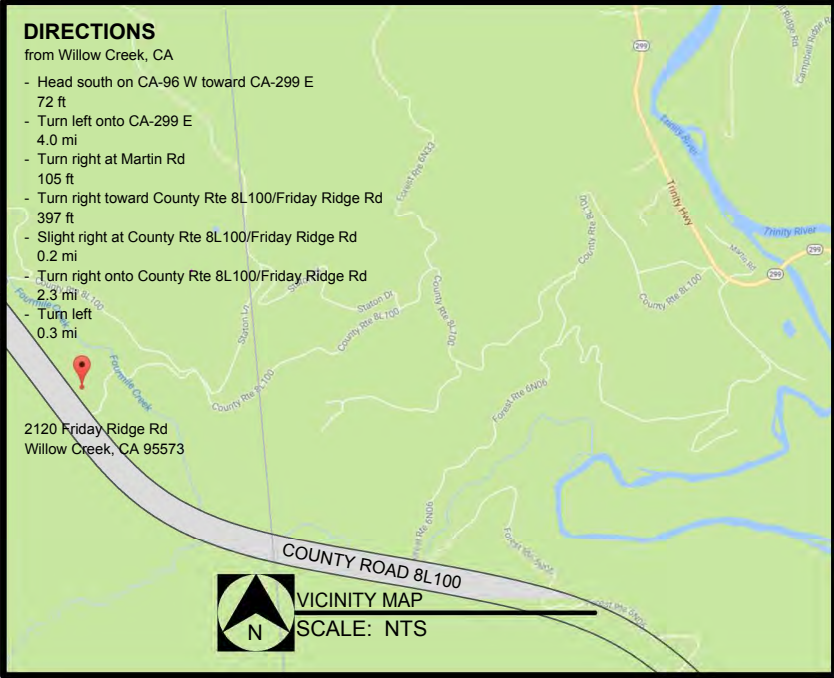
APN: 524-075-013

APN: 524-075-032

- GENERAL NOTES:**
1. PROPERTY LINES, BUILDING AND FEATURES LOCATIONS ARE APPROXIMATE.
 2. NON-EXCLUSIVE INGRESS/EGRESS EASEMENT VIA 4 MILE CREEK ROAD.

Received 11/2/2018
by C. Johnson
HELIX Environmental Planning Inc.

APN: 524-075-010



LEGEND

---	PROPERTY LINE
- - - -	CLASS III DRY CREEK
---	CLASS II WATERCOURSE
- - - -	BUILDING SETBACKS (30' PROPERTY LINE SETBACK)
---	CLEARED & GRADED AREA (< 5% AVERAGE SLOPE)
---	SHIPPING CONTAINERS
---	PROPOSED GREENHOUSES
---	PROPOSED T-POST GREENHOUSES
---	PUBLIC ROAD (20' WIDTH, PAVED)
---	PRIVATE ACCESS ROAD (12' WIDTH, UNPAVED)
---	PARKING SPACE
---	LEACHFIELD
PL	SETBACK DIMENSION TO PROPERTY LINE
WC	SETBACK DIMENSION TO WATERCOURSE
LF	SETBACK DIMENSION TO LEACH FIELD
<U/C>	USED FOR CULTIVATION ACTIVITIES
<N/U>	NOT USED FOR CULTIVATION ACTIVITIES
<E>	EXISTING
<P>	PROPOSED

SMA - STREAM MANAGEMENT AREA
A-D are areas of needed restoration per WRPP, see operations plan for further details

PROPOSED PLOT PLAN
NOT TO SCALE

PROPOSED PLOT PLAN
BUILDING PERMIT

DATE: 09/19/2018
SCALED PAPER SIZE: 11"x17"
DRAWN: AV
CHECKED: JT
SHEET NO:

1b

OF 6

OWNER / APPLICANT: GOLDEN GARDENS LLC
ADDRESS: 2120 FRIDAY RIDGE RD., WILLOW CREEK, CA 95573
PHONE: 530.629.5278

ATTACHMENT 1
Recommended Conditions of Approval

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

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. Within 60 days of the effective date 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 #6-14. 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.
5. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, greenhouses and improvements to existing shop building to meet commercial building codes and ADA-accessibility standards. The plans submitted for building permit approval shall be consistent with the project description and approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
6. The existing Ag-Exempt shop building shall be improved to commercial and ADA-Accessible standards. The existing septic system shall be re-evaluated during the building permit process to ensure adequate capacity for an ADA-compliant restroom. Should the improvements not be completed within the two-year provisional permitting period, the applicant shall process offsite at a licensed facility.
7. The applicant shall install water monitoring devices on each water source and monitor water used for cannabis irrigation.
8. The applicant shall submit 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 completed or proposed. A letter or similar communication from the Building Division verifying that all grading related to the cannabis cultivation operation are permitted, or not needed, will satisfy this condition.

9. The applicant shall implement all remediation actions described in the Timber Conversion Report developed for the parcel. A qualified third party shall be hired to implement any remediation actions located on APN 524-075-026. A letter or monitoring Report prepared by a Registered Professional Forester confirming the successful completion of the remediation actions onsite and on APN 524-075-026s will satisfy this condition.
10. The applicant shall implement all corrective actions detailed within the Water Resource Protection Plan developed for the parcel, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board Cannabis Waste Discharge Regulatory Program. Alternately, the applicant may submit a revised WRPP write up demonstrating why not all of the corrective actions are no longer necessary. A letter or similar communication from the RWQCB verifying that all their requirements have been met will satisfy this condition. [After July 31, 2019, plans and reporting shall conform to the Cannabis Cultivation Policy and Cannabis general Order adopted October 17, 2017 by the State Water Board.]
11. The applicant shall submit updated plan to address erosion control issues associated with the dry class III watercourse adjacent to the property line located on APN 524-075-026 and hire a qualified third party to implement the recommended mitigation measures. A Lake and Streambed Alteration Agreement from CDFW will be required for any activities that occur within the stream channel.
12. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
13. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. Should the access bridge on Four Mile Creek Road be damaged from use by the commercial cannabis operation, the applicant is responsible for implementing any corrective actions necessary, and in a timely manner, to bring it back to pre-existing condition and ensure it is in working order.
2. The primary power source is PG&E. The greenhouse fan sound levels (and back up emergency generator as applicable) shall not be audible by humans from neighboring residences and must not result in the harassment of Marbled Murrelet or Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combination of background and greenhouse fan (and generator as applicable) created noise measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. The edge habitat is approximately 30 feet on the northern property line. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Should a noise containment structure be necessary to obtain compliance, a building permit shall be obtained. Additionally, should the Humboldt County Planning Division receive complaints that the fan noise is not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the noise levels have been reduced, inspected, and corrected as necessary.
3. All artificial light used for ancillary propagation activities within nursery greenhouse and multi-use building, shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see:

<https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed. Should the Humboldt County Planning Division receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected, and corrected as necessary.

4. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
9. 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.
10. 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.
11. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
12. 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.
13. Confinement of the area of cannabis cultivation, processing, manufacture or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, or Tribal Cultural Resources, except where a reduction to this setback has been approved pursuant to County Code Section 55.4.11(d).

14. Maintain enrollment in Tier 1, 2 or 3, certification with the 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.
15. Comply with the terms of any applicable Streambed Alteration (1600) Permit obtained from the Department of Fish & Wildlife.
16. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE), if applicable.
17. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays).
18. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
19. Storage of Fuel - Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
20. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
21. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
22. Pay all applicable application, review for conformance with conditions and annual inspection fees.
23. Participate in and bear costs for permittee's participation in the Cannabis Track and Trace System.

Performance Standards for Cultivation and Processing Operations

24. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
25. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
26. Cultivators engaged in processing shall comply with the following Processing Practices:
 - 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.

27. 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.
28. 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. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation Special Permit issued pursuant to the CMMLUO 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 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 or site do not comply with the conditions of approval, the inspector shall serve the Special Permit 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 Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13 of the CMMLUO.

29. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
30. 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.
31. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- Identifying information for the new Owner(s) and management as required in an initial permit application;
 - A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - The specific date on which the transfer is to occur; and
 - Acknowledgement of full responsibility for complying with the existing Permit; and
 - Execution of an Affidavit of Non-diversion of Medical Cannabis.
32. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

- Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state of county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to section 314-55.4.13 of the CMMLUO.
- This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where the Compliance Agreement per Condition of Approval #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 #29 and 30 of the On-Going Requirements /Development Restrictions, above.
 - If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) 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.

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 Section 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code Section 5097.98. Violators shall be prosecuted in accordance with Public Resources Code Section 5097.99.

4. A Notice of Determination (NOD) will be prepared and filed for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOD and will charge this cost to the project.
5. The applicant shall be aware that the Federal Government considers the cultivation of cannabis to be an illegal activity. This project is accessed by using roads that pass-through lands owned by the Federal Government. The Federal Government may not allow the applicant to use these roads to transport cannabis. In such case, Humboldt County will not provide relief to the applicant. Approval of this permit does not authorize transportation of cannabis across Federal lands.

ATTACHMENT 2
REQUIRED FINDINGS FOR APPROVAL

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 (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; and
 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.
-
1. 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.
 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.

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 (RA): This designation applies to large lot residential uses that typically rely upon on-site water and wastewater systems. Varying densities are reflective of land capabilities and/or compatibility issues. General and Intensive agriculture are allowed uses.</p> <p>RA (40) Density range is 40 acres/unit</p>	<p>The proposed project includes approximately 6,300 square feet of existing outdoor cannabis cultivation on an approximately 8.7-acre parcel. This use is considered an agricultural use, and the processing facility and supportive infrastructure may be considered accessory to the agricultural use which is consistent with the RA land use designation.</p>
<p>Circulation Chapter 7</p>	<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,CT-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>Access to the site is off of a private road, named 4 Mile Creek Road, which intersects with County maintained Friday Ridge Road. Friday Ridge Road has been determined by the County to be developed to a road category 4 standard. Public Works' referral comments indicated the encroachment of 4 Mile Creek Road to the County maintained road has been improved to meet their standards and requested the applicant prepare a Road Evaluation Report which was done with photos according to County direction and found that the 0.5-mile segment of 4 Mile Creek Road used to access their parcel is developed to the equivalent of a road category 4 standard. Public Works also stated the driveway is subject to Fire Safe Regulations (HHC § 3112-12) which requires adequate emergency access and turn around, and water storage. The applicant's site plan shows conformance with these standards.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
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, nor is the project site part of the Housing Element Residential Land Inventory. However, the project site currently contains a single-family residence which will remain and will not preclude any future residential development if consistent with the General Plan and Zoning designations. The project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces (CO-G1,CO-G3)</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P8, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program</p>	<p>The project can be found consistent with the Open Space Plan Element because the proposed project is consistent with the allowable uses of the RA Land Use Designation which allows general and intensive agriculture. The proposed cannabis cultivation - an agricultural product - is within land planned for agricultural purposes, consistent with the use of Open Space land for management production of resources. The site plan shows the cultivation areas meet SMA setbacks to a class III dry watercourse with 50-foot setback, and the site is greater than 600-feet from publicly owned Six Rivers national Forest lands.</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 project does not involve development in lands considered to be critical habitat, or within stream channels. Current National Wetlands Inventory Mapping does not identify any wetlands in the project affected area. The cultivation area is being reduced and partially rehabilitated to remain outside of a Streamside Management Area (SMA) that meets the property boundary.</p> <p>The project occurs in an area that is proximate to potential Northern Spotted Owl (NSO) habitat. The nearest NSO observation is over 1,000 feet from the cultivation area. Seven NSO Activity Centers are within two miles of the project; the two nearest being 0.95 miles and 1.2 miles from the cultivation area, while the rest are more than 1.4 miles away. The following measures are being used to prevent the project from having an adverse impact on NSO. The project has a PGE connection and does not use generators. The ancillary propagation vegetation greenhouse must be covered to prevent light from escaping whenever the artificial lights are in use. Rodenticide is prohibited, and synthetic netting is prohibited. Additionally, the applicant submitted information on ambient noise levels and fan noise levels which indicates noise is greater than 60 decibels (dB) at the northern property line (30 feet) which is at the edge of potential habitat for Northern Spotted Owl. The project is conditioned to construct noise containment structures around the fans to ensure noise released does not exceed 50 decibels at 100 feet or edge of habitat whichever is closer for conformance with Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) which requires maximum noise exposure from the combination of background cannabis related noise measured at a distance of 100 feet or the edge of habitat, whichever is closer, to be at or below 50 decibels, a level considered by US Fish and Wildlife to not constitute harassment of NSO.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Cultural</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</p>	<p>This project was referred to the Tribal Historic Preservation Officers (THPO) of the Hoopa Valley and Tsnungwe Tribes. Neither tribe requested that a Cultural Resources report be prepared. Ongoing conditions of approval are incorporated regarding the</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Resources Section 10.6	<p>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>inadvertent discovery protocol to protect cultural resources.</p>
<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-Gx)</p> <p>Related policies: SR-S4. Light and Glare</p>	<p>The project involves outdoor cultivation in greenhouses with one ancillary propagation greenhouses that will comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). International Dark Sky Association Standards exceed the requirements of Scenic Resources Standard SR-SX, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries.</p> <p>The property is wooded and the gardens are not visible from a public road or any other public vantage point. The project is conditioned on ensuring the lights in the propagation greenhouse is shielded 30 minutes prior to sunset until 30 mins after sunrise.</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>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-G, WR-G7, WR-G8, WR-G8x); and</p> <p>Related policies: WR-P8. Erosion and Sediment Discharge; WR-P36. Erosion and Sediment Control Measures.</p>	<p>The Project site falls within Tier 2 of the North Coast Regional Water Quality Control Board's (NCRWQCB) Order No. 2015-0023 (Order), which requires preparation of a Water Resources Protection Plan (WRPP) to protect water quality from cannabis cultivation and related activities. The WRPP was prepared by Timberland Resource Consultants in February 2017 and revised August 2017 and will be updated again in lieu for results for a property line survey and as a result of the new general Order requirements. The WRPP describes and addresses the 12 Standard Conditions established by the Order. The WRPP identified areas where the Project site does not meet all 12 Standard Conditions and set a preliminary schedule prioritizing corrective actions to reach full compliance with the Order. Completion of all mitigation measures has occurred except for four (4) mitigation measure projects related to the dry class III watercourse. These projects will be revised during development of the Site Management Plan (SMP) since the site has transitioned to the new State Order (due by July 1, 2019) and the applicants will not continue to utilize that area as a stream crossing for a trail system used by the previous owners and that it is located on the adjacent property. TRC indicated they would complete the SMP in the upcoming months and determine appropriate erosion control measures to prevent further head-cut of the gully that starts where the class III watercourse leaves a flat bench and the channel gradient increases down to the access road. Consent has obtained from the adjacent property owners for a licensed professional to implement erosion control measures and remediation recommendations in the Timber Conversion Report. A Lake and Streambed Alteration Agreement from CDFW will be required for any activities that occur within the stream channel. These requirements are included in the Conditions of Approval. All other mitigation measures identified in the WRPP have been completed.</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>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution (WR-G6, WR-G9, WR GX)</p> <p>Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P20, On-Site Sewage Disposal Requirements.</p>	<p>The Water Resources Protection Plan (WRPP) states that the site has an existing Onsite Wastewater Treatment System (OWTS) that has been permitted to meet County Division of Environmental Health (DEH) standards. DEH has recommended approval of the project. Up to four (4) people may be utilized for processing activities. Additionally, as a condition of approval, the shop must be upgraded to commercial building codes and meet ADA-Accessibility standards within the 2-year provisional permitting period or all processing must occur offsite at a licensed facility. The septic system will be re-evaluated during the building permit process to ensure adequate capacity for an ADA-compliance restroom within the shop.</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>PGE provides power to the site. Potential sources of noise impacts may include equipment used for processing in the shop, greenhouse fans and backup generator(s), etc. As a condition of approval, generators would be required to meet the performance standards for noise set by the CMMLUO. And due to the presence of potential Northern Spotted Owl habitat, the project is conditioned to construct noise containment structures around greenhouse fans to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) which requires maximum noise exposure from the combination of background and cultivation related equipment created noise measured at a distance of 100 feet or the edge of habitat, whichever is closer, to be at or below 50 decibels, a level considered by US Fish and Wildlife to not constitute harassment of NSO</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-PX1. Site Suitability, S-P6. Structural Hazards,</p>	<p>The project site is not located in a mapped Alquist-Priolo fault zone nor is subject to liquefaction. The cultivation area occurs on slopes of 15% or less seismically classified moderate instability. The applicant must secure a grading permit and as part of the permit the applicant will, at a minimum, incorporate the standard erosion control measures enumerated in the General Plan. These measures are a condition of approval. Additionally, an R2 soils report was prepared for after-the-fact permitting of the shop indicating the site was suitable for the existing structure. Given the relatively mild slope where the cultivation activities are located, the project is not expected to be affected by geologic instability nor pose a threat to public safety related from exposure to natural or manmade hazards.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-PX3, Construction Within Special Flood Hazard Areas</p>	<p>At a site visit in December 2018, TRC indicated the class III watercourse that flows towards Fourmile Creek is dry year-round and may have been created as a result of a historic food event up slope. The owners testified they have not seen running water in the class III watercourse since they took possession of the property in August 2017. Nevertheless, the subject site is outside any mapped flood hazard areas. The project site is not within a mapped dam or levee inundation area and is outside the areas subject to tsunami run-up.</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>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-P15, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations;</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. It is located in an area with a very high hazard severity. CAL FIRE comments recommended compliance with the requirements of the County's Fire Safe Regulations. The Humboldt County Fire Safe Ordinance (Section 3111-1 <i>et seq.</i>) establishes development standards for minimizing wildfire danger in state responsibility designated areas. The applicant stores close to a full year worth of water and has two wells to replenish the supply. This provides water for fire protection. Additionally, the site plan shows the site has adequate space for emergency access and turnaround.</p>
<p>Community Infrastructure and Services Element, Chapter 5</p> <p>Implementation Action Plan</p>	<p>IS-S5 requires new industrial, commercial and residential development located outside of fire district boundaries to obtain written acknowledgment of available emergency response and fire suppression services from the local fire agency, including any recommended mitigation.</p>	<p>N/A. The Site is served by the Willow Creek Volunteer Fire District and is located within their Response Area.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
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-G2X) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G3)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading Dust Control, AQ-P7. Interagency Coordination.</p>	<p>The project proposes to upgrade the existing shop to meet commercial building codes and ADA-accessibility standards, as well as a minor shift of the cultivation greenhouses to meet the 30-foot property line setback. 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.</p> <p>Sources of greenhouse gas emissions may include vehicle trips to the site and use of a backup generator (primary power provided by PG&E). The applicant states that an estimated four (4) employees are needed at peak operational periods and two (2) of which are the owner operators who live onsite. The quantity of greenhouse gas emissions generated from the project is expected to be less than significant.</p>

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
§312-1.1.2 Legal Lot Requirement	Development of Permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations,	The parcel of land known as APN 524-075-027 is a legal lot created as Parcel 1 of Parcel Map number 1684 recorded in Book 14 of Page 130 of Parcel Maps on December 7, 1979.
§314-8.1 Unclassified (U)	All of the unincorporated area of the County not otherwise zoned is designated as the Unclassified or U Zone. This area has not been sufficiently studied to justify precise zoning classifications. Residential and General Agriculture are principally permitted uses	The applicant is seeking a Special Permit for an existing outdoor cannabis cultivation operation on a property zoned U. The proposed use is specifically allowed with a Special Permit in this zoning district under Section 55.4.8.2.2 of the CMMULO.
Minimum Lot Area:	6,000 Square Feet (~0.13 acre)	8.7 acres (74,923 square feet)
Minimum Lot Width:	50 feet	Approximately 485 feet wide

Zoning Section	Summary of Applicable Requirement	Evidence
Maximum Lot Depth:	Three times the width, ~2,160 feet	Approximately 720 feet
Max. Lot Coverage:	40%	Approximately 1.3 acres of coverage (15% of lot)
Min. Yard Setbacks (through the SRA requirements):	Front: 20 feet Rear: 10 feet Side: 5 feet *Firesafe setbacks of 30 feet from all sides.	Front (east): 222 feet from greenhouse to east property line Rear (west): 75 feet from water tanks to property line Side (north): 30 feet from greenhouse to property line due to site reorganization in the existing disturbed footprint. Side (south): No facilities are within 300 feet of property line.
Max. Building Height:	None specified	18 feet

<p>§314-61.1 Streamside Management Area (SMA)</p>	<p>Placement of soil within SMAs shall be prohibited, except where specifically authorized by the SMA ordinance.</p> <p>Development within SMAs may include wildlife enhancement and restoration projects.</p> <p>The SMA of perennial streams outside of urban development and expansion areas is defined as 100 feet from the stream transition line.</p>	<p>The project does not propose to use a surface water diversion or a hydrologically connected well as a water source for cultivation activities.</p> <p>The project site is near a dry Class III watercourse. The original owners/applicants had a portion of the cultivation area within the 50-foot SMA buffer of this dry water course bed. Cultivation and related infrastructure – grow bags and waterlines, were removed by hand in November 2017 by Golden Gardens. However, it was determined the Class III watercourse and SMA buffer is located outside of the subject property per a setback exhibit prepared by Omsberg and Preston as a result of field survey work completed February 27, 2018 and March 30, 2018. A site visit was performed on December 10, 2019 with County, California Department of Fish and Wildlife (CDFW), Golden Gardens and their TRC representative which revealed four(4) of the mitigation measures identified in the WRPP may no longer be necessary due to being located on the adjacent property and abandonment of a trail network utilized by the previous owners so access and trail crossings over the SMA was no longer needed. TRC indicated the class III watercourse is dry year-round and may have been created as a result of a historic food event up slope, that the SMA is in fairly stable condition and they would revise their recommendations for erosion control and stabilization within the SMA during development of the Site Management Plan (SMP) required under the new State Cannabis Cultivation Policy and Cannabis General Order adopted October 17, 2017 by the State Water Resources Control Board. Subsequently, the site transitioned to the new State Order by July 1, 2019 and TRC indicated they would complete a new site visit in the upcoming months to complete the SMP and determine appropriate erosion control measures to prevent further head-cut of the gully that starts where the class III watercourse leaves a flat</p>
---	---	---

Zoning Section	Summary of Applicable Requirement	Evidence
		<p>bench and the channel gradient increases down to the access road. Consent has obtained from the adjacent property owners for a licensed professional to implement erosion control measures and remediation recommendations in the Timber Conversion Report. A Lake and Streambed Alteration Agreement from CDFW will be required for any activities that occur within the stream channel. These requirements are included in the Conditions of Approval. All other mitigation measures identified in the WRPP have been completed.</p>
<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>Golden Gardens, LLC is comprised of four (4) members and will be doing all the work in-house with no employees; there will be no more than 4 workers on-site at a time of which two (2) are resident operators who live onsite. The plot plan shows sufficient parking for four vehicles.</p>
<p>314-55.4 Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)</p>		

Zoning Section	Summary of Applicable Requirement	Evidence
§314-55.4.8.2	<p>Commercial cannabis cultivation is allowed on parcels zoned U, with no parcel size limitation. 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.</p>	<p>The parcel had an unpermitted timber conversion between 2012 and 2016 to improve a cultivation area. Consequently, the applicant retained a Register Professional Forester to prepare a Timber Conversion Report. This report determined that the timber conversion was less than 3 acres and was consistent with the requirements of Cal Fire. Several remediation actions, including abandoning and reforesting a cultivation area were recommended in the report. Completion of these remediation actions is a Condition of Approval of this permit. Consent has been obtained from the adjacent property owner for a licensed professional to complete remediation actions on their property. A letter or monitoring report issued by an RPF stating that the remediation actions have been successfully completed will satisfy this Condition. Additionally, a settlement meeting occurred with the Planning and Building Department in which the original applicants/property owner paid a fine and was conditioned to not disturb any new ground of remove any new trees without proper approval. Cal Fire issued a Notice of Violation and stated they do not anticipate any additional enforcement action and concurred with the mitigations proposed in the Timber Conversion Report.</p>

Zoning Section	Summary of Applicable Requirement	Evidence
<p>§314-55.4.8.2.2</p> <p>Existing Outdoor and Mixed-Light Cultivation Areas</p>	<p>A Zoning Clearance Certificate, Special Permit or Use Permit may be issued for outdoor or mixed-light commercial cannabis cultivation for some or all of the cultivation area in existence prior to January 1, 2016, in zoning district U on parcels one acre or larger, but only when possible to bring the cultivation into compliance with all applicable standards set forth in this section and to eliminate existing violations as specified in this ordinance. No expansion of the existing cultivation area shall be permitted.</p>	<p>The previous owner/applicant applied for 9,600 SF of mixed-light cultivation in two cultivation areas (north and south). After the County performed a Cultivation Area Verification (CAV) for issuance on an Interim Permit it was determined that no mixed-light, as well as one of the cultivation areas, was not in existence prior to January 1, 2016 and was issued a Corrective Action Order in June 2017. Subsequently, the previous owner/applicants paid a penalty fee, removed the cultivation area in violation and transferred the permit application to Golden Gardens, LLC in November 2017 who was issued an Interim Permit for 6,300 SF of outdoor cultivation in April 2018. The proposed project includes permitting up to 6,300 square feet of existing outdoor cultivation on a parcel zoned U. The cultivation area is consistent with the requirements for the cultivation type, status, and zoning of the parcel. The applicant will comply with all conditions of the CMMLUO, as specified in the recommended conditions of approval.</p>
<p>§314-55.4.8.10</p> <p>Permit Limit</p>	<p>No more than four commercial cannabis activity permits may be issued to a single person.</p>	<p>According to records maintained by the Department, the applicant has applied for no other cannabis activity permits and is entitled to four. This application is for a single permit for outdoor cultivation.</p>
<p>§314-55.4.9.1</p> <p>Accessory Processing</p>	<p>Processing for cultivation requiring a Special Permit or Use Permit will be considered in the Use Permit application.</p>	<p>The existing 800-square foot Ag exempt shop on the site is used for processing product grown on site. The location of the shop is shown on the site plans. The building has been inspected by the County Building Inspector, and the applicant will address the Building Inspector's comments as a Condition of Approval of this permit. In addition, the applicant is required to convert the Ag-Exempt shop into a commercial processing facility following accessibility standards within the 2-year provisional permitting period, or process offsite at a licensed facility.</p>

Zoning Section	Summary of Applicable Requirement	Evidence
§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.	The original applicant submitted the required registration form on August 22, 2016.
§314-55.4.10 Application Requirements	Identifies the Information Required for All Applications	Attachment 4 identifies the information submitted with the application. Contents of the application are on file. All outstanding items are included as conditions of approval.
§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 project irrigation water is supplied by two permitted wells that are not hydrologically connected to surface water. As such, filing with the Division of Water Rights is not required at this time.
§314-55.4.11.d Performance Standards- Setbacks	The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs).	The site plan shows the project complies with property line setback except for the northern property line. As a result, the applicant will slightly reorganize the hoop/greenhouses in the same disturbed area to meet the 30-foot setback requirement. There are no parks, schools, bus stops, or places of religious worship within 600 feet of the cultivation site based on a review of aerial imagery. Nor is there a place of religious worship or tribal cultural resource within 600 feet. Also, Six Rivers National Forest lands is greater than 1,200 feet to the nearest cultivation area.

Zoning Section	Summary of Applicable Requirement	Evidence
§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 State Fish and Wildlife Service	The primary power source for the project is conventional grid power supplied by PGE. Therefore, the project conforms to the referenced standard. However, the operation utilizes fans in the hoop/greenhouses. The applicant submitted information on ambient noise levels and fan noise levels which indicates noise is greater than 60 decibels (dB) at the northern property line which is at the edge of potential habitat for Northern Spotted Owl. The project is conditioned to construct noise containment structures around the fans to ensure noise released does not exceed 50 decibels at 100 feet or edge of habitat whichever is closer for conformance with Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) which requires maximum noise exposure from the combination of background cannabis related noise measured at a distance of 100 feet or the edge of habitat, whichever is closer, to be at or below 50 decibels, a level considered by US Fish and Wildlife to not constitute harassment of NSO.
§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 application was filed on August 22, 2016.

4. Public Health, Safety and Welfare. The following table identifies the evidence which supports finding that the proposed location of the use 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 properties or improvements in the vicinity.

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 any environmental damage.

5. Residential Density Target: The following table identifies the evidence which supports finding that the proposed project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-17.1.5 Housing Element Densities	The proposed development 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 project does not involve residential development, nor is the project site part of the Housing Element Residential Land Inventory. However, the project site contains a single-family residence which will remain and will not preclude any future residential development if consistent with the General Plan and Zoning regulations. 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.

6. Environmental Impact: The following table identifies the evidence which supports finding that the proposed development will not adversely impact the environment.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
California Environmental Quality Act §15164	Addendum to an EIR or Negative Declaration.	As lead agency, the Department prepared an Addendum (Attachment 3) to the previously adopted Mitigated Negative Declaration (MND) (State Clearinghouse # 2015102005) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and adopted by the County Board of Supervisors January 26, 2016. The MND prepared for the CMMLUO established that the environmental effects of existing cultivation operations would be reduced from the baseline impacts through the regulations applied by the CMMLUO. The proposed project is consistent with all regulations within the CMMLUO and all mitigation measures of the MND. The project is for the approval of an existing cannabis cultivation operation with appurtenant processing facility. The environmental document on file include detailed discussions of all the relevant environmental issues.

ATTACHMENT 3

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

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

**APN 524-075-027, 2120 Friday Ridge Road, Willow Creek,
County of Humboldt**

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

July 2019

Background

Modified Project Description and Project History –

The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. These regulations were developed in concert with the Mitigated Negative Declaration (MND) that was adopted for the ordinance in order to implement the mitigation measures of the MND. The MND addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The MND specified that the regulations established in the CMMLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. Commercial cannabis cultivation in existence as of December 31, 2015 was included in the environmental baseline for the MND and the MND states that "Bringing existing operations into compliance will help to attenuate potential environmental effects from existing cultivation activities, including aesthetic impacts resulting from improper operation or poor siting." The current project was contemplated by the MND and compliance with the provisions of the CMMLUO will fully mitigate all environmental impacts of the project to a less than significant level.

The modified project involves a Special Permit for continued operation of 6,300 square feet (SF) of existing outdoor commercial cannabis cultivation on an 8.7-acre parcel. The operation includes five (5) light deprivation greenhouses totaling 6,300 and an ancillary propagation greenhouse. Water is supplied by two (2) permitted wells. Total water storage is approximately 40,000 gallons in 16 hard tanks. Estimated annual water usage is approximately 59,500 gallons (9.4 gal/SF). Drying occurs within three (3) shipping containers. Processing, including trimming and packaging, occurs onsite in an existing 800 SF shop or offsite at a license facility. All cultivation activities will be performed by four (4) managing members. Power is supplied by PGE.

All development meets appropriate Streamside Management Area (SMA) buffers and 600-foot public lands setbacks. The cultivation area is located outside of a 50-foot SMA buffer for a dry class III waterway and approximately 1,200 (0.23 mi) from Six Rivers National Forest land limiting impacts to the forest matrix and SMA wildlife corridor. A Water Resources Protection Plan was developed, and additional erosion control measures will be implemented within the SMA to further protect water resources should a major rain or flood event bring water to the dry watercourse. The site was reviewed by the Hoopa Valley and Tsnungwe Tribes for cultural resources and who confirmed a cultural resource survey was not necessary.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. These include ensuring supplemental lighting for propagation activities and security lighting adheres to Dark Sky Association standards and constructing noise containment structure for the greenhouse fans to limit impacts to biological responses as a result of light and noise. Also, utilizing permitted non-hydrologically connected wells decreases impacts to water resources as no surface water diversion is necessary.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Mitigated Negative Declaration (MND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize an existing 6,300 SF commercial cannabis operation and appurtenant facilities, and construct improvements necessary to bring the operation into compliance with the CMMLUO is fully consistent with the impacts identified and adequately mitigated in the original MND. The project, as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

In reviewing the application for consistency with the adopted MND, the County considered the following information and studies, among other documents:

- Plot Plan received November 11, 2018 dated September 19, 2018 replaces all previous versions.
- Cultivation and Operations Plan received July 16, 2019, replaces all previous versions
- Watershed Resource Protection Plan prepared by Timberland Resource Consultants dated February 7, 2017 and revised August 31, 2017
- Timber Conversion Report prepared by Timberland Resource Consultants, dated March 9, 2018
- Well Completion Logs prepared by Fisch Drilling, date signed June 30, 2014 and August 14, 2017
- R2 Soils Report, prepared by Pacific Watershed Associates, dated August 23, 2017. (On file)
- As-Built Plans for existing shop prepared by Mother Earth Engineering dated July 10, 2017
- Road Evaluation Report, prepared by applicant, dated December 14, 2017
- Fan Decibel Information and readings prepared by application, dated January 7, 2019
- Greenhouse Building Plans dated December 18, 2017
- Setback Exhibit prepared by Omsberg & Preston received January 10, 2019

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See Purpose statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the MND was adopted. Based upon this review, the following findings are supported:

FINDINGS

1. The proposed project will permit an existing cannabis operation and bring the operation into compliance with county and state requirements intended to adequately mitigate environmental impacts.
2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.
3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

CONCLUSION

Based on these findings it is concluded that an Addendum to the certified MND is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the MND, remain in full force and effect on the original project.

ATTACHMENT 4

Applicant's Evidence in Support of the Required Findings

Attachment 4 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

1. The name, contact address and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Plot Plan received November 2, 2018 and dated September 19, 2018, replaces all previous versions – Attached with project maps)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; 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. (Cultivation and Operations Plan received July 16, 2019, replaces all previous versions - Attached)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not applicable)
6. Description of water source, storage, irrigation plan, and projected water usage (Included in Cultivation and Operations Plan)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the 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. (NOI and Reporting Forms – On file; Watershed Resource Protection Plan (WRPP), 2017 Annual Reporting and 2018 Applicant tracking form - Attached)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (Not Applicable)
9. If the source of water is a well, a copy of the County well permit, if available. (Well Completion Logs for two wells, prepared by Fisch Drilling, date signed June 30, 2014 and August 14, 2017 - 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. (Timber Conversion Report prepared by Timberland Resource Consultants, dated March 9, 2018 - Attached)

11. Consent for onsite 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. Variance from property line setbacks obtained from neighboring parcel owners, notarized by Danica Anderson, dated April 17, 2018. (On file)
16. Consent received July 31, 2019 from neighboring parcel owners for a licensed professional to implement remedial actions identified in the Timber Conversion Report and any erosion control deemed necessary by their professional environmental consultant and/or California Department of Fish and Wildlife. (On-file)
17. R2 Soils Report, prepared by Pacific Watershed Associates, dated August 23, 2017. (On file)
18. As-Built Plans for existing shop prepared by Mother Earth Engineering dated July 10, 2017. (On file)
19. Road Evaluation Report, prepared by applicant, dated December 14, 2017. (Attached)
20. Fan Decibel Information and readings prepared by application, dated January 7, 2019. (Attached)
21. Greenhouse Building Plans dated December 18, 2017. (Attached)
22. Setback Exhibit prepared by Omsberg & Preston received January 10, 2019. (Attached)
23. Corrective Action Settlement Letter dated June 9, 2017. (Attached)
24. Justification for ancillary propagation greenhouse exceed 10% of total cultivation area, prepared by applicant received August 2, 2019. (Attached)



**Golden Gardens
Application # 10987
APN# 524-075-027**

Cultivation and Operations Plan

Project Description:

Golden Gardens is located at 2120 Friday Ridge Rd. Willow Creek, CA 95573 (APN 524-075-027). The parcel is 8.8 acres and zoned Unclassified. We are applying for a Special Permit with Humboldt County to attain "good standing" and be eligible for Priority Processing with the State for a Type 2B Mixed-light license for cultivating commercial cannabis up to a 10,000 ft² area. The farm is an *existing outdoor* operation utilizing 6,300 ft² of flowering canopy. 200amp power is supplied from PG&E and 2 deep wells service the property. Golden Gardens will be doing all the work in-house; there will be no more than 4 workers on-site at a time.

Pre-Existing Cultivation Area:

The cultivation area consisted of 6,300 ft² of outdoor cultivation per attached documentation.

Proposed Cultivation Area:

We are proposing to push together existing greenhouse frames and add a PVC connector raising the overall ceiling height to 11', see plot plan page 5 for reconfiguration details. For the remainder of our square footage we will construct simple structures made with PVC and wood. See plan page 6 for details. We have submitted Agricultural Exemption Forms for the above-proposed greenhouses to the Building Department. All these greenhouses will be covered with Humboldt Light Deprivation Kits, which close tight to the greenhouse frame. We will also construct a propagation/vegetative only greenhouse as shown on the proposed plot plan page 1b and 6. The total flowering square footage of the proposed site reconfiguration is 6,300sf.

Each green house will have 3 planter boxes, roughly 6' wide running the length of the greenhouse. We will also submit a commercial building permit for the exiting 20x40 shop, which we will use for propagation, storage, and processing.

Outdoor Cultivation Activities:

Step 1:

Golden Gardens will keep small plants we call mini moms throughout the winter. We will allow the plants to slowly grow until February at which point we will take cuts and create our clones for our first flowering round. These clones will be stuck in rockwool clone trays and will be kept under 24hrs of light. They will be located on shelves in the shop or in the propagation greenhouse.

Our moms will be under 1000-watt HPS bulbs and LED lights and will be kept in the propagation greenhouse or on a 32sf growing tray in the shop only if needed during the winter. The light cycle we will keep moms on will be from 5am – 10pm daily; when the sun is not up or bright enough the above-mentioned lights will supplement to ensure these plants stay in the vegetative growth stage. Supplemental lighting will be managed in accordance with the Performance Standards for Mixed Light as set forth in Humboldt County Ordinance No. 2544. All power is supplied from PG&E.

Step 2:

Once clones are rooted, we will pot these clones into 1 or 2 gal pots. We will keep these plants in our propagation greenhouse. These plants will remain in a vegetative state with supplemental light as needed per step 1. Supplemental lighting will be managed in accordance with the Performance Standards for Mixed Light as set forth in Humboldt County Ordinance No. 2544. All power is supplied from PG&E.

Step 3:

We will transplant the plants into the soil beds in the greenhouses. We will give them roughly 5-7 days in vegetative growth so they can acclimate then will 'flip into flower'. The remainder of the plants bloom cycle will be managed by Humboldt light-deprivation kits with black-out tarps.

We will be installing a drip irrigation system in the flowering greenhouses to better manage water consumption. We will be using plain water a majority of the time, compost tea once/week and if we need to supplement with nutrients for a plant deficiency or plant vigor near the end of the flower cycle we will mix with a submersible pump and top feed with a hose as needed.

This light-deprivation cycle will last 7-9 weeks. This operation meets dark sky standards because we will not be using any lights in our greenhouses.

Step 4:

Roughly the same time the plants are moved into the greenhouses to flower (step 3) we will take more cuts from our mother plants to begin steps 1-4 for rounds 2 and 3. When transplanting our 3rd round into their final flowerbeds we will take extra cuts for our mini moms that we will keep over the winter. At this time the current 'mom' plants will be moved into a greenhouse to flower with round 3 or will be destroyed.

Description of Water Source, Storage and Irrigation Plan:

Our commercial water source is from 2 existing permitted wells. Currently there are sixteen 2,500-gallon, water tanks (40,000 gallons stored) serviced by these wells. To conserve water, we are using soil beds. Our well runs on-demand and it has never stopped flowing water, and there is almost enough water storage for what we annually consume commercially. This allows for a supply available for irrigation as well as for Fire Protection.

We are enrolled with Timberland Resource Consultants and have transitioned into the new State Order with the Northcoast Regional Water Quality Control Board's Waiver of Waste Discharge Program, at a Tier 2 Discharge.

The properties projected annual commercial water use is approximately 59,500 gallons per year. With a 40,000-gallon storage capacity and 2 deep wells that can be utilized all year-round to re-fill the tanks, the property is well within its ability to serve its commercial operation with water. See table on page 6 for monthly water usage.

Site Drainage, Runoff and Erosion Control:

At Golden Gardens, we always use Best Management Practices (BMP). We take all measures that can be taken to ensure the protection of watershed and nearby habitat. We use only the highest quality and all-natural ingredients from start to finish. We put earthworm casings in our soil to save water from evaporation, so we water less and for fewer days per cycle.

Part of our operational plan is to always protect the habitat in and around our cultivation site. We utilize straw wattles along hillsides and around soil piles to mitigate any run-off or sediment into the natural habitat.

Storage and Products Utilized:

A portion of our existing shop is dedicated to proper storage and use of fertilizers, pesticides and other regulated products used. All containers are on shelves and when we take a bottle or container down to use, we put it back after we are done.

The following is a description of the products that we use consistently. The corresponding manufacture safety data sheets for each product will be attached at the end of this operations plan.

Recipe 420 Soil	Recipe 420 blend is a special blend of ingredients hand selected specifically for the needs of professional growers. We use this for our 1gal vegetative pots, when up potting clones before planting them in our soil beds.
Earthworm Castings, Alfalfa Meal, Azomite, Bat Guano, Crab Shell Meal, Epsom Salt, Fishbone, Gypsum, Kelp Meal, Neem Seed Meal, Seabird Guano, Shrimp Meal, Bio Char, Green Waste	We use specific amendments mixes comprised of these ingredients for each round of flower per our specific soil test. Using amendments helps, conserve water and eliminates the need for chemical fertilizers weekly.
Earth Juice Sea Blast	A water-soluble plant food to be used during the period between budding and full flower production. Formulated to promote stem & leaf growth while encouraging the development of blooms and the production of essential oils, resins & fragrances of flowers and herbs.

Liquinox Vitamin B-1	Aids in root regeneration and brings better top growth to the plant.
CloneX Clone Solution	Clonex clone Solution is a clone-specific nutrient formulated using a special blend of minerals, vitamins, wetting agents & root promoters
Cal Mag	Micronized Soluble Nutrient Solution for soil and foliar feeding, is good for all stages of plant growth. Cal Mag is essential for healthy Mom plants as well as general vegetative growth.
Mycorrhiza, Bacillus	Mycorrhiza is a fungus which grows in association with the roots of a plant in a symbiotic or mildly pathogenic relationship. Bacillus is a bacteria with an ability to amplify root mass and vigor, especially in hydroponic gardening.
Earth Juice Molasses	Combining sugar with vital micronutrients and the presence of trace minerals helps to invigorate resin production and terpenes.
Grow More Mendocino Line	These are 100% water-soluble formulas containing a properly balanced mixture of all essential plant nutrients with quality-enhancing elements: calcium, magnesium, DTPA/EDDHA Iron, carbohydrates, amino acids and no artificial dyes or colorings. This Mendocino line provides highly efficient, performance nutrients.
Actinovate AG	Biological fungicide that controls/suppresses soil-borne plant diseases such as <i>Pythium</i> , <i>Rhizoctonia</i> , <i>Phytophthora</i> , <i>Verticillium</i> and <i>Fusarium</i> and suppresses and controls foliar diseases such as powdery mildew, downy mildew, greasy spot, <i>Botrytis</i> , <i>Sclerotinia</i> , <i>Monilinia</i> , <i>Alternaria</i> , <i>Erwinia</i> and bacterial spot (<i>Xanthomonas perforans</i>).
Marrone Bio Innovations Venerate, Regalia and Grandevo	Regalia, Venerate and Grandevo used together help plants natural defenses to boost plant vigor, combat fungal and bacterial diseases, and has multiple modes of action—exoskeleton degradation, molting interference through exposure and ingestion of the product. They include several active compounds that repel, stop feeding, reduce reproduction and induce mortality to prevent the development of

	damaging populations of sucking and chewing insects, flies and mites.
NukeEm, Plant Therapy, Green Cleaner, Insecticidal Soap, Sulfur	These are mostly citric acid based pest and fungal treatment. These products are safe and will be used to combat any fungal or pest issue that arise.

The following is a schedule of cultivation activities for an entire calendar year with corresponding water usage table.

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Propagation	MM	MM & R1 ST	MM	MM & R2 ST	MM	MM & R3 ST	MM	ST & VT	MM	MM	MM	ST & MM
Round 1		ST & VT	VT	FL	FL	HV						
Round 2				ST & VT	VT	FL	FL	HV				
Round 3						ST & VT	VT	FL	FL	HV		
Water Use (gal)	500	500	1,000	4,000	6,000	9,000	10,000	10,000	8,000	6000	4,000	500
	MM - Mini Moms		ST - Start/clones		VT - vegetative		FL - Flowering		HV - Harvest			

Processing:

Harvested plants will be hung in a drying area (3 storage containers). Drying is done with fans, ACs and dehumidifiers; all power is supplied from PG&E. Once dried, the product will then be broken down off the stock into tubs and be trimmed on-site in the existing shop or transported to a processing facility. It will then be transported to a licensed distributor or manufacturer. The existing shop will be permitted as a commercial-grade building within the 2-year provisional permitting time frame and portable toilets will be on-site when any on-site processing occurs.

We also keep our farm clean and free of solid waste garbage and recycling. Which will be removed weekly. The items will be taken to a permitted solid waste/recycling facility to avoid nuisances including odors and vermin. All our spent growth medium with no further agricultural use will be composted on-site or hauled to a green waste facility. Our soil will be reused year after year; if there is any excess it will be taken to our on-site composting pile that will be no larger than 5'x5' feet (see plot plan 1b).

Security Plan:

Our property is fenced for privacy and security with a 6' – 7' high wooden fence, built by a licensed contractor. The cultivation site is surrounded with a 6' high deer fence. The entry point at the bottom of the driveway is also fenced with a lockable gate. We use motion activated lights and 24/7 security cameras with hard drive back-up on the property. The property entrance will be equipped with a security camera and an infrared sensor.

Streamside Management Area:

North of our cultivation site and property boundary there is a class III dry creek bed as show on the plot plan. **** After site-visit with Humboldt County, CDFW and TRC (12.10.18) and new information regarding the North property boundary these areas previously to be restored are outside of the property boundary and in fairly stable condition.** In light of these findings we will be implementing erosion control as directed by our SMP which will be finished at the end of the summer 2019.

North Coast Regional Water Quality Control Board
Order No. R1-2015-0023

Appendix C
Annual Reporting Form



ANNUAL REPORT FOR MONITORING AND REPORTING PROGRAM UNDER ORDER NO. R1-2015-0023

Note: This form must be electronically validated prior to submission. Failure to utilize the "Validate and Create Submittal" button at the bottom of the page may result in errors that delay the processing of your Annual Report.

Enrollment and Site Information

WDID	1B161192CHUM	
County	Humboldt	
¹ APN(s)	524-075-027-000	
Tier	2	
Reporting Date	03/02/2018	
Discharger Name	First Jill	Last Forman
Discharger Relationship to Property	Operator and Owner	
Report Preparer	Authorized Representative	
² Report Preparer Organization	Timberland Resource Consultants	
³ Date Water Resource Protection Plan Developed	09/16/2017	
³ Date instream work performed		
³ Date instream work planned		

¹Separate multiple APNs using a semicolon (",").

APN formats by county are as follows: XXX-XXX-XXX-000: Del Norte, Glenn, Humboldt, Lake, Modoc, Sonoma, Siskiyou
XXX-XXX-XX-00: Mendocino, Trinity
XXX-XXX-XXX: Marin

²Required only if report is prepared by an Authorized Representative.

³Dates required only if applicable.

⁴Site in Compliance with Standard Conditions?

Standard Condition	Yes/No	Expected Date of Compliance
1) Site maintenance, erosion control, and drainage features	No	10/15/2018
2) Stream crossing maintenance	No	10/15/2018
3) Riparian and wetland protection management	No	10/15/2018
4) Spoils management	Yes	
5) Water storage and use	Yes	
6) Irrigation runoff	Yes	
7) Fertilizers and soil amendments	No	10/15/2018
8) Pesticides and herbicides	Yes	
9) Petroleum products and other chemicals	Yes	
10) Cultivation-related wastes	No	10/15/2018
11) Refuse and human waste	Yes	

⁴If a standard condition is not met, indicate "No" and provide expected date of compliance in the adjoining box to the right. If a standard condition has been met or is not applicable (for instance, if there are no stream crossings onsite) indicate "Yes" the standard condition has been met and leave adjoining space blank.

If you are experiencing problems completing this form electronically please contact the Cannabis Unit at the North Coast Regional Water Quality Control Board for assistance at (707) 576-2676 or by email at northcoast.cannabis@waterboards.ca.gov.

Version 3 <January 26, 2018>

Quantitative Site Characterization	
Total sum of all cultivation areas (ft ²)	9,600
⁵ Distance from cultivation area (ft) to nearest Class I Watercourse	200+ ft
⁵ Distance from cultivation area (ft) to nearest Class II Watercourse	200+ ft
⁵ Distance from cultivation area (ft) to nearest Class III Watercourse	200+ ft
Average slope of cultivated area (%)	12
Number of road crossings of surface waters	0
⁶ Total water storage capacity (gallons)	35,000
⁷ Total nitrogen used (lbs)	0
⁷ Total phosphorus used (lbs)	0

⁵Report minimum distance from ANY cultivation area to this watercourse.

Watercourse Class definitions can be found in the footnotes on [page 6 of NCRWQCB Order No. R1-2015-0023](#).

⁶One acre-foot is 325,851 gallons.

⁷Calculate nitrogen (and phosphorus) content for individual products and sum all products used.

Dry and liquid forms of products can be calculated as follows:

Dry Fertilizer: Nitrogen (lbs) = (%N / 100) x weight of product (lbs)

Liquid Fertilizer: Nitrogen (lbs) = (%N / 100) x density of product (lbs / gal) x volume of product (gal)

⁸ Water Use												
Total surface water diversion (⁶ gallons)												
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
0	0	0	0	0	0	0	0	0	0	0	0	0
Water input to storage (⁶ gallons)												
⁹ Input Source	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
None	0	0	0	0	0	0	0	0	0	0	0	0
Water use (⁶ gallons)												
⁹ Application Source	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Well(s)	0	0	0	0	0	0	0	0	0	0	0	0

⁸Water use reporting includes domestic water if the residence is associated with cannabis cultivation.

⁹Combine multiple cases (e.g. multiple tanks) of a single source category (e.g. "Tank(s)") into a single row.

If water is applied from storage, indicate the type of storage (Bladder(s), Pond(s), Tank(s), or Other) as the application source. If "Other" is selected for either Input Source or Application Source please provide a brief description here:

¹⁰Digital Signature

Michael Collins

Form Successfully Validated

¹⁰Type full legal name to sign form

If you are experiencing problems completing this form electronically please contact the Cannabis Unit at the North Coast Regional Water Quality Control Board for assistance at (707) 576-2676 or by email at northcoast.cannabis@waterboards.ca.gov.


Red - Red - Red



2018 Annual Report Worksheet

Standard Conditions Met:	YES	NO	If NO, Date Expected
1. Site maintenance, erosion control, and drainage features	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Stream crossing maintenance	<input type="checkbox"/>	<input type="checkbox"/>	N/A
3. Riparian and wetland protection and management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Spoils management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Water storage and use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Irrigation runoff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. Fertilizers and amendments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. Pesticides and herbicides	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Petroleum products of other chemicals	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Cultivation-related waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Refuse and human waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Site Information:

Total Cultivation area (Square Feet):	6300	
Distance to surface waters (Feet):		
Average slope of cultivated area (Percent slope):	5%	
Total number of Road Crossings of surface waters:	0	
Total water Storage Capacity (Gallons):	40,000 gal	

Notes:

Monthly Water Tracking 2018



Water Source Type: Deep Well

*If you have more than one water source, please label accordingly or use multiple worksheets.

Month	Total Surface Water Diversion	Water Input to Storage by Source (gallons)	Water use by Source (gallons)
January	/	15,000g	≥ 500g
February	/	15,000g	≥ 500g
March	/	10,000g	10,000g
April	/	4,000g	14,000g 4,000g
May	/	3,000g	~ 6,000g
June	/	3,000g	~ 9,000g
July	/	2,000g	~ 10,000g
August	/	1,000g	~ 10,000g
September	/	2,000g	~ 8,000g
October	/	2,000g	~ 6,000g
November	/	4,000g	~ 4,000g
December	/	6,000g	~ 500g

2018 Soil Amendment & Chemical Use

Product Type/Name	Annual Amount Applied (Gallons or Pounds)	Nutrient Content/N-P-K Ratio
Compost Tea	< 2500 g	—
Alfalfa Meal	237 #	2.5 - 0.5 - 2
AZOMITE	474 #	—
CRAB SHELL MEAL	237 #	
EPSOM SALT	315 #	
FISH BONE	117 #	6-19-0
GYP SUM	714 #	
KELP MEAL	426 #	
NEEM SEED MEAL	354 #	5-1-2
SEABIRD GUANO	237 #	1-11-0
SHRIMP MEAL	237 #	5-9-0
SULFATE OF POTASH	141 #	

Water Resource Protection Plan

WDID# - 1B161192CHUM

APN 524-075-027 (Humboldt)

Prepared by:

Timberland Resource Consultants

165 South Fortuna Blvd

Fortuna, CA 95540

2/7/2017

Revised: 8/31/2017

180102120505TRC148

Purpose

This Water Resource Protection Plan (WRPP) has been prepared on behalf of the discharger, for the Humboldt County property identified as APN 524-075-027, by agreement and in response to the California Water Code Section 13260(a), which requires that any person discharging waste or proposing to discharge waste within any region that could affect the quality of the waters of the state, other than into a community sewer system, shall file with the appropriate regional water board a Report of Waste Discharge (ROWD) containing such information and data as may be required by the Regional Water Board. The Regional Water Board may waive the requirements of Water Code section 13260 for specific types of discharges if the waiver is consistent with the Basin Plan and in the public interest. Any waiver is conditional and may be terminated at any time. A waiver should include monitoring requirements to verify the adequacy and effectiveness of the waiver's conditions. California Regional Water Quality Control Board, North Coast Region, Order R1-2015-0023, conditionally waives the requirement for the property owner to file an ROWD for discharges and associated activities described in Finding-4.

Scope of Report

Order No. R1-2015-0023 states that "Tier 2 Dischargers and Tier 3 Dischargers who intend to cultivate cannabis before, during, or following site cleanup activities shall develop and implement a water resource protection plan that contains the elements listed and addressed below. Dischargers must keep this plan on site, and produce it upon request by Regional Water Board staff. Management practices shall be properly designed, installed, and assessed periodically for effectiveness. If a management measure is found to be ineffective, the plan must be adapted and implemented to incorporate new or additional management practices to meet standard conditions. Dischargers shall certify annually to the Regional Water Board individually or through an approved third party program that the plan is being implemented and is effectively protecting water quality, and report on progress in implementing site improvements intended to bring the site into compliance with all conditions of this Order."

Methods

The methods used to develop this WRPP include both field and office components. The office component consisted of aerial photography review and interpretation, existing USGS quad map review, GIS mapping of field data, review of on-site photography points, streamflow calculations, and general planning. The field component included identifying and accurately mapping all watercourses, wet areas, and wetlands located downstream of the cultivation areas, associated facilities, and all appurtenant roads accessing such areas. An accurate location of the Waters of the State is necessary to make an assessment of whether potential and existing erosion sites/pollution sites have the potential to discharge waste to an area that could affect Waters of the State (including groundwater). All cultivation areas, associated facilities, and all appurtenant roads accessing such areas were assessed for discharges and related controllable water quality factors from the activities listed in Order R1-2015-0023, Finding 4a-j. The field assessment also included an evaluation and determination of compliance with the Standard Conditions per Provision I.B of Order No. R1-2015-0023. The water resource protection plans required under Tier 2 are meant to describe the specific measures a discharger implements to achieve compliance with standard conditions. Therefore, all required components of the water resource protection plan per Provision I.B of Order No. R1-2015-0023 were physically inspected and evaluated. A comprehensive summary of each Standard Condition as it relates to the subject property is appended.

180102120505TRC148

Property Description

The property assessed is approximately 8.7 acres, located in Section 20, T6N, R5E, HB&M, Humboldt County from the Willow Creek 7.5' USGS Quad map. The property is located approximately 4 miles SSW of Willow Creek, California, and is accessed via Friday Ridge Road. Vegetation on the property consists of mixed conifer and oak woodland. The property has an SE facing aspect with an elevation range of approximately 1720' to 1880' above sea level. The project area contains portions of Fourmile Creek, tributary to Madden Creek, all of which drain to South Fork Trinity River.

Project Description

There are two cultivation areas located on the property. Cultivation Area A is 15,457 ft² and consists of thirteen 12' x 24' greenhouses on a clearing with above ground pots on three graded flat terraces. Cultivation Area B is 5,243 ft² and consist of plants in bags, pots, and in-ground holes. All water used for the irrigation of cannabis is derived from a permitted well located on the property.

Monitoring Plan

Tier 2 Dischargers shall include a monitoring element in the Water Resource Protection Plan that at a minimum provides for periodic inspection of the site, checklist to confirm placement and efficacy of management measures, and document progress on any plan elements subject to a time schedule. Tier 2 Dischargers shall submit an annual report (Appendix C) by March 31 of each year that documents implementation and effectiveness of management measures during the previous year. Tier 2 annual reporting is a function that may be provided through an approved third party program.

Monitoring of the site includes visual inspection and photographic documentation of each feature of interest listed on the site map, with new photographic documentation recorded with any notable changes to the feature of interest. At a minimum, all site features must be monitored annually, to provide the basis for completion of the annual re-certification process. Additionally, sites shall be monitored at the following times to ensure timely identification of changed site conditions and to determine whether implementation of additional management measures are necessary to prevent, minimize, and mitigate discharges of waste to surface water: 1) just prior to October 15 to evaluate site preparedness for storm events and storm water runoff, 2) following the accumulation of 3" total precipitation or by November 15, whichever is sooner, and 3) following any rainfall event with an intensity of 3" precipitation in 24 hours. Precipitation data can be obtained from the National Weather Service Forecast Office (e.g. by entering the zip code of the parcel location at <http://www.srh.noaa.gov/forecast>). Sites requiring monitoring are indicated as such within the WRPP Mitigation report in the follow pages.

Monitoring Plan Reporting Requirements

Order No. R1-2015-0023, Appendix C must be submitted to the Regional Water Board or approved third party program upon initial enrollment in the Order (NOI) and annually thereafter by March 31. Forms submitted to the Regional Water Board shall be submitted electronically to northcoast@waterboards.ca.gov. If electronic submission is infeasible, hard copies can be submitted to: North Coast Regional Water Quality Control Board, 5550 Skylane Boulevard, Suite A, Santa Rosa, CA 95403.

180102120505TRC148

General Location Map

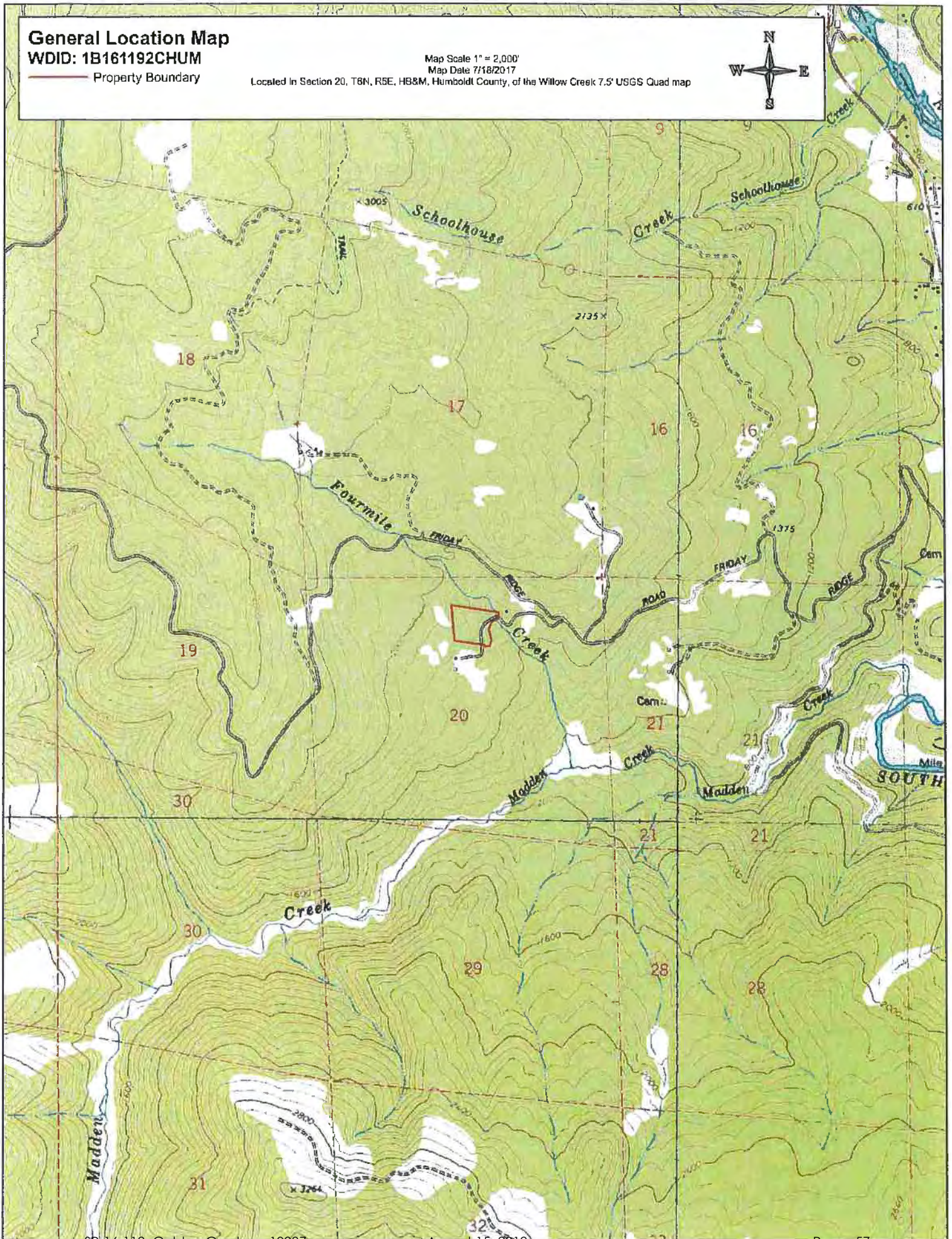
WDID: 1B161192CHUM

Property Boundary

Map Scale 1" = 2,000'

Map Date 7/18/2017

Located in Section 20, T6N, R5E, HB&M, Humboldt County, of the Willow Creek 7.5' USGS Quad map



Assessment of the Standard Conditions

Assessment of Standard Conditions consisted of field examinations in the summer of 2017. The examination evaluated areas near, and areas with the potential to directly impact, watercourses for sensitive conditions including, but not limited to, existing and proposed roads, skid trails and landings, unstable and erodible watercourse banks, unstable upslope areas, debris, jam potential, inadequate flow capacity, changeable channels, overflow channels, flood prone areas, and riparian zones. Field examinations also evaluated all roads and trails on the property, developed areas, cultivation sites, and any structures and facilities appurtenant to cultivation on the property. Anywhere the Standard Conditions are not met on the property, descriptions of the assessments and the prescribed treatments are outlined in the Mitigation Report to follow.

Summary of Standard Conditions Compliance

1. Site Maintenance, Erosion Control, and Drainage Features Y☐/N☒
2. Stream Crossing Maintenance Y☐/N☒
3. Riparian and Wetland Protection and Management Y☐/N☒
4. Spoils Management Y☒/N☐
5. Water Storage and Use Y☒/N☐
6. Irrigation Runoff Y☒/N☐
7. Fertilizers and Soil Amendments Y☐/N☒
8. Pesticides and Herbicides Y☒/N☐
9. Petroleum Products and Other Chemicals Y☒/N☐
10. Cultivation-Related Wastes Y☐/N☒
11. Refuse and Human Waste Y☒/N☐

1. Site Maintenance, Erosion Control, and Drainage Features

Roads are being classified as "permanent" (being used year-round), "seasonal" (being used primarily during summer months), and "trail" (being rarely used for occasional access to features on the property).

Permanent roads consist of a shared main access road and a driveway to the residence and cultivation area. The shared main access road is rocked and shows signs of surface erosion below Site 9 where a leadout ditch is being bypassed by ditch and surface flows. The driveway to the residence and cultivation area is rocked and shows no sign of surface erosion. Where the driveway begins there is an inside ditch culvert that shows signs of past overwhelming and plugging. Seasonal roads consist of a short unsurfaced access road to Cultivation Area B. This road is lightly used by vehicle traffic and shows no sign of surface erosion. Trails exist around the cultivation area and neighboring hillsides. These trails are lightly used and show no sign of surface erosion. No unstable areas, nor evidence of the potential of road/surface related runoff to create unstable areas, was noted during assessment of the property. No stockpiled construction materials are stored in any location that could be transported to receiving waters.

180102120505TRC148

Summary of Standard Conditions Compliance (Cont.)

Drainage Features (Cont.)

During inspection of the roads, cultivation areas, and watercourses, two sites were identified where road surface runoff was not being adequately dispersed, drained, and/or erosion of the road surface was occurring. Both Sites, Site 01 & 05, both have existing surface drainage structures in need of maintenance. Further detail can be found in the Mitigation Report to follow.

The Class III watercourse bi-secting the property (Sites 2, 4, 6, 8) shows a-typical morphology, suggestive of legacy erosion. While a swale or Class III watercourse may have existed in the past, the scale of the past down-cutting in the channel, presence of historic skid trails, indicates past erosion was likely the result of upslope diversion. This likely was the result of upslope road runoff and/or legacy logging. It appears that flows have returned to "normal", as evidenced by the apparent age of the gully-watercourse feature. Mitigations have been proposed to address legacy issues on this watercourse.

Cultivation Area A is located in a clearing with above ground pots on three graded flat terraces with slopes of less than 5% and adjoining natural hillslopes of approximately 28%. Surrounding the cultivation area are densely vegetated forest of conifer. The cultivation area is well drained with no associated erosion.

Cultivation Area B is located in a brush clearing with in-ground holes on slopes of approximately 11%. Surrounding the cultivation area is densely vegetated with manzanita brush and slash with the nearest riparian area approximately 50' upslope. The cultivation area is well drained with no associated erosion.

2. Stream Crossing Maintenance

There are no stream crossings with structures on the property. There are two ford crossings on a Class III watercourse at Sites 02 & 04 that require additional rock surfacing and maintenance. Further details can be found in the Mitigation Report to follow.

3. Riparian and Wetland Protection and Management

Assessments of the property concluded that Cultivation Area A is located within the 50' riparian buffer of a Class III watercourse. Approximately 4,887ft² of cultivation area is located within the riparian area and shall be removed prior to 10/15/2017. All cultivation, cultivation related materials, and potting soils shall be removed from the 50' riparian area. Any remnant soils or exposed ground shall be mulch with straw and seeded with native grasses. Further detail can be found in the Mitigation Report to follow.

Besides a wood shed, other associated facilities are not located or occurring within 100' of any Class I or II watercourse or within 50' of any Class III watercourse or wetland.

4. Spoils Management

Currently, no spoils are not stored or placed in or where they can enter any surface water. Any/all spoils are adequately contained or stabilized to prevent sediment delivery to surface waters. Any/all spoils generated through development or maintenance of roads, driveways, earthen fill pads, or other cleared or filled areas have not been sidecast in any location where they can enter or be transported to surface waters. Any/all

180102120505TRC148

Summary of Standard Conditions Compliance (Cont.)

future spoils generated as a result of any future construction projects that are to be stored on the property shall be done so in accordance with the BMP's.

5. Water Storage and Use

All water on the property is derived from a permitted well located on the property. This well meets and exceeds the required water demands for domestic and agricultural use. At this time, the discharger has 40,000 gallons of water storage installed. The storage tanks serve as a reserve supply should the well ever fail to produce sufficient water. The well has not yet failed to perform adequately.

Water meters shall be installed in 2017 to meter water used for the irrigation of cannabis and domestic use separately. The Discharger uses water conservation measures such as drip line irrigation, top mulching soils, and water in the morning or in the evening.

6. Irrigation Runoff

During multiple visits to the property, no irrigation runoff, or evidence of such runoff, was observed at either cultivation area.

7. Fertilizers and Soil Amendments

Fertilizers, potting soils, compost, and other soils and soil amendments are stored in a shop structure on the property in a manner in which they will not enter or be transported into surface waters and so that nutrients or other pollutants will not be leached into groundwater. Fertilizers and soil amendments are applied and used per the manufacturers guidelines. Cultivation Area 1 is currently not maintained so as to prevent nutrients from leaving the site during winter storm events due to portions of the cultivation area being within the riparian area of an adjacent Class III watercourse. Further details can be found in the Mitigation Report to follow.

8. Pesticides and Herbicides

Pesticides are stored adequately in a shop structure on the property. The use of pesticide products is consistent with product labeling and all products on the property are currently used, and stored in closed structures to ensure that they do not enter or are released into surface or ground waters.

9. Petroleum Products and Other Chemicals

Currently, no bulk fuel storage is present on the property. Fuel is stored in 5-gallon canisters and in structures. Should the discharger at any point in the future obtain fuel storage or petroleum products, any/all future petroleum products and other liquid chemicals, including but not limited to diesel, biodiesel, gasoline, and oils shall be stored so as to prevent their spillage, discharge, or seepage into receiving waters. Storage tanks and containers shall be of suitable material and construction to be compatible with the substance(s) stored and conditions of storage such as pressure and temperature. Above ground storage tanks and containers shall be provided with a secondary means of containment for the entire capacity of the largest single container and sufficient cover shall be provided to prevent any/all precipitation from entering said secondary containment vessel. Dischargers shall

Summary of Standard Conditions Compliance (Cont.)

ensure that diked areas are sufficiently impervious to contain discharged chemicals. Discharger(s) shall implement spill prevention, control, and countermeasures (SPCC) and have appropriate cleanup materials available onsite if the volume of a fuel container is greater than 1,300 gallons. Underground storage tanks 110 gallons and larger shall be registered with the appropriate County Health Department and comply with State and local requirements for leak detection, spill overflow, corrosion protection, and insurance coverage.

10. Cultivation-Related Wastes

With the exception of cultivation-related materials in the riparian area, no cultivation-related wastes including, but not limited to, empty soil/soil amendment/ fertilizer/pesticide bags and containers, empty plant pots or containers, and dead or harvested plant waste are stored at locations where they can enter or be blown into surface waters, or in a manner that could result in residues and pollutants within such materials to migrate or leach into surface water or groundwaters.

11. Refuse and Human Waste

Garbage and refuse is removed from the property as it is produced and hauled away to a landfill transfer station. Human waste is managed by a permitted septic system on site. It is the discharger's responsibility to ensure compliance of such action with the Humboldt County Department of Environmental Health and Human Services.

12. Remediation/Clean-up/Restoration

Currently, five of the Standard Conditions is not being met; Site Maintenance, Erosion Control, and Drainage Features, Stream Crossing Maintenance, Riparian and Wetland Protection and Management, Fertilizers and Soil Amendments, and Cultivation-Related Wastes. Sites will be treated in accordance with regulations, following approval of any and/or all necessary permits, and done in accordance with the BMP's listed in Appendix B of the Order and those included in this WRPP. Additionally, several other general recommendations have been made as follows:

General Recommendations

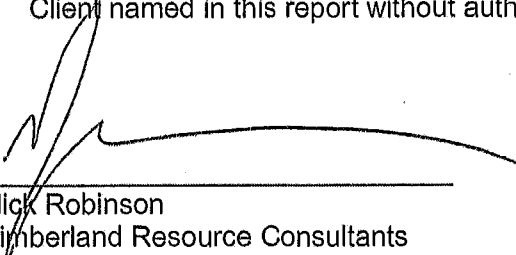
- ☐ Water use shall be designed and metered such that water used for the irrigation of cannabis will be recorded separately from domestic use. Water use for the irrigation of cannabis is to be recorded monthly for annual reporting.
- ☐ Fertilizer, soil amendments, and pesticide use it to be recorded in such a manner that cumulative annual totals are recorded for annual reporting.
- ☐ Frequent use of un-surfaced roads should be avoided, particularly when road surfaces are soft/saturated.
- ☐ All culverts should be inspected regularly during the winter months to check for plugging, blockage, or other issues.
- ☐ Existing or newly installed road surface drainage structures such as water bars, rolling dips, ditch relief culverts, and intentionally in/out-sloped segments of road shall be maintained to ensure continued function of capturing and draining surface runoff.

180102120505TRC148

STATEMENT OF CONTINGENT AND LIMITING CONDITIONS CONCERNING THE PREPARATION AND USE OF WATER RESOURCE PROTECTION PLAN

Prepared by Timberland Resource Consultants

1. This Water Resource Protection Plan has been prepared for the property within APN 524-075-027 in Humboldt County, at the request of the Client.
2. Timberland Resource Consultants does not assume any liability for the use or misuse of the information in this Water Resource Protection Plan.
3. The information is based upon conditions apparent to Timberland Resource Consultants at the time the inspection was conducted, and as disclosed to Timberland Resource Consultants by the landowner and/or Discharger. Changes due to land use activities or environmental factors occurring after this inspection, have not been considered in this Water Resource Protection Plan.
4. Maps, photos, and any other graphical information presented in this report are for illustrative purposes. Their scales are approximate, and they are not to be used for locating and establishing boundary lines.
5. The conditions presented in this Water Resource Protection Plan may differ from those made by others or from changes on the property occurring after the inspection was conducted. Timberland Resource Consultants does not guarantee this work against such differences.
6. Timberland Resource Consultants did not conduct an investigation on a legal survey of the property.
7. Persons using this Water Resource Protection Plan are advised to contact Timberland Resource Consultants prior to such use.
8. Timberland Resource Consultants will not discuss this report or reproduce it for anyone other than the Client named in this report without authorization from the Client.



Nick Robinson
Timberland Resource Consultants

180102120505TRC148

Site Map

WDID: 1B161192CHUM

Property Boundary

Trail

Permanent Road

Site

Residence

Shop

Shed

> > > > Historic gully

inside ditch

Class III watercourse

Class II watercourse

(Fourmile Creek)

Spring

Wet area

Cultivation Area

Class III 50' buffer

Cultivation area to be removed

Water storage Well



Map Scale 1" = 125'
Map Date 8/31/2017



Site Map

WDID: 1B161192CHUM

Property Boundary

Trail

Permanent Road



Site



Residence



Shop



Shed



Historic gully



Inside ditch



Class III watercourse



Class II watercourse
(Fourmile Creek)



Spring



Wet area



Cultivation Area



Class III 50' buffer



Cultivation area to be removed



Water storage Well



2016 NAIP DOQ
Map Scale 1" = 125'
Map Date 6/31/2017





WRPP - Mitigation Report

WDID# - 1B161192CHUM

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
1	-123.638603 40.883761	Permanent	X	X	X	A.1.	Prior to 10/15/17 pending the approval of any required permits	
Current Condition: 18-inch diameter ditch relief culvert under driveway plugging with sediment and debris at the inlet and in the inside ditch leading up to the inlet.						Prescribed Action: Clear 50 ft. before the inlet of the ditch culvert of sediment and debris. Rock armor the inlet per attached specifications. Install three staked wattles or sand bags at 10' - 20' intervals across the inside ditch before the culvert inlet.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
2	-123.639121 40.884711	Trail	X	X	X	A.2.	Prior to 10/15/18 pending the approval of any required permits	
Current Condition: Class III seasonal ford. No specific structure exists at this location.						Prescribed Action: Install a rock ford and apply rock surfacing to exposed dirt approaches to the crossing per attached specifications or abandon the crossing.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
3	-123.63878 40.884633	Other	X	X		A.3.	Prior to 10/15/17 pending the approval of any required permits	
Current Condition: Cultivation Area 1 is located within 20' - 40' of the riparian buffer of a Class III watercourse.						Prescribed Action: Approximately 4,887-square feet of cultivation area is located within the riparian area and shall be removed. Remove all cultivation, cultivation related materials, and potting soils outside of the 50' riparian buffer starting at the bank of the watercourse. Any exposed ground or remnant potting soils within the riparian area shall be mulched with straw and seeded with native grass to further stabilize soil. Install staked wattles along the perimeter of the cultivation area and around the greenhouses.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
4	-123.638546 40.88456	Trail	X	X	X	A.2.	Prior to 10/15/18 pending the approval of any required permits	
Current Condition: Class III seasonal ford. No structure exists at this location. This location is where there is a break in slope, with the channel gradient changing from approximately 20% upstream, to 5%, from Site 4 to Site 6, before gradient increases below Site 6. As such the channel shows evidence of migration within this bench, which has evidence of historic logging use. Watercourse has diverted along skid trail to the north in the past.						Prescribed Action: A rock ford shall be installed on the trail as per the attached BMP's. Additional, the channel shall be rock lined between Site 4 - 6 (approximately 70'). The channel shall be 6' wide and 12" deep. Rock shall be clean, competent rock, at least 6"-minus.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
5	-123.639329 40.88338234	Permanent	X	X		A.1.	Prior to 10/15/18 pending the approval of any required permits	
Current Condition: Existing lead out requires maintenance to insure surface runoff cannot concentrate beyond this feature.						Prescribed Action: Install a rock rolling dip as per the BMP's.		



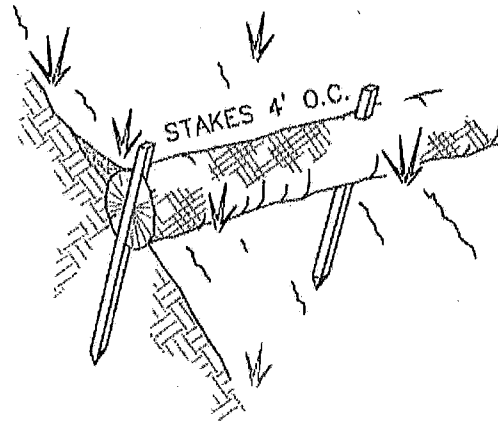
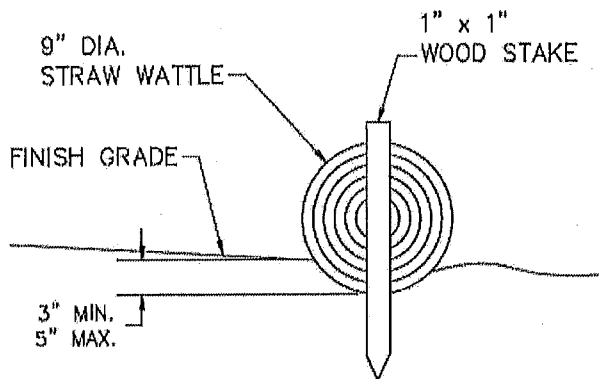
WRPP - Mitigation Report

WDID# - 1B161192CHUM

Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
6	-123.638373 40.884458		X	X	X	A.1.	Prior to 10/15/19 pending the approval of any required permits	
Current Condition: At this location, the Class III watercourse leaves a flat bench and the channel gradient increases to 15 - 25%. The knick point of this feature is comprised of unconsolidated fill and slash material, which evidently has been side cast over the break in slope over many years. It appears that the channel had historically been diverting down a skid trail to the north, but has recently settled back into this historic channel.						Prescribed Action: All perched - unconsolidated material shall be excavated out of the channel until natural grade is established. Organic material shall be spoiled separately from soil, and placed outside of the 50' riparian area. The knick point of the channel shall be rip-raped with 1/4-ton rock from break in slope to base of channel. All disturbed bare mineral soil within the riparian area shall be treated as per erosion control BMP's.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
7	-123.637882 40.884433	Permanent	X	X		A.1.	Prior to 10/15/18 pending the approval of any required permits	
Current Condition: Inside ditch berm is falling, resulting in ditch flows draining down the road.						Prescribed Action: Maintain berm at this location so ditch cannot escape current channel.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
8	-123.638983 40.884708	Other				A.3.	Prior to 10/15/18 pending the approval of any required permits	
Current Condition: Woody debris in channel. Knick point below the ford crossing gullyling.						Prescribed Action: Remove woody debris. Layback slopes leading into the channel to a 2:1 slope ratio or steeper if the channel slope is rock armored.		
Unique Point	Lat-Long NAD 83	Road Type	Mitigation Planned	Monitor	1600	Standard Conditions	Treatment Priority	Date Completed
9	-123.638692 40.883798	Other	X			A.1.	Prior to 10/15/18 pending the approval of any required permits	
Current Condition: Cut bank seep is drained by inside ditch.						Prescribed Action: Maintain inside ditch by hand as necessary.		

General Erosion Control Techniques

- Erosion control and sediment detention devices and materials shall be incorporated into the cleanup/restoration work design and installed prior to the end of project work and before the beginning of the rainy season. Any continuing, approved project work conducted after October 15 shall have erosion control works completed up-to-date and daily.
- Erosion control materials shall be, at minimum, stored on-site at all times during approved project work between May 1 and October 15.
- Approved project work within the 5-year flood plain shall not begin until all temporary erosion controls (straw bales or silt fences that are effectively keyed-in) are installed downslope of cleanup/restoration activities.
- Non-invasive, non-persistent grass species (e.g., barley grass) may be used for their temporary erosion control benefits to stabilize disturbed slopes and prevent exposure of disturbed soils to rainfall.
- Upon work completion, all exposed soil present in and around the cleanup/restoration sites shall be stabilized within 7 days.
- Soils exposed by cleanup/restoration operations shall be seeded and mulched to prevent sediment runoff and transport.
- Straw Wattles (if used) shall be installed with 18 or 24-inch wood stakes at four feet on center. The ends of adjacent straw wattles shall be abutted to each other snugly or overlapped by six inches. Wattles shall be installed so that the wattle is in firm contact with the ground surface.



General Erosion Control Techniques

TABLE 34. Guidelines for erosion and sediment control application

Timing of application	Technique	Portion of road and construction area treated
Erosion control during construction	Hydromulching, hydroseeding	Road fill slopes, cut slopes, bare soil areas
	Dry seeding	Road fill slopes, cut slopes, bare soil areas
	Wood chip, straw, Excelsior or tackified mulch	Road fill slopes, cut slopes, bare soil areas
	Straw wattles	Road fill slopes and cut slopes
	Gravel surfacing	Road, landing and turnout surfaces
	Dust palliative	Road surfaces
	Minimize disturbance (soil and vegetation)	All areas peripheral to construction
Sediment control during construction	Sediment basin	Roadside ditches, turnouts and small stream crossings
	Sediment traps (e.g., silt fences, straw bales barriers, woody debris barriers)	Road fill slopes, cutbanks, bare soil areas and ditches
	Straw bale dams	Ditches and small streams
	Sumps and water pumps	Stream channels and stream crossings
	Streamflow diversions (e.g., temporary culverts, flex pipe, etc.)	Stream channels and stream crossings
	Surface diversion and dispersion devices (pipes, ditches, etc.)	All disturbed bare soil areas
	Road shaping	Road and landing surfaces
	Gravel surfacing	Road, landing and turnout surfaces
	Bituminous or asphalt surfacing	Road surface
	Rolling clips	Road surface
Permanent erosion control	Ditch relief culverts	Roadbed and road fill
	Downspouts and berm drains	Road fill slopes
	Waterbars	Road and landing surfaces
	Berms	Road surface and roadside areas
	Ditches	Road and landing surfaces
	Riprap	Road fill slopes, stream crossing fills, cutbanks, stream and lake banks
	Soil bioengineering	Road fill slopes, cut slopes, stream crossings, streambanks
	Tree planting	Road fill slopes, cutbanks, bare soil areas, stream crossings, streambanks

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

Rocked Rolling Dip/Lead Out Ditch



FIGURE 55. *Steep roads that go straight up or down a hillside are very difficult to drain. This steep, fall line road developed a through cut cross section that was drained using lead out ditches to direct runoff off the road and onto the adjacent, vegetated hillside. The road was "outsloped" to drain runoff to the right side, and the lead out ditch was built slightly steeper than the road grade, to be self-cleaning. Four lead out ditches have been constructed at 100-foot intervals to the bottom of the hillside.*

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

Rocked Rolling Dip

- Rocked rolling dips are drainage structures designed to carry surface water across roads.
- The truck road shall dip into and out of the rocked rolling dip to minimize diversion potential.
- The rocked rolling dip shall be constructed with clean native rock that is large enough to remain in place during peak flows. Rock size shall vary relative to the size of the watercourse; however, an average 6" sized rock shall be used.
- The rocked rolling dips inlet and outlet shall be armored to resist downcutting and erosion.
- The entire width of the rocked rolling dip shall be rock armored to a minimum of 5-feet from the centerline of the dip.
- If a keyway is necessary, the rocked rolling dip keyway at the base of the dip shall be of sufficient size, depth and length to support materials used in the rocked rolling dip construction back up to the road crossing interface.
- Do not discharge rolling dips into swales that show signs of instability or active landsliding.
- If the rolling dip is designed to divert both road surface and ditch runoff, block the down-road ditch with compacted fill.
- The rolling dip must be drivable and not significantly inhibit traffic and road use.

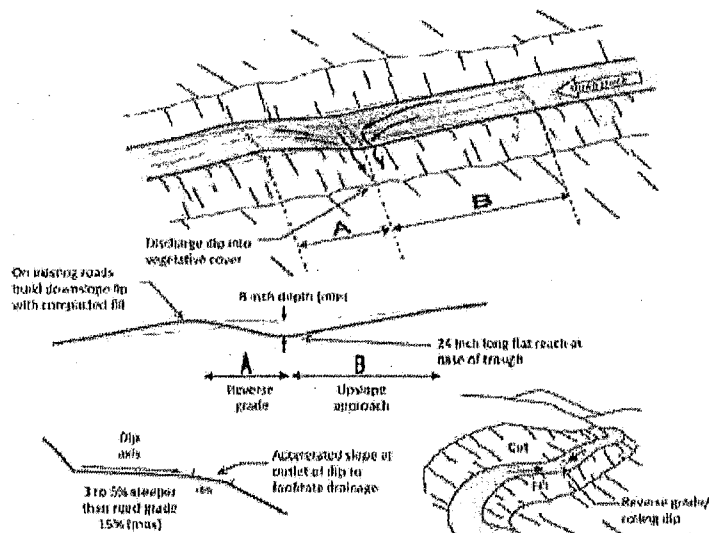


FIGURE 3A. A classic Type I rolling dip, where the excavated up-road approach (B) to the rolling dip is several percent steeper than the approaching road and extends for 60 to 80 feet to the dip axis. The lower side of the structure reverses grade (A) over approximately 15 feet or more, and then falls down to rejoin the original road grade. The dip must be deep enough that it is not obliterated by normal grading, but not so deep that it is difficult to negotiate or a hazard to normal traffic. The outward cross-slope of the dip axis should be 3% to 5% greater than the up-road grade (B) so it will drain properly. The dip axis should be out-sloped sufficiently to be self-cleaning, without triggering excessive downcutting or sediment deposition in the dip axis (Modified from: Best, 2013).

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

Waterbars

FIGURE 40. Waterbars are constructed on unsurfaced forest and ranch roads that will have little or no traffic during the wet season. The waterbar should be extended to the cutbank to intercept all ditch flow (1) and extend beyond the shoulder of the road. A berm (2) must block and prevent ditch flow from continuing down the road during flood flows. The excavated waterbar (3) should be constructed to be self-cleaning, typically with a 30° skew to the road alignment with the excavated material bermed on the downhill grade of the road (4). Water should always be discharged onto the downhill side on a stable slope protected by vegetation. Rock (shown in the figure) should not be necessary if waterbars are spaced close enough to prevent serious erosion. (5) The cross ditch depth (6) and width (7) must allow vehicle cross-over without destroying the function of the drain. Several alternate types of waterbars are possible, including one that drains only the road surface (not the ditch), and one that drains the road surface into the inside ditch (BCMF, 1991).

HANDBOOK FOR FOREST, RANCH, AND RURAL ROADS



Inlet and Outlet Armoring

- Inlets of culverts and associate fills shall be protected with rock armoring that extends at least as high as the top of the culvert.
- Outlets of culverts shall be provided a rock energy dissipater at the outfall of the culvert.
- Outlets of culverts and associate fills shall be protected with rock armoring that extends at least as high as the top of the culvert if road fill sloughing into channel can occur.
- Prior to inlet and outlet rocking, the inlet and outlets shall be prepared. Preparation will include removal of vegetation and stored materials from the inlet and outlet.
- Inlets may require construction of an inlet basin.
- Slopes at the outlet should be shaped to a 2:1 or natural slope prior to placing rock armor.
- Rock used at culvert inlets and outlets should be a matrix of various sized rocks and rip-rap that range from a 3" dia. to a 2' dia.
- The largest rocks should be places at the base of the culvert or fill. Incrementally smaller rocks shall be placed over the larger rocks at the armoring extend up the slope. Voids and spaces shall be back filled with smaller gravels and rocks.

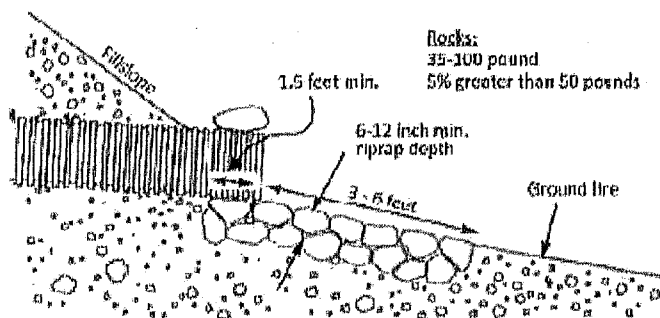


FIGURE 107A. Riprap armor at culvert outlet (Modified from: Keller et al., 2011).

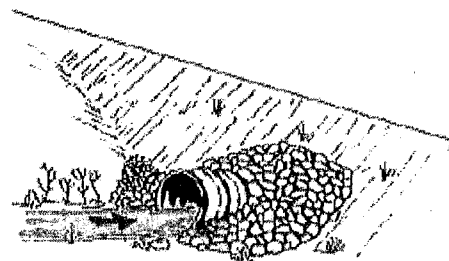
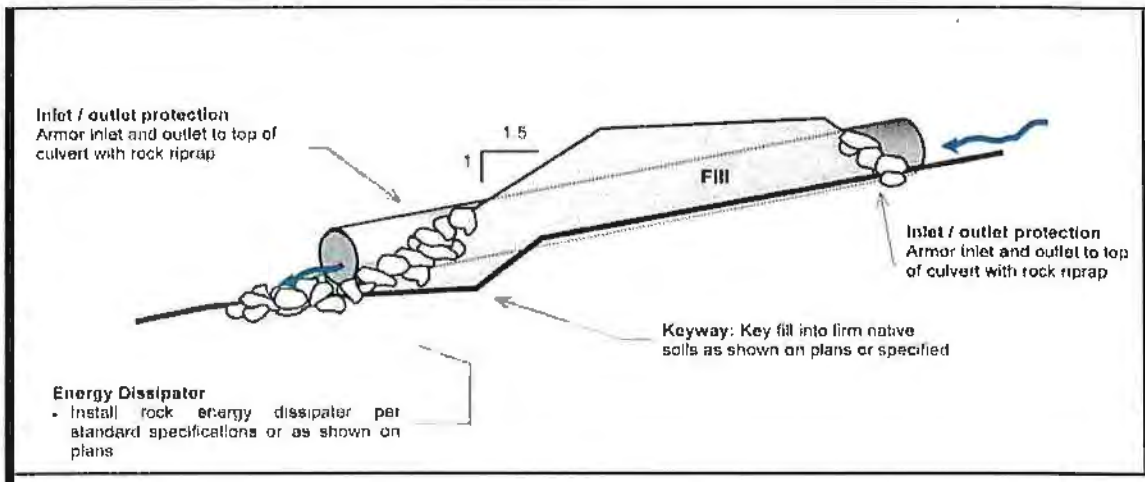
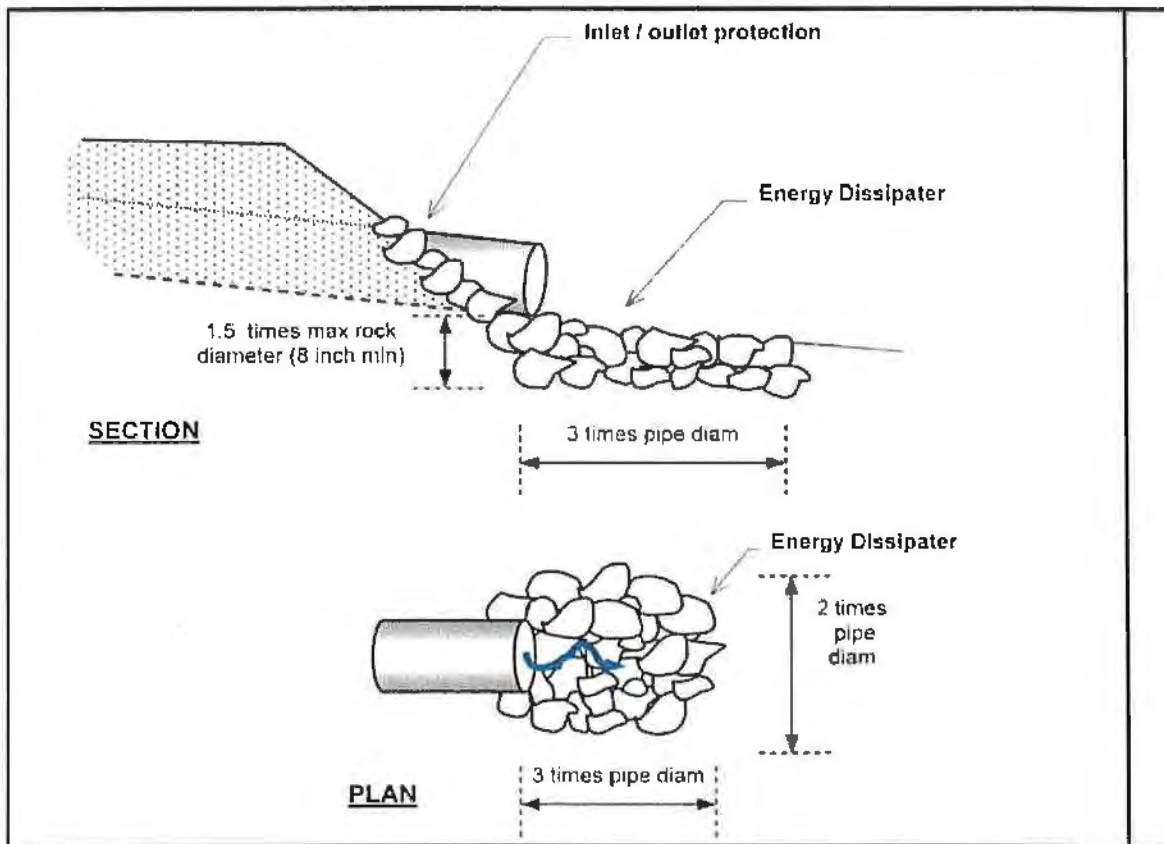


FIGURE 107B. Riprap armor at culvert inlet (Keller and Sherar, 2003).

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

Inlet and Outlet Armoring (cont.)



Riprap installed to protect the inlet and outlet of a stream crossing culvert from erosion or for energy dissipation should be keyed into the natural channel bed and banks to an approximate depth of about 1.5x the maximum rock thickness. Riprap should be placed at least up to the top of the culvert at both the inlet and outlet to protect them from splash erosion and to trap any sediment eroded from the newly constructed fill slope above.

Armored Ford/Fill

- Armored fords are watercourse crossing fills comprised primarily of rock and designed to carry watercourses across roads without erosion or displacement of installed fill material.
- Armored fords shall have a U-shaped channel to create a drivable crossing.
 - The road shall dip into and out of the armored ford to minimize diversion potential. Construct a broad rolling dip across the roadbed, centered at the crossing, which is large enough to contain the expected 100-yr flood discharge while preventing flood flow from diverting down the road or around the rock armor.
- The road surface at the armored ford shall consist of rock small enough to be easily passable by vehicle, but large enough to not be transported during high flow storm events.
- The ford's inlet shall be rock armored if a threat of head cutting exists.
 - *Excavate the keyway* - Excavate a one to three-foot-deep "bed" into the inboard edge of the road
 - *Armor the basal keyway* - place various sized rock in the constructed keyway to prevent head cutting. Use the largest rock armor to fill the keyway trench and create a buttress along the inboard edge of the road. This should have a "U" shape to it and it will define the inlet where flow leaves the natural channel and enters the road.
- The ford's outlet shall be rock armored to resist downcutting and erosion.
 - *Excavate the keyway and armored area* - Excavate a two to three-foot-deep "bed" into the dipped road surface and adjacent fillslope (to place the rock in) that extends from approximately the middle of the road, across the outer half of the road, and down the outboard road fill to where the base of the fill meets the natural channel. At the base of the fill, excavate a keyway trench extending across the channel bed.
 - *Armor the basal keyway* - Put aside the largest rock armoring to create the buttresses. Use the largest rock armor to fill the basal trench and create a buttress at the base of the fill. This should have a "U" shape to it and it will define the outlet where flow leaves the armored fill and enters the natural channel.
 - *Armor the fill* - Backfill the fill face with the remaining rock armor making sure the final armor is unsorted and well placed, the armor is two coarse-rock layers in thickness, and the armored area on the fill face also has a "U" shape that will accommodate the largest expected flow.
 - *Armor the top of the fill* - Install a second trenched buttress for large rock at the break-in-slope between the outboard road edge and the top of the fill face.
- Road approaches to armored fords shall be surface rocked out to the first drainage structure (i.e. waterbar, rolling dip, or hydrologic divide) to prevent transport of sediment using rock.
- Bank and channel armoring may occur when appropriate to provide channel and bank stabilization.
- Armored ford armoring shall be reapplied following use as needed to maintain a permanent crossing.



FIGURE 120. This armored fill crossing of a steep, ephemeral stream was constructed to provide a low maintenance crossing. The crossing has been deeply dipped to reduce the volume of road fill and to eliminate the potential for stream diversion. The fill slope has been heavily armored through the axis of the crossing to contain flood flows and prevent downcutting. Armored fills cannot be used on fish bearing streams.

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

Armored Ford/Fill (cont.)



FIGURE 121D. Well graded rock armor is then backfilled into the structure and spread across the breadth of the U-shaped stream crossing, and about one-third the way up the roadbed, so that streamflow will only flow over or come in contact with resistant armor material. The armor must be spread and compacted across the design width of the expected flood flow channel width so peak flows will not flank the armored structure.



FIGURE 121E. Two weeks after this armored fill was constructed, a storm flow event occurred and the structure maintained its function and integrity. The road approaches had not yet been compacted or surfaced with road rock.

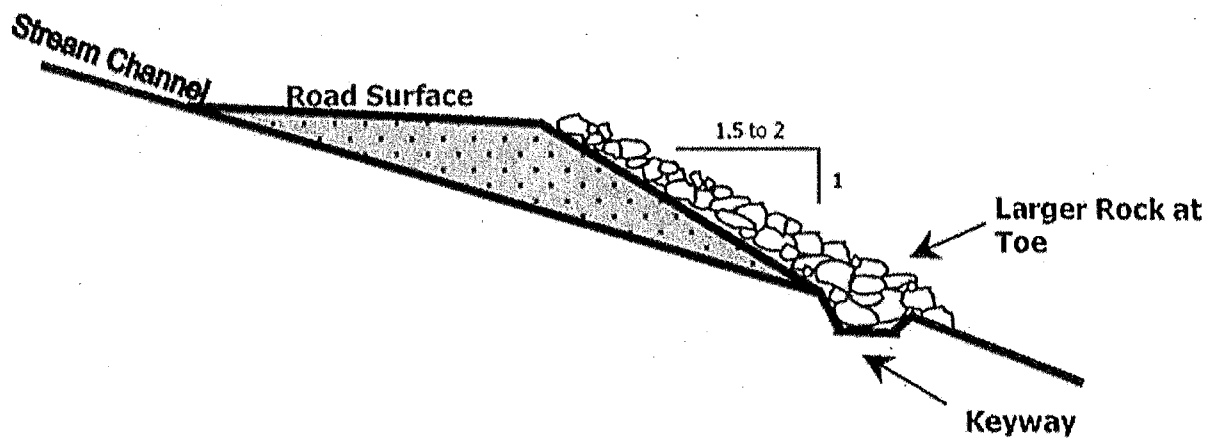
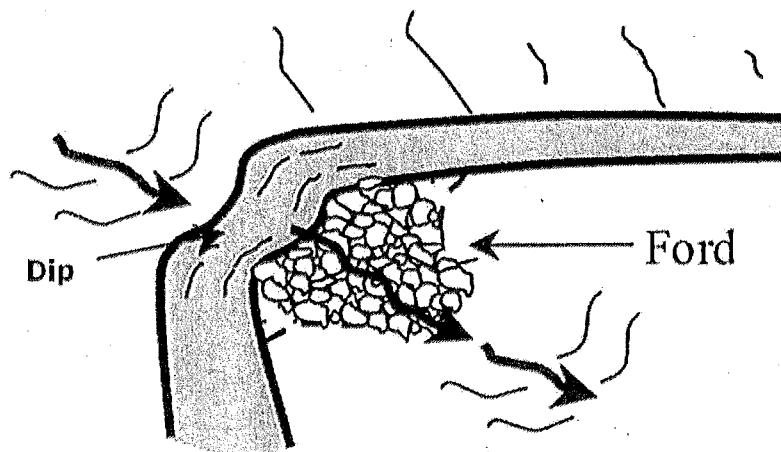


FIGURE 121F. The same armored fill as it appeared after the first winter flood flows. No maintenance was required to reopen the road. It is also clear that no stream diversion is possible at this stream crossing site, and the volume of fill within the crossing has been reduced to the minimum amount needed to maintain a relatively smooth driving surface on this low volume road.

HANDBOOK FOR FOREST, RANCH AND RURAL ROADS

Armored Ford/Fill (cont.)

FORD: A large dip is graded into the road at the axis of the stream channel. The outside fill face is dished out to form a spillway with large rock. On large watercourses, rock is keyed several feet into firm native soils. The road surface is rocked with 6" of minus rock.





165 South Fortuna Boulevard, Fortuna, CA 95540

707-725-1897 • fax 707-725-0972

trc@timberlandresource.com

March 9, 2018

Golden Gardens LLC
c/o Jill Forman
P.O. Box 1427
Willow Creek, CA 95573

Dear Golden Gardens LLC:

The following is an evaluation of potential timberland conversion on cannabis cultivation sites included in the Humboldt County Cannabis Permit Application (Apps #10987) for APN 524-075-027. Please accept this letter as the RPF's written report required by Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.10 (j), cited below.

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

Timberland Resource Consultants (TRC) inspected and evaluated the cultivation sites contained within the application on February 26th, 2018. Landowner representative Tyler Forman also attended the site visit. The RPF and his designees have exercised due diligence in reviewing all sites and available resources to fully assess potential timberland conversion and consequential impacts. This report evaluates the cultivation site and associated areas for timber operations only. The scope of this report does not include: all other land alteration (such as grading, construction, and other permit-regulated activities), all property features and sites unrelated to cultivation activities, or any proposed, planned, or absent cultivation-related project sites. All findings are summarized in the report below.

Project Location

APN: 524-075-027

Acreage: 8.70 assessed lot acres; 8.81 GIS acres

Legal Description: Portion of NE ¼ of Section 20;

Township 6 North, Range 5 East,

Humboldt Base & Meridian, Humboldt County

Located on USGS 7.5' Quadrangle: Willow Creek, 1969

Humboldt County Zoning: Unclassified

Site Address: 2120 Friday Ridge Road, Willow Creek, CA 95573

Landowner/Timber Owner: HGG Ventures LLC, c/o Jill Forman, P.O. Box 1427, Willow Creek, CA 95525

Project Location Description: The project area is located approximately 3.8 air miles south of Willow Creek, CA, and 2.9 air miles west-southwest of Salyer, CA. To access the project area from Willow Creek, CA, on eastbound Highway 299, turn right on to Friday Ridge Road; continue for 2.7 miles then turn left on to an unnamed private road; continue for 0.4 miles to reach the project areas above the road.

Parcel Description & Timber Harvest History

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

The property consists of a single, 8.70-acre parcel known as APN 524-075-027. The parcel is densely forested with mature Douglas fir, tanoak, Pacific madrone, and true oaks (see Photo 1). The average age of the dominant Douglas-fir trees is estimated to be approximately 50-70 years old. The parcel contains segments of a Class II watercourse (known as Fourmile Creek) and a Class-III watercourse which is tributary to the Trinity River. The property contains a private, permanent road system.

Review of historic aerial imagery from 1947 to 1972 shows evidence of logging events such as truck roads, skid roads, and reduced canopy density. No definitive even-aged units were observed within the property; however, field observations indicate that the stand was harvested sometime in the last 50 years. It does not appear that any documented commercial timber harvesting has occurred on the property in the last 20 years (CALFIRE Watershed Mapper v2). HGG Ventures LLC Co purchased the property and its timber from Jessica and Ryan Tyler in August 2017 (Parcel Quest).

Project Description

Two cultivation sites (and no associated areas) were inspected during the field assessment within APN 524-075-027. The following table lists the inspected sites and their acreages; see detailed site descriptions below.

Cultivation Site/Associated Area	Total Acreage
Cultivation Site 1 (Including Drying/Storage Building and Shipping Containers)	0.60
Cultivation Site 2	0.13
TOTAL	0.73

Cultivation Site 1

Cultivation Site 1 is a 0.60-acre area located in the northern portion of the property (see Photos 1 and 2). Cultivation-related activities observed included a Drying/Storage Shed, three industrial shipping containers (used for cultivation project materials storage), multiple greenhouses, several outdoor-grown cannabis plants, and a large, plastic water storage tank. Review of aerial imagery reveals that the site was partially cleared of trees, stumps, and vegetation between 1972 and 1988. This area may have served as a log landing or building pad for the nearby residence constructed between 1988 and 1993. The site was expanded to its current size between 2012 and 2016. Additional trees were removed east of the site, likely to enhance sunlight availability. No cultivation activities occupied this particular area, so it is not included in the total conversion. It does not appear that any commercial timber operations occurred. Slash and woody debris from the conversion activities still exist along the northwestern edge of the site. The cultivation activities observed impede the use of this space for current timber growth and harvesting; in this way, the landowner has effectively converted the single use of this space from timber production to cannabis cultivation.

Cultivation Site 2

Cultivation Site 2 is a 0.13-acre area located in the southwestern portion of the property, approximately 230 feet southwest of Cultivation Site 1 (see Photo 3). Cultivation-related activities observed included several outdoor-grown cannabis plants and a large, plastic water storage tank. Review of aerial imagery reveals that the site was cleared of trees, stumps, and vegetation between 1972 and 1988. This area may have served as a log landing. The site revegetated between 1988 and 2014; however, it appears only minor tree and vegetation removal occurred to establish the site between 2014 and 2016. It does not appear that any commercial timber operations occurred. No slash and woody debris from the conversion activities remains at the site. The landowner stated that cultivation activities will be removed from this site. The cultivation activities observed impede the use of this space for current timber growth and harvesting; in this way, the landowner has effectively converted the single use of this space from timber production to cannabis cultivation.

Project Description cont'd

Other Mapped Features

The Overview Map shows the location of a residence and a wood shed. These buildings are used for personal and recreational purposes only, not for cultivation activities; therefore, they fall outside the scope of this report.

The map also shows locations of several plastic water storage tanks used for cultivation water storage (not pictured). Though minor tree and vegetation clearing may have occurred to install these features, the surrounding timber stand still meets the stocking standards of the California Forest Practice Rules (CFPRs). Ultimately, the water tanks do not impede the use of the land for current or future timber growth and harvesting; therefore, they do *not* constitute timberland conversion.

Timberland Conversion Summary

In total, TRC observed approximately 0.73 acres of unauthorized timberland conversion for cultivation-related purposes within APN 524-075-027. This total does not exceed the three-acre conversion exemption maximum.

Limitations and Considerations for Timberland Conversion Activities

Watercourses and Water Resources

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

Humboldt County General Plan, Appendix G Housing Element, G-118: "The County maintains Streamside Management Areas (SMAs) to protect sensitive fish and wildlife habitats and to minimize erosion, runoff, and other conditions detrimental to water quality...The width of the SMA depends on whether or not the stream is perennial or intermittent and whether the area is inside or outside of Urban Development and Expansion Areas. In urban areas, the SMA width is 50 feet on each side of perennial streams and 25 feet for intermittent streams; outside of urban areas, the width is 100 feet for perennial streams and 50 feet for intermittent streams. Development within the SMAs is very restricted and is subject to implementation of numerous mitigation measures designed to protect the habitat quality of the SMA."

Cultivation Site 1 falls within the 30-foot minimum Equipment Exclusion Zone (EEZ) of the Class III watercourse southwest of the site. Operation within this zone is not permitted under the California Forest Practice Rules (CFPRs). Cultivation activities should be removed within the EEZ in order to comply with the CFPRs (see Recommendation 1). The EEZ should also be replanted (see Recommendation 2). No other conversion areas exist within Watercourse and Lake Protection Zones (WLPZ) or EEZs on the property. Overall, no conversion activities appear to have impacted water resources.

It should be noted that Cultivation Site 1 falls within the 50-foot minimum Streamside Management Area (SMA) for an intermittent stream required by Humboldt County. Operations and timberland conversion within SMAs on non-TPZ parcels require an inspection and special permit. The recommendations stated in this report correspond to compliance with the CFPRs only but are compatible with the mitigations stated in the Water Resource Protection Plan.

Slash, Woody Debris, and Refuse Treatment

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

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

- 1) Unless otherwise required, slash greater than one inch in diameter and greater than two feet long, and woody debris, except pine, shall receive full treatment no later than April 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.
- 2) All pine slash three inches and greater in diameter and longer than four feet must receive initial treatment if it is still on the parcel, within 7 days of its creation.
- 3) All pine woody debris longer than four feet must receive an initial treatment prior to full treatment.
- 4) Initial treatment shall include limbing woody debris and cutting slash and woody debris into lengths of less than four feet, and leaving the pieces exposed to solar radiation to aid in rapid drying.
- 5) Full treatment of all pine slash and woody debris must be completed by March 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.
- 6) Full slash and woody debris treatment may include any of the following:
 - a) Burying;
 - b) Chipping and spreading;

Golden Gardens LLC (APN 524-075-027) – Timberland Conversion Evaluation Report

3

Limitations and Considerations for Timberland Conversion Activities cont'd

Slash, Woody Debris, and Refuse Treatment cont'd

- c) Piling and burning; or
 - d) Removing slash and woody debris from the site for treatment in compliance with (a)-(b). Slash and woody debris may not be burned by open outdoor fires except under permit from the appropriate fire protection agency, if required, the local air pollution control district or air quality management district. The burning must occur on the property where the slash and woody debris originated.
- 7) Slash and woody debris, except for pine, which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying by April 1 of the year following its creation. Pine slash and woody debris which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying within seven days of its creation.
- 8) Any treatment which involves burning of slash or woody debris shall comply with all state and local fire and air quality rules."

Most slash and woody debris generated from the conversion activities has already been treated; however, remnant slash still exists along the northwestern edge of Cultivation Site 1 (see Photo 7). All slash should be treated according to the FPRs (see Recommendation 1).

Biological Resources and Forest Stand Health

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

A query of the California Natural Diversity Database (CNDDDB) on February 22nd, 2018 showed observations of two (2) sensitive, rare, threatened, or endangered species or species of special concern within a 0.7-mile radius biological assessment area (BAA) surrounding the cultivation sites. No individuals of sensitive, rare, threatened, or endangered species or species of special concern were observed during the TRC field assessment of the project area, though potential habitat may exist on the property. See "Multiple Occurrences per Page" CNDDDB Report and 0.7-Mile BAA CNDDDB (APN 523-021-003) Map attached for more information.

The query of the CNDDDB also revealed no (0) known Northern Spotted Owl (NSO) Activity Centers within a 0.7-mile radius BAA surrounding the cultivation sites. No evidence of NSO individuals was observed during the TRC field assessment though habitat exists on the property.

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

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

Cultural Resources

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

No archeological sites were observed during the TRC field assessment. The RPF's designee conducted pre-field research for the project's geographic location and closely surveyed the converted sites and surrounding undisturbed areas for presence or evidence of prehistoric or historic sites. The archaeological survey was conducted by Brita Rustad, a certified archaeological surveyor with current CALFIRE Archeological Training (Archeological Training Course #161). The survey consisted of examining boot scrapes, rodent disturbances, natural and manmade areas of exposed soils, and road and cultivation site surface.

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

Recommendations

In summary, a total of 0.73 acres of unauthorized timberland conversion has occurred within APN 524-075-027. This total does not exceed the three-acre conversion exemption maximum. The conversion activities conducted on the property do *not* comply with the standards set forth in the California Forest Practice Act and the California Forest Practice Rules. The RPF recommends the following measures for the converted areas:

- 1) Removal of Cultivation Site 1 within Class III EEZ: Remove all cultivation infrastructure, materials, and waste (including all cannabis plants, structures, soils spoils, fence line, and any other cultivation-related project materials) within 30 feet of the head of the Class III watercourse.
- 2) Replant Cultivation Site 1 within Class III EEZ: Replant native trees to CFPRs stocking standards (14 CCR 1071) within 30 feet of the head of the Class III watercourse. Though restoration methods may vary, the RPF recommends the following:
 - i) Replant locally-sourced Group A commercial species (Douglas-fir seedlings recommended) at a level of 450 trees per acre (approximately 10-foot uniform spacing between seedlings).
 - ii) Monitor growth and success of planted seedlings to ensure a 300-point count stocking level is maintained 2-3 year after planting.
 - (1) If seedling success is low, repeat the replanting process.
 - (2) Consider consulting an RPF for continued timber management in this area.
- 3) Slash and Woody Debris Treatment: Nearby Cultivation Site 1, treat all slash piles and woody debris as soon as possible (and during an appropriate time of year) using one of the following methods: burying, chipping and spreading, piling and burning, or removal from site.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants
165 South Fortuna Blvd, Suite 4
Fortuna, CA 95540
(707) 725-1897
trc@timberlandresource.com

Enclosures:

General Location Map
Overview Map
DOQ Map
Water Resource Protection Plan - Site Map (prepared by TRC)
"Multiple Occurrences per Page" CNDDDB Report
APN 524-075-027 CNDDDB Map
APN 524-075-027 NSO Map
Photos
References

Golden Gardens LLC - Timberland Conversion Evaluation

General Location Map

APN: 524-075-027

Revised: 02/22/18

Sec. 20, T6N, R5E;
HB&M, Humboldt County
USGS 7.5' Quad: Willow Creek
Map Scale: 1" = 2,000'



Property Boundary*



*The property boundary depicted is adapted from the Humboldt County Assessor's Parcel Map and the WRPP Site Map. This mapped boundary may not precisely align with the geographic boundary on the ground. The RPF is not responsible for surveying property boundaries.



Golden Gardens LLC - Timberland Conversion Evaluation

Overview Map

APN: 524-075-027

Sec. 20, T6N, R5E
HB&M, Humboldt County
USGS 7.5' Quad: Willow Creek
Revised: 03/08/18
Map Scale: 1" = 125'
Contour Intervals = 40'

Property Features



Property Boundary*

Cultivation Sites

Roads

Permanent
Trail

Watercourses & Water Resources

Class II Watercourse
Class III Watercourse
Historic Gully
Inside Ditchline
Spring
30-foot ELZ

Inspected Area**



Other Features



Residence



Drying/Storage Building

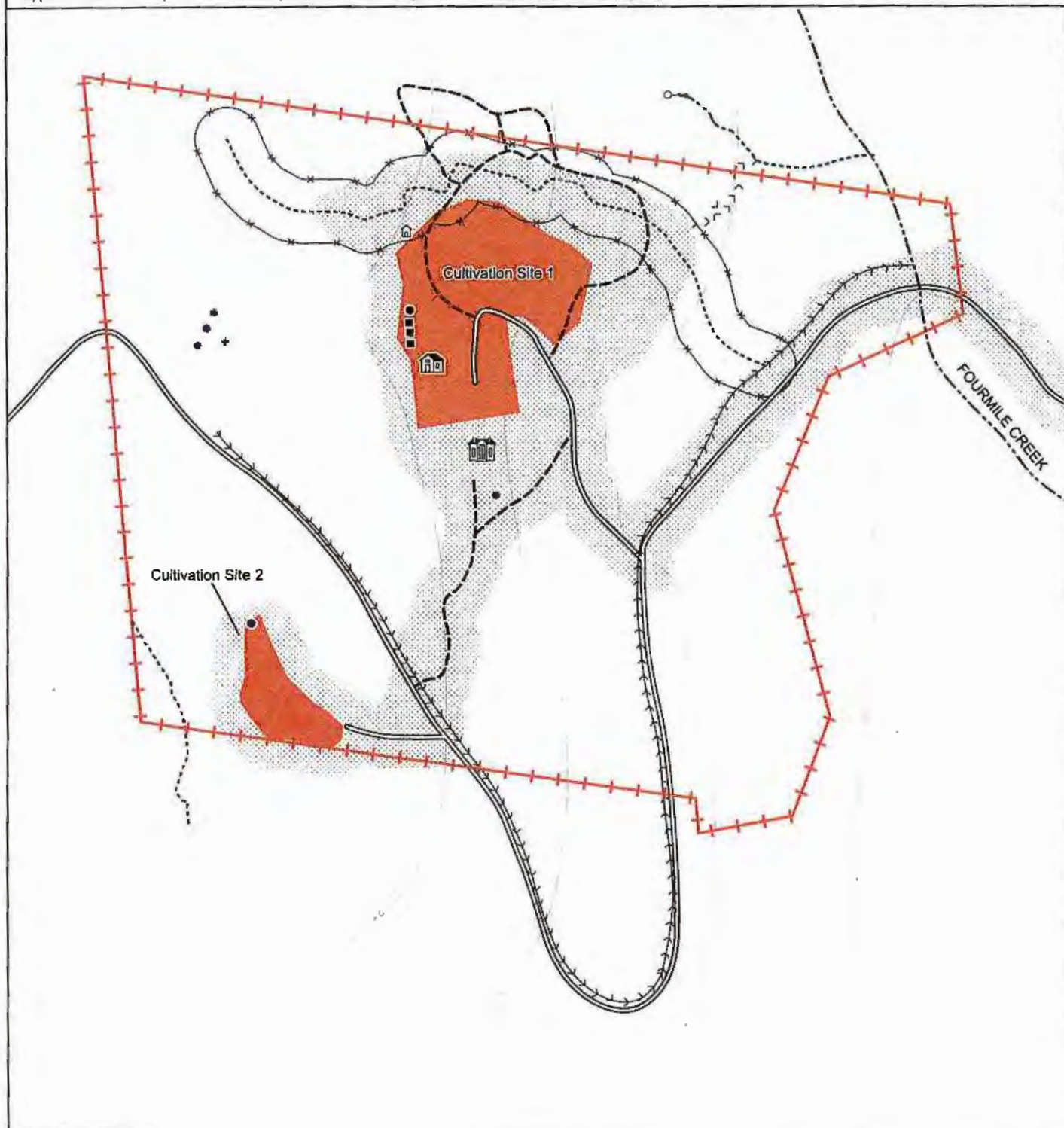


Shipping Container



*The property boundary depicted is adapted from the Humboldt County Assessor's parcel map and WRPP Site Map. This mapped boundary may not precisely align with the geographic boundary on the ground. The RPF is not responsible for surveying property boundaries.

**The shaded area represents the extent of the inspected area. All watercourses and landscape features within the shaded area are mapped to the best of the RPF's ability. All features mapped outside of the inspected area are adapted from the Quadrangle and WRPP Site Map; accuracy may vary.



Golden Gardens LLC - Timberland Conversion Evaluation DOQ Map

APN: 524-075-027

Sec. 20, T6N, R5E

HB&M, Humboldt County

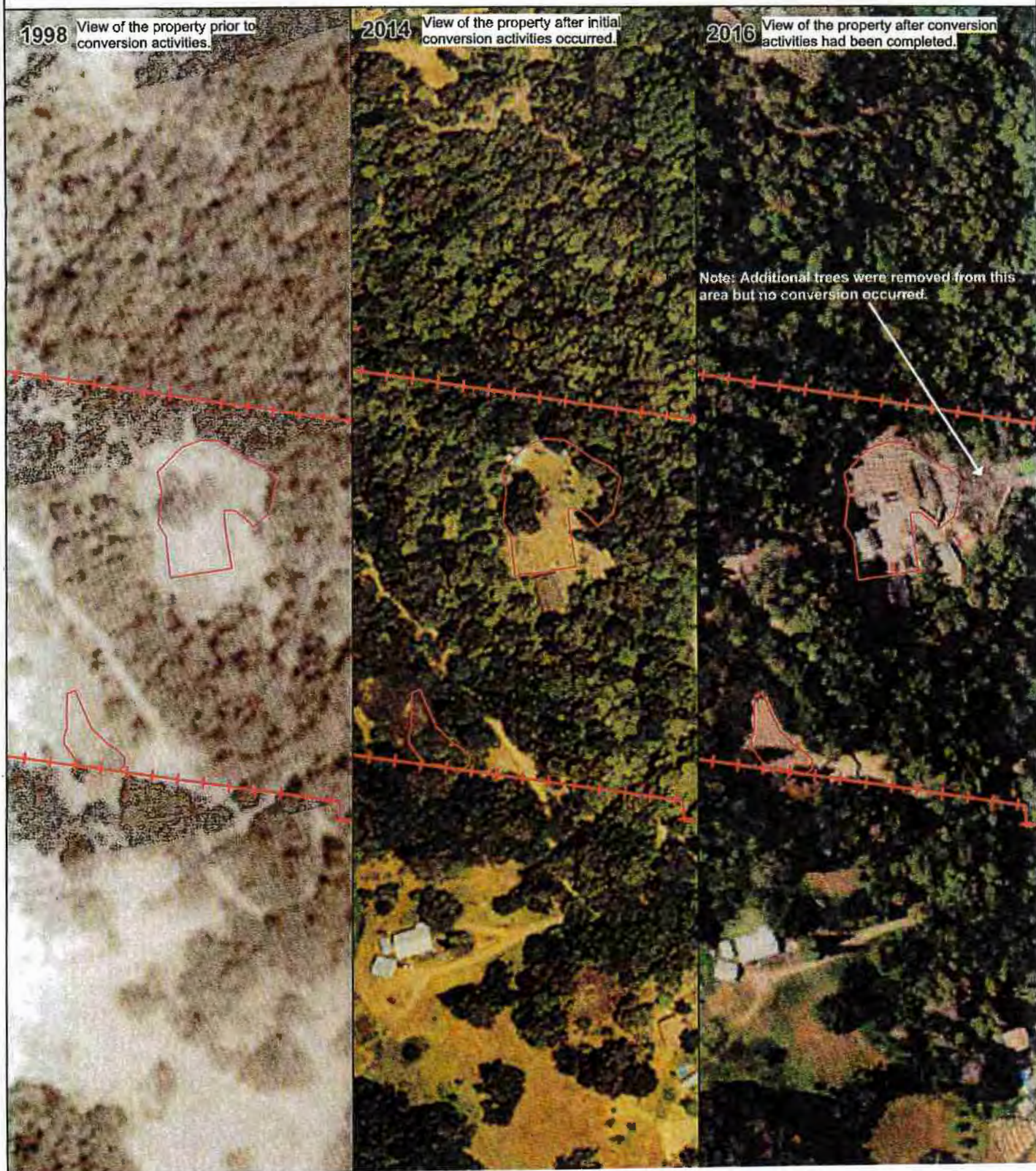
USGS 7.5' Quad: Willow Creek

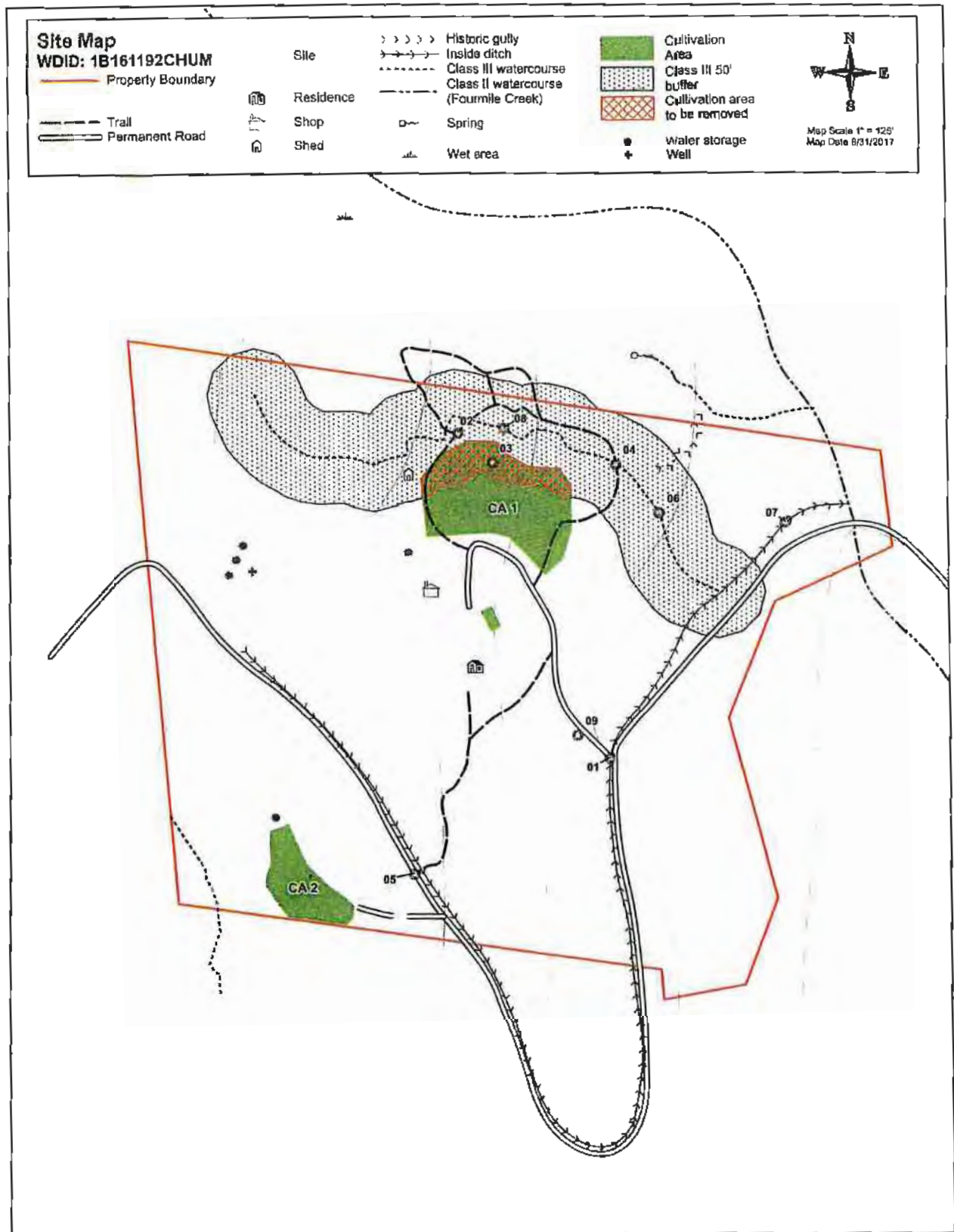
Map Scale: 1" = 200'

Revised: 03/08/17



*The property boundary depicted is adapted from the Humboldt County Assessor's parcel map and the WRPP Site Map. This mapped boundary may not precisely align with the geographic boundary on the ground. The RPF is not responsible for surveying property boundaries.







Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Query Criteria: BIOS selection

<i>Ascaphus truei</i>			Element Code: AAABA01010		
Pacific tailed frog					
Listing Status:	Federal:	None	CNDDDB Element Ranks:		Global: G4
	State:	None			State: S3S4
	Other:	CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern			
Habitat:	General:	OCCURS IN MONTANE HARDWOOD-CONIFER, REDWOOD, DOUGLAS-FIR & PONDEROSA PINE HABITATS.			
	Micro:	RESTRICTED TO PERENNIAL MONTANE STREAMS. TADPOLES REQUIRE WATER BELOW 15 DEGREES C.			
Occurrence No.	23	Map Index:	A7178	EO Index:	24048
Occ. Rank:	Unknown			Element Last Seen:	1984-08-02
Occ. Type:	Natural/Native occurrence			Site Last Seen:	1984-08-02
				Record Last Updated:	2017-11-17
Quad Summary:	Willow Creek (4012386)				
County Summary:	Humboldt				
Lat/Long:	40.88533 / -123.63824			Accuracy:	nonspecific area
UTM:	Zone-10 N4526223 E446230			Elevation (ft):	2000
PLSS:	T06N, R05E, Sec. 20 (H)			Acres:	75.0
Location:	FOURMILE CREEK, ABOUT 4 MILES SOUTH OF THE TOWN OF WILLOW CREEK, SIX RIVERS NATIONAL FOREST.				
Detailed Location:	LOCALITY DESCRIBED AS FOURMILE CREEK, T6N, R5E, SECTION 20, AT 2200 FOOT ELEVATION, ON US FOREST SERVICE PROPERTY. DIRECTIONS ARE CONTRADICTIONARY. PERHAPS THIS SITE WAS ACTUALLY IN THE SW 1/4 OF SECTION 17.				
Ecological:	SITE WAS IN A 66 YEAR OLD SECOND-GROWTH STAND.				
General:	COLLECTED ON 2 JUL 1984 AND 2 AUG 1984; A TOTAL OF 6 INDIVIDUALS WERE FOUND HERE DURING THE AQUATIC SAMPLING EFFORT THAT YEAR.				
Owner/Manager:	USFS-SIX RIVERS NF				



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Rana boylei

Element Code: AAABH01050

foothill yellow-legged frog

Listing Status:	Federal: None	CNDDDB Element Ranks:	Global: G3
	State: Candidate Threatened		State: S3
	Other: BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_NT-Near Threatened, USFS_S-Sensitive		
Habitat:	General: PARTLY-SHADED, SHALLOW STREAMS AND RIFFLES WITH A ROCKY SUBSTRATE IN A VARIETY OF HABITATS.		
	Micro: NEEDS AT LEAST SOME COBBLE-SIZED SUBSTRATE FOR EGG-LAYING. NEEDS AT LEAST 15 WEEKS TO ATTAIN METAMORPHOSIS.		

Occurrence No.	60	Map Index:	24186	EO Index:	23978	Element Last Seen:	1985-XX-XX
Occ. Rank:	Unknown			Presence:	Presumed Extant	Site Last Seen:	1985-XX-XX
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last updated:	1993-09-15

Quad Summary: Willow Creek (4012386)

County Summary: Humboldt

Lat/Long:	40.88214 / -123.63451	Accuracy:	specific area
UTM:	Zone-10 N4525867 E446541	Elevation (ft):	1600
PLSS:	T06N, R05E, Sec. 20, NE (H)	Acres:	19.1

Location: FOURMILE CREEK, 4 MILES SOUTH OF WILLOW CREEK.

Detailed Location: EIGHT-TENTHS OF A MILE SECTION OF CREEK, BEGINNING AT MADDEN CREEK AND GOING UPSTREAM.

Ecological: HABITAT IS DOUGLAS-FIR DOMINATED MIXED CONIFEROUS-HARDWOOD FOREST.

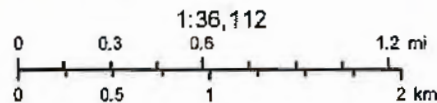
General: TWO FROGS CAPTURED DURING 1984-85 AQUATIC SAMPLING CONDUCTED BY WELSH AND LIND.

Owner/Manager: USFS-SIX RIVERS NF

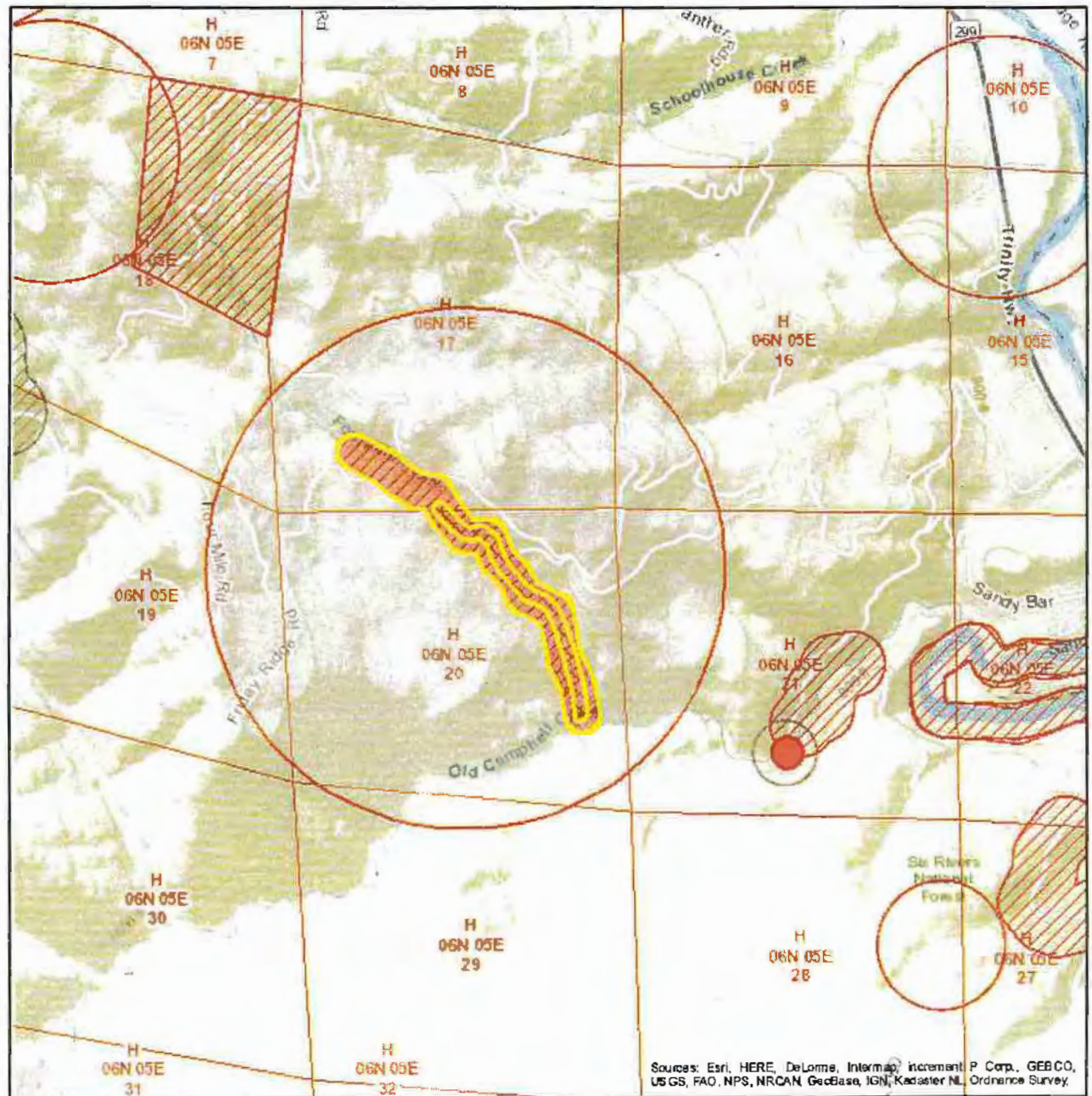
APN 524-075-027 CNDDDB Map

California Natural Diversity
Database (CNDDDB) Commercial
[ds85]

-  Plant (80m)
-  Plant (specific)
-  Plant (non-specific)
-  Plant (circular)
-  Animal (80m)
-  Animal (specific)
-  Animal (non-specific)
-  Animal (circular)
-  Terrestrial Comm. (80m)
-  Terrestrial Comm. (specific)
-  Terrestrial Comm. (non-specific)
-  Terrestrial Comm. (circular)
-  Aquatic Comm. (80m)
-  Aquatic Comm. (specific)
-  Aquatic Comm. (non-specific)
-  Aquatic Comm. (circular)
-  Multiple (80m)
-  Multiple (specific)
-  Multiple (non-specific)
-  Multiple (circular)
-  Sensitive EO's (Commercial only)



February 22, 2018



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey,

Author: cnddb.com
Printed from <http://hires.dfo.ca/ovr>

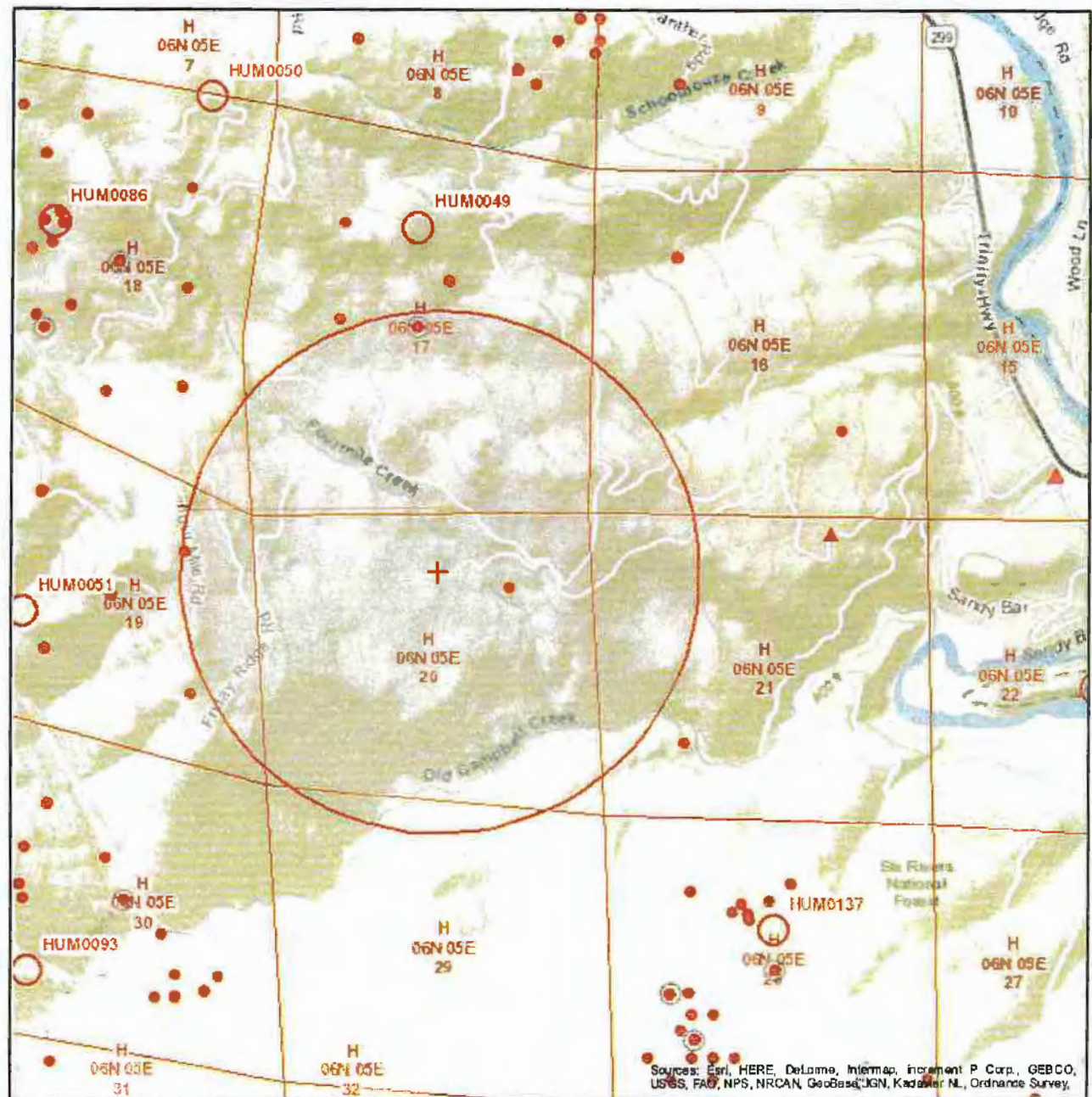
APN 524-075-027 NSO Map

Unprocessed Data from
CNDDDB Online Field
Survey Form [ds1002]

- ▲ Animal
- ▲ Plant

Spotted Owl Observations
[ds704]

- Positive Observation
- Negative Observation
- Activity Center
- Not Valid Activity Center
- ◇ Abandoned



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey.

Author: andtib.com
Printed from <http://bias.dfo.ca.gov>

Photos

The following photos were taken by Brita Rustad of Timberland Resource Consultants at APN 524-075-027 during the field inspection on February 26th, 2018.



Photos 1 and 2: Panoramic view of the upper flat of Cultivation Site 1 facing south to southeast (top) and view of lower flat of Cultivation Site 1 facing north (bottom). Notice the Douglas-fir-dominated stand in the backgrounds.

Golden Gardens LLC (APN 524-075-027) – Timberland Conversion Evaluation



Photo 3: View of Cultivation Site 2 facing northwest.



Photo 4: View of the Shipping Containers and Drying/Storage Building facing east.

Golden Gardens LLC (APN 524-075-027) – Timberland Conversion Evaluation



Photos 5 and 6: View of the residence (left) and wood shed (right) facing southeast.



Photo 7: Example of slash and woody debris from conversion activities near Cultivation Site 1.

Golden Gardens LLC (APN 524-075-027) – Timberland Conversion Evaluation

References

California Forest Practice Rules 2017. Sacramento: CAL FIRE, 2017. Print.

California Natural Diversity Database. California Department of Fish and Wildlife. Web.
<https://www.wildlife.ca.gov/Data/CNDDDB>. Accessed 22 Feb 2018.

Forest Practice Watershed Mapper v2. CAL FIRE. Web. http://egis.fire.ca.gov/watershed_mapper/.
Accessed 22 Feb 2018.

Historic Aerial. Netronline. 2017. Web. <https://www.historicaerials.com/viewer>. Accessed 22 Feb 2018.

Humboldt County Web GIS. County of Humboldt. Web. <http://webgis.co.humboldt.ca.us/HCEGIS2.0/>.
Accessed 22 Feb 2018.

Oak Mortality Disease Control. Plant Quarantine Manual 3700. California Department of Food and
Agriculture. Web. <http://pl.cdfa.ca.gov/pqm/manual/pdf/455.pdf>. Accessed 22 Feb 2018.

Parcel Quest. Web. <https://pqweb.parcelquest.com/#home>. Accessed 22 Feb 2018.

SODMAP Mobile. UC Berkeley Forest Pathology and Mycology Lab. Mobile Phone Application.
www.sodmapmobile.org. Accessed 22 Feb 2018.

**HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT**

PART A: Part A may be completed by the applicant

Applicant Name: Golden Gardens, LLC APN: 524-075-027

Planning & Building Department Case/File No.: Application Number 10987

Road Name: 4 Mile Creek Road (complete a separate form for each road)

From Road (Cross street): Friday Ridge Road

To Road (Cross street): Project Site

Length of road segment: 0.5 miles Date Inspected: 12-14-2017

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

Check one of the following:

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

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

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

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

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

Signature Jill Forman

12/14/2017
Date

Jill Forman - Golden Gardens, LLC

Name Printed

Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.



Imagery ©2019 Google, Map data ©2019 100 ft





Fan Decibel Information

Golden Gardens LLC
APN: 524-075-027
Planning App: 10987



Fan Brand: J&D Manufacturing; 36" fan

Decibel app used: Decibel X: dB, dBA Noise Meter

Date: 1.7.2019

Below is a chart with the requested information; along with pictures to back-up readings.

	25' North	25' South	50' North	50' South	100' North	100' south
Ambient	38.1	37.9	35.6	35.6	36.4	38.4
W/Noise	75.4	78.0	69.8	67.7	60.5	61.1



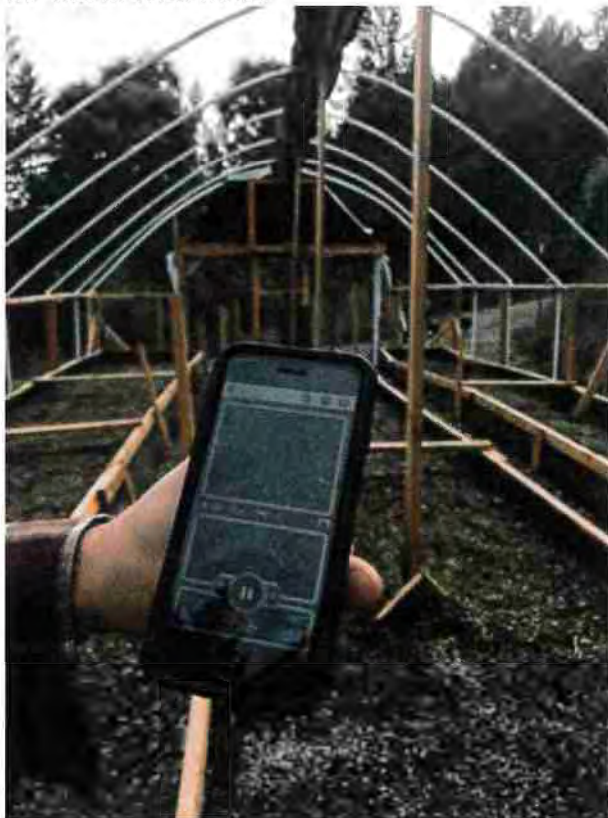
25' north with noise



25' north ambient



50' north with noise



50' north ambient



100' north with noise



100' north ambient



25' east with noise



25' east ambient



50' east with noise



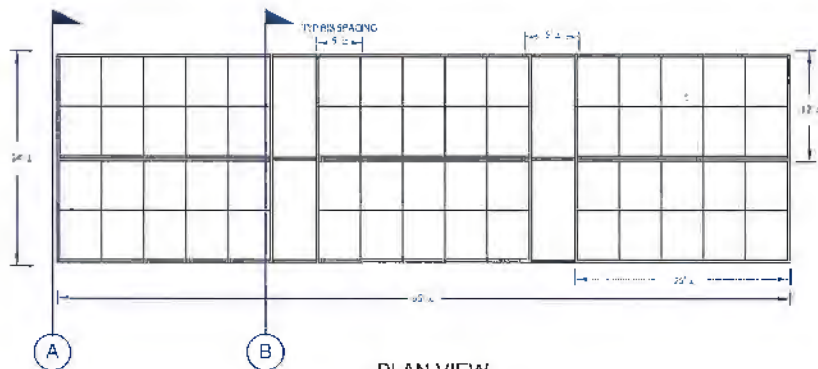
50' east ambeint



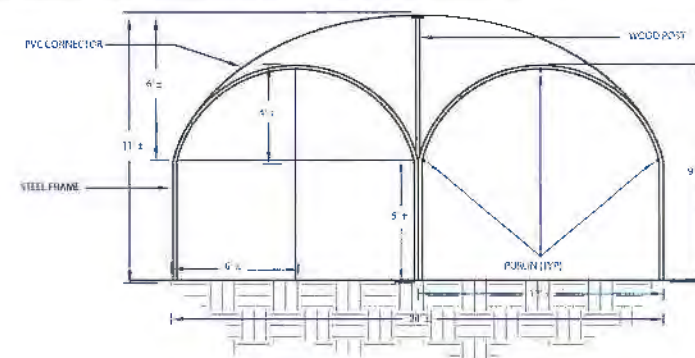
100' east with noise



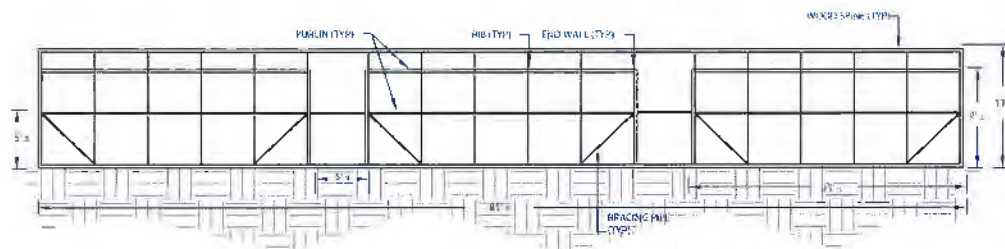
100' east ambient



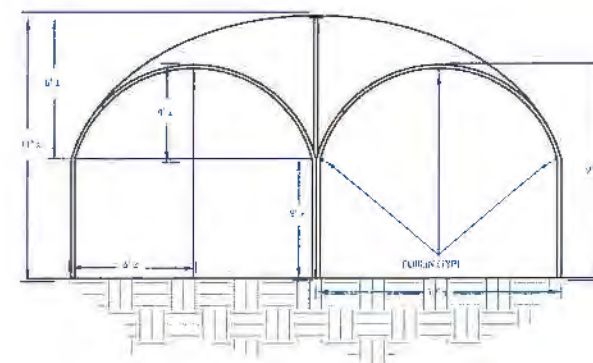
PLAN VIEW
SCALE: NTS



B TYPICAL RIB SECTION
SCALE: NTS



PROFILE VIEW
SCALE: NTS



A TYPICAL ENDWALL SECTION
SCALE: NTS

GROUND ANCHORING NOTES:

1. ALL GROUND ANCHORING SHALL BEAR AGAINST FIRM, NATURAL, UNDISTURBED SOIL OR CERTIFIED COMPACTED FILL SOIL BEARING PRESSURE EQUAL TO AT LEAST 1500 PSF.
2. JURISDICTIONAL MINIMUM REQUIREMENTS AND LOCAL SNOW, WIND AND SEISMIC REQUIREMENTS MAY SUPERSEDE DESIGN PARAMETERS. CONTACT THE LOCAL BUILDING DEPARTMENT FOR MINIMUM DEPTH REQUIREMENTS.

BUILDING SPECIFICATIONS:

THIS STRUCTURE HAS BEEN DESIGNED AND DETAILED FOR THE LOADS AND CONDITIONS SHOWN ON THESE DRAWINGS. ANY ALTERATIONS TO THE STRUCTURAL SYSTEM OR REMOVAL OF ANY COMPONENT PARTS OR THE ADDITION OF OTHER CONSTRUCTION MATERIALS OR LOADS MUST BE DONE UNDER THE ADVICE AND DIRECTION OF A REGISTERED ARCHITECT, CIVIL OR STRUCTURAL ENGINEER.

GREENHOUSE PLAN

BUILDING PLAN

ADDRESS: 2120 FRIDAY RIDGE RD., WILLOW CREEK, CA 95573
APN: 524-075-027

OWNER / APPLICANT: GOLDEN GARDENS LLC
ADDRESS: 2120 FRIDAY RIDGE RD., WILLOW CREEK, CA 95573
PHONE: 530.628.5278

DATE: 12-18-2017

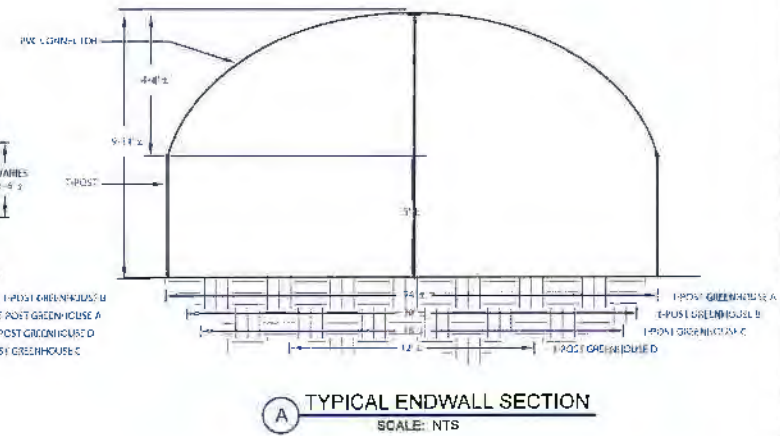
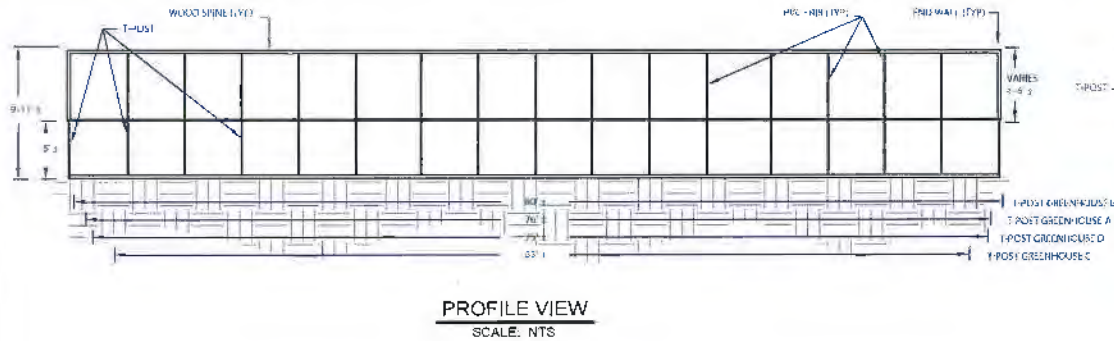
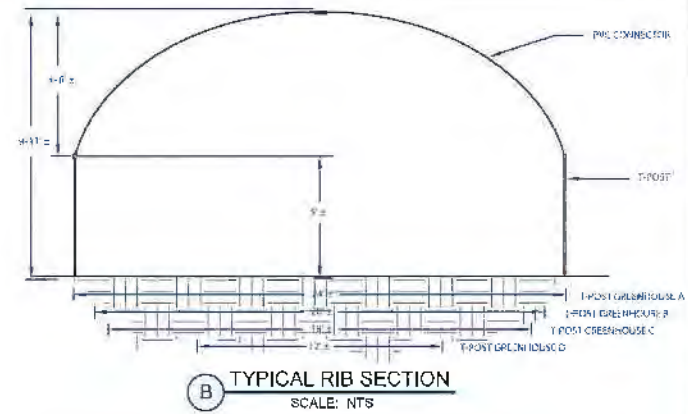
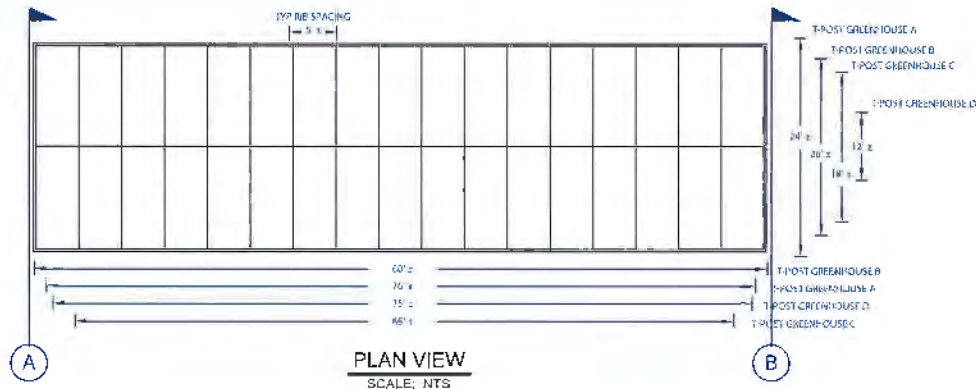
PAPER SIZE: 11' X 17'

DRAWN: CA CHECKED: 4

14-011-10

5

OF 8



GROUND ANCHORING NOTES:

1. ALL GROUND ANCHORING SHALL BEAR AGAINST FIRM, NATURAL, UNDISTURBED SOIL OR CERTIFIED COMPACTED FILL. SOIL BEARING PRESSURE EQUAL TO AT LEAST 1500 PSF.
2. JURISDICTIONAL MINIMUM REQUIREMENTS AND LOCAL SNOW, WIND AND SEISMIC REQUIREMENTS MAY SUPERSEDE DESIGN PARAMETERS. CONTACT THE LOCAL BUILDING DEPARTMENT FOR MINIMUM DEPTH REQUIREMENTS.

BUILDING SPECIFICATIONS:

THIS STRUCTURE HAS BEEN DESIGNED AND DETAILED FOR THE LOADS AND CONDITIONS SHOWN ON THESE DRAWINGS. ANY ALTERATIONS TO THE STRUCTURAL SYSTEM OR REMOVAL OF ANY COMPONENT PARTS OR THE ADDITION OF OTHER CONSTRUCTION MATERIALS OR LOADS MUST BE DONE UNDER THE ADVICE AND DIRECTION OF A REGISTERED ARCHITECT, CIVIL OR STRUCTURAL ENGINEER.

ADDRESS: 2120 FRIDAY RIDGE RD. WILLOW CREEK, CA 95573
APN: 624-075-027

OWNER / APPLICANT: GOLDEN GARDENS, LLC
ADDRESS: 2120 FRIDAY RIDGE RD., WILLOW CREEK, CA 95573
PHONE: 930.628.5276

T-POST GREENHOUSE PLAN

BUILDING PLAN

DATE: 12-19-2017

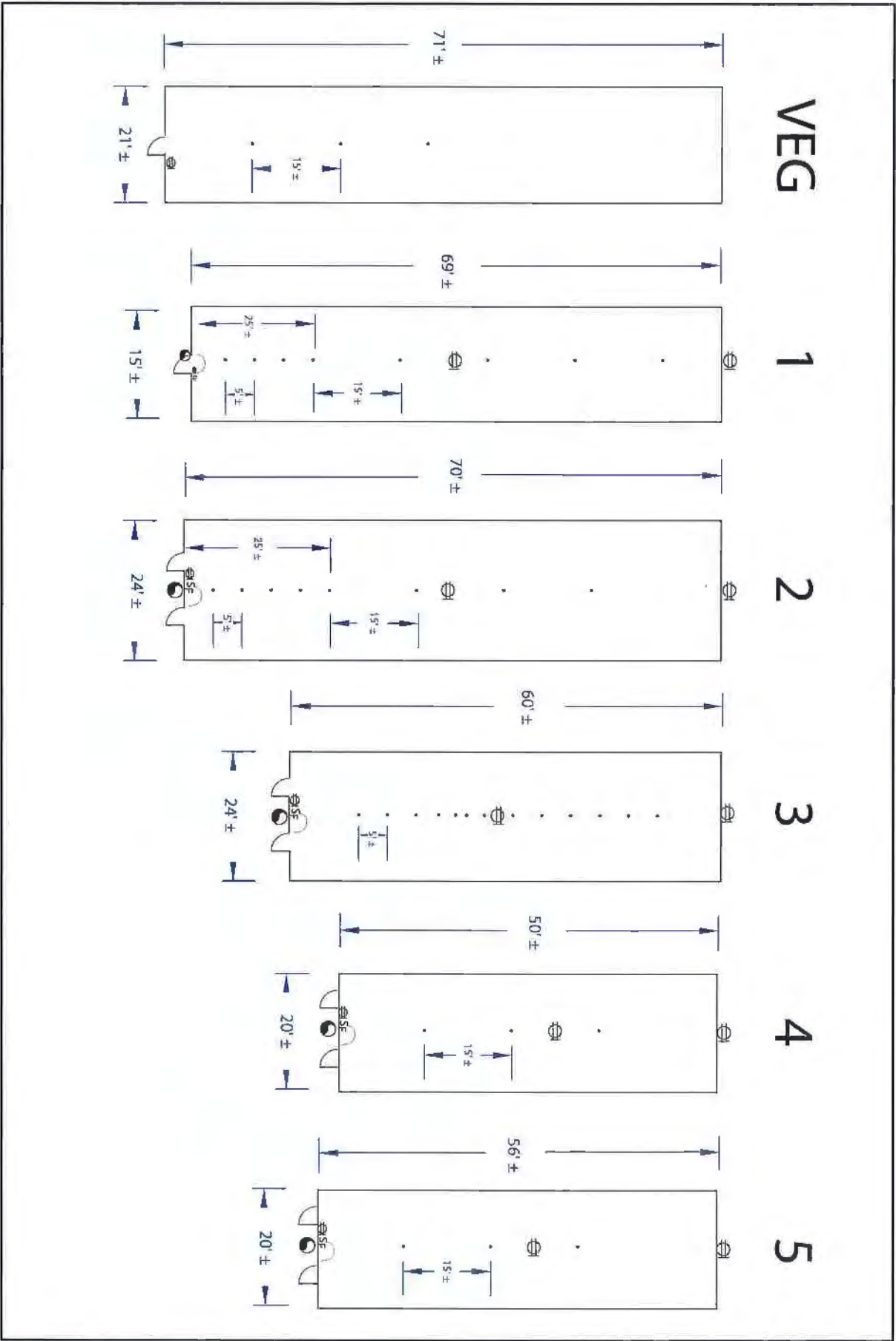
PROJECT NO: 11-217

DRAWN BY: CA CHECKED BY: JF

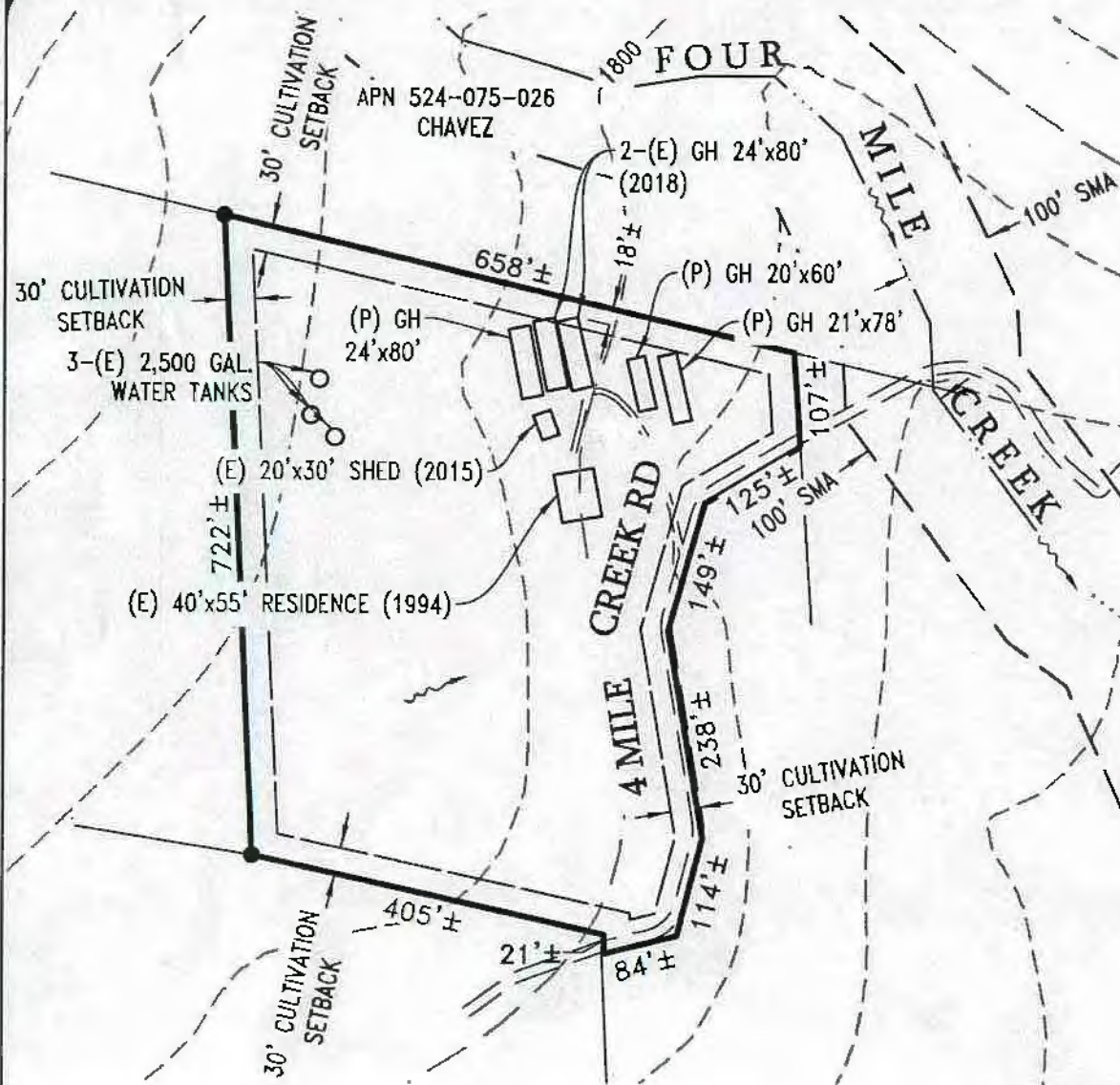
4-11-19

6

OF 6



7	GREENHOUSE PLAN		ADDRESS: 2120 FRIDAY RIDGE RD, WILLOW CREEK, CA 95573 APN: 524-075-027
	BUILDING PLAN		OWNER / APPLICANT: GOLDEN GARDENS LLC ADDRESS: 2120 FRIDAY RIDGE RD., WILLOW CREEK, CA 95573 PHONE: 530.629.5278



LEGEND

SYMBOL	INDICATES
	DIRECTION OF SURFACE WATER RUNOFF
(E)	EXISTING
GAL.	GALLON
(YEAR)	YEAR CONSTRUCTED/INSTALLED
GH	GREENHOUSE
SMA	STREAMSIDE MANAGEMENT AREA
1800	CONTOUR AT 40 FOOT INTERVALS
	EXISTING CREEK
●	CORNERS RECOVERED VIA FIELD SURVEY BY THIS OFFICE

SURVEY NOTE:

A FIELD SURVEY WAS CONDUCTED BY THIS OFFICE ON 2/27/18 AND 3/30/18. BOUNDARY SHOWN HEREON IS RECORDED BASED ON OUR FIELD WORK AND PER BOOK 14 OF PARCEL MAPS, PAGE 130.



SCALE: 1" = 200'

CMMLUO APPS # 10987
APN 524-075-027

OMSBERG & PRESTON

434 7th Street
Eureka, California
95501



Telephone
(707) 443-8651
Fax: 443-0422

SURVEYORS

PLANNERS

ENGINEERS

SETBACK EXHIBIT

for

GOLDEN GARDENS, LLC

in the unincorporated area of Humboldt County
Section 20, T.6N., R.5E., H.B.&M.

SCALE
1" = 200'

JOB NO.
18-2019

SHEET OF
1 1



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
DEVELOPMENT ASSISTANCE DIVISION

Building 42995
Planning 10987

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

June 9, 2017

Hand Delivered

Jessica and Ryan Tyler
PO Box 251
Arcata CA 95518

Zoning: U (Unclassified)
Assessor Parcel Number: 524-075-027

Dear Jessica Tyler:

This letter summarizes our understanding of the outcome of the meeting today regarding the status of code violations on your property and the processing of your commercial cannabis permit application (Apps #s 10987) for Menehune Farms.

1. The Planning and Building Director and Menehune Farms agreed to a \$4,000 penalty for conducting development and cannabis operations prior to receiving required permits. Please make payment payable to Humboldt County.
2. Menehune Farms will not disturb any new ground or remove any new trees without the proper approvals.
3. The Planning and Building Department agreed to reactivate the processing of the cannabis permit application listed above once the penalty is paid.

This penalty is independent and exclusive of any other permitting fees and staff costs associated with the violation case or permit application.

If you have any questions regarding this letter, I can be reached at the above address or at (707) 268-3749. Thank you for your attention to this matter.

Sincerely,

Steven Santos
Development Assistance Division Manager

Request for my propagation area to be 25% of my flowering area (in lieu of the 10% automatically granted)

Golden Gardens, 6300sf flowering canopy. [10% = 630sf || 25% = 1575sf]
We propagate 2150 plants to flower each round (We do three rounds/year)



Justification:

1 – Moms and clones

- We produce our own clones in house. This requires extra space for Moms and the clones.
- Cuts needed: 2600 (to account for clones that die). A shelf, staked 3 high, 20'x3' = **60sf**
- Moms needed: 12 (to produce 2600 cuts w/in a 3-week period). Each mom plants needs to be roughly 4'x4' = 16sf each. **192sf** for all 12
- Total mom/clone area needed: **252sf**

2 – Veg plants for spring (1 gallon pots)

- For our spring run we grow up our plants in 1gal pots; which is sufficient to grow the plants to the size desired because temp and humidity Feb-April (it's not too hot and dry yet).
- Our 1gal pots have a 7" diameter which is .34sf each. If you put plants pot to pot to pot (*Which cannot be done after 2-weeks in the pots as the plants grow and therefore it does not allow for isles to water/spray in (ever) and as the plants grow it provides habitat for bugs and mold*) The total sf needed for 2150 plants is **731sf** (therefore more sf will be needed so we can maintain the plants and keep them bug and mold free).
- This area added to our mom/clone area comes to **983sf**

3 – Veg plants for summer and fall (2 gallon pots)

- For our summer and spring run we need to use 2 gal pots to keep the plants healthy as the weather is now very hot and very dry; in a 1gal pot the plant health suffers.
- Our 2gal pots are 9" in diameter which is .56sf each. Again, pot to pot to pot for 2150 plants totals **1204sf** (and more space will be needed to properly maintain plants, air flow, etc)
- This area added to our mom/clone area comes to **1456sf**

25% of our flowering area = 1575sf. This is what we are requesting because we will need this much SF to successfully run our operation here at Golden Gardens.

Please see attached

- Above argument explained by hand
- Picture of our veg GH with isles as we need to run our operation.

Golden Gardens Propagation space argument

① IN HOUSE MOMS + CLONES

10-12 moms to get 2600 cuts

$$1 \text{ mom} = 4' \times 4' = 16 \text{ sqft}$$

$$\times 12 \text{ moms} = 192 \text{ sqft}$$

2600 clones = 1 shelf w/ 3 levels

$$20' \times 3' = 60 \text{ sqft}$$

$$\boxed{\text{MOMS} + \text{CLONES} = 252 \text{ sqft}}$$

6300 sqft ^{1.5' apart}
↳ 2150 cuts (plants) / round
↳ 3 rounds / year

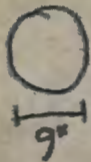
Pot to pot issues

- > no air flow
- > bugs
- > mold
- > poor spray coverage
- > can't water / maintain

② Veg Plants

1 gal in spring

2 gal in Summer + Fall



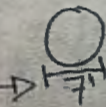
$$= .56 \text{ sqft}$$

$$\times 2150$$

$$1,204 \text{ sqft IF pot to pot}$$

$$+ 252 \text{ sqft}$$

$$\boxed{1,456 \text{ sqft}}$$



$$= .34 \text{ sqft}$$

$$\times 2150$$

$$731 \text{ sqft IF pot to pot}$$

$$+ 252 \text{ sqft} = \boxed{983 \text{ sqft}}$$

6300 sqft Flowering canopy

$$10\% = 630 \text{ sqft}$$

$$20\% = 1260 \text{ sqft}$$

$$\boxed{25\% = 1575 \text{ sqft}}$$

requested

Cliff Johnson

707.268.3721



ATTACHMENT 5

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Comments	Attached
Division Environmental Health	✓	Approval	Attached
Public Works, Land Use Division	✓	Conditional Approval	Attached
CalFIRE	✓	Comments	Attached
Northwest Information Center	✓	Further Study	On file and confidential
Tsnungwe Tribe	✓	Approval	On file and confidential
Hoopa Valley Tribe	✓	Approval	On file and confidential
California Department of Fish & Wildlife	✓	Comments	Attached
Klamath-Trinity Joint Unified School District	✓	No Response	Attached
Humboldt County Agricultural Commissioner		No Response	
Humboldt County Counsel		No Response	
Humboldt County District Attorney		No Response	
North Coast Regional Water Quality Control Board		No Response	



M

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

3/23/2017

PROJECT REFERRAL TO: Building Inspection Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Hoopa Valley Tribe, Regional Water Quality Control Board, Humboldt County Agriculture Commissioner



Applicant Name Menehune Farms, Inc. **Key Parcel Number** 524-075-027-000

Application (APPS#) 10987 **Assigned Planner** () - **Case Number(s)** SP16-119

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

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

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

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

Return Response No Later Than 4/7/2017

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following (please check one):

☐ Recommend Approval. The Department has no comment at this time.

☐ Recommend Conditional Approval. Suggested Conditions Attached.

☒ Applicant needs to submit additional information. List of items attached.

☐ Recommend Denial. Attach reasons for recommended denial.

☒ Other Comments: See attached photos + comments @
Current Planning - projects - SP16-119

DATE: 5-25-17 **PRINT NAME:** Gustav Dumler



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

3015 H STREET EUREKA CA 95501 FAX: (707) 445-7446 PHONE: (707) 445-7245
<http://www.co.humboldt.ca.us/planning/>

Planning Referral Comments
APPS# 10987
APN# 524-075-027

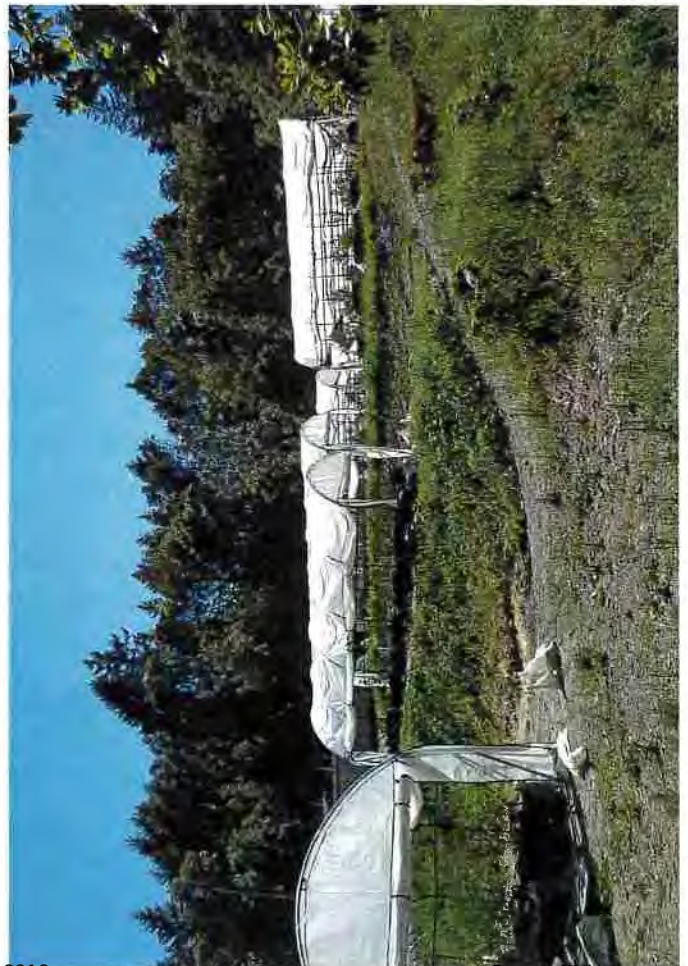
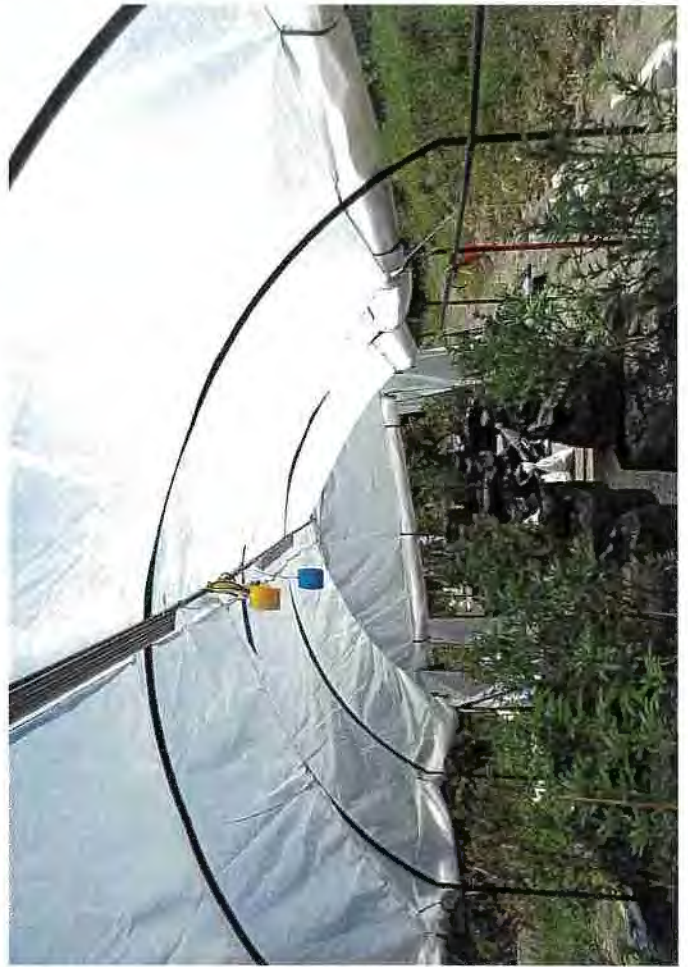
- Secure all building permits for any tenant improvements, all non-permitted structures, and all proposed structures.
- Submit current plot plan showing all grading, pond building, and springs, with all structures on parcel, include dimensions of all structures, with declared use, and setbacks to property lines, roads, right of ways, and creeks and streams.
- Submit floor plans including dimensions with electrical, mechanical and plumbing details for all existing and proposed Ag exempt structures and an Ag Exempt letter of intent for each.
- Submit 2 complete sets of construction plans for all proposed buildings that are not AG exempt.
- Declare amount in cubic yards of all grading that has been done and any proposed grading.
- Applicant needs to submit additional information based on application required for Building Department permits such as; Grading, Building, Ag exempt structures, Commercial grow processing structures, etc.,

5-25-17 G. Dumler

Note: Building, Grading, tree removal have been done. Cannabis is growing.

- 15 Ag exempt letters of intent received.
 - Revise plot plan, Include the following;
 - Accurate greenhouse locations
 - Setbacks of water tanks to property line
 - Show all grading that has been
 - Show all trees that have been removed
 - Storage building cannot go Ag exempt due to wood stove
 - For Ag exempt status, remove all heat sources.
 - Submit floor plans with dimensions for greenhouses, include electrical, mechanical and plumbing details
 - Submit elevations with dimensions of greenhouses
 - Submit floor plans and elevations for storage building with dimensions, show all electrical, mechanical and plumbing details
 - Submit R2 soils report
- (over)











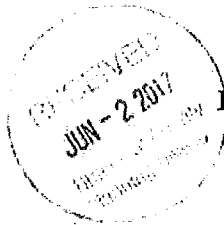












HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

DEH Received
3-27-17

PROJECT REFERRAL TO: Health and Human Services Environmental
Health Division

16/17-0928

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Hoopa Valley Tribe, Regional Water Quality Control Board, Humboldt County Agriculture Commissioner

Applicant Name Menehune Farms, Inc. **Key Parcel Number** 524-075-027-000

Application (APPS#) 10987 **Assigned Planner** Joshua Dorris (707) 445-7541 **Case Number(s)** SP16-119

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

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

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

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

Return Response No Later Than

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following:

Approval

Comments:

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

Response Date: 5/31/2017 **Recommendation By:** Mario Kalson





DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401


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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Joshua Dorris, Planner II, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineering II 

DATE: 04/05/2017

RE: **MENEHUNE FARMS, INC., APN 524-075-027, SP16-119**



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 County roadway serving the subject property is adequate to accommodate the proposed use. The subject property is located within the State Responsibility Area.

The Department has not conducted a field investigation of the roadway (4 Mile Creek Road) 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.

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*.

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.

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, 4 Mile Creek Road, and the County road, Friday Ridge Road is surfaced for a length of 50 feet.

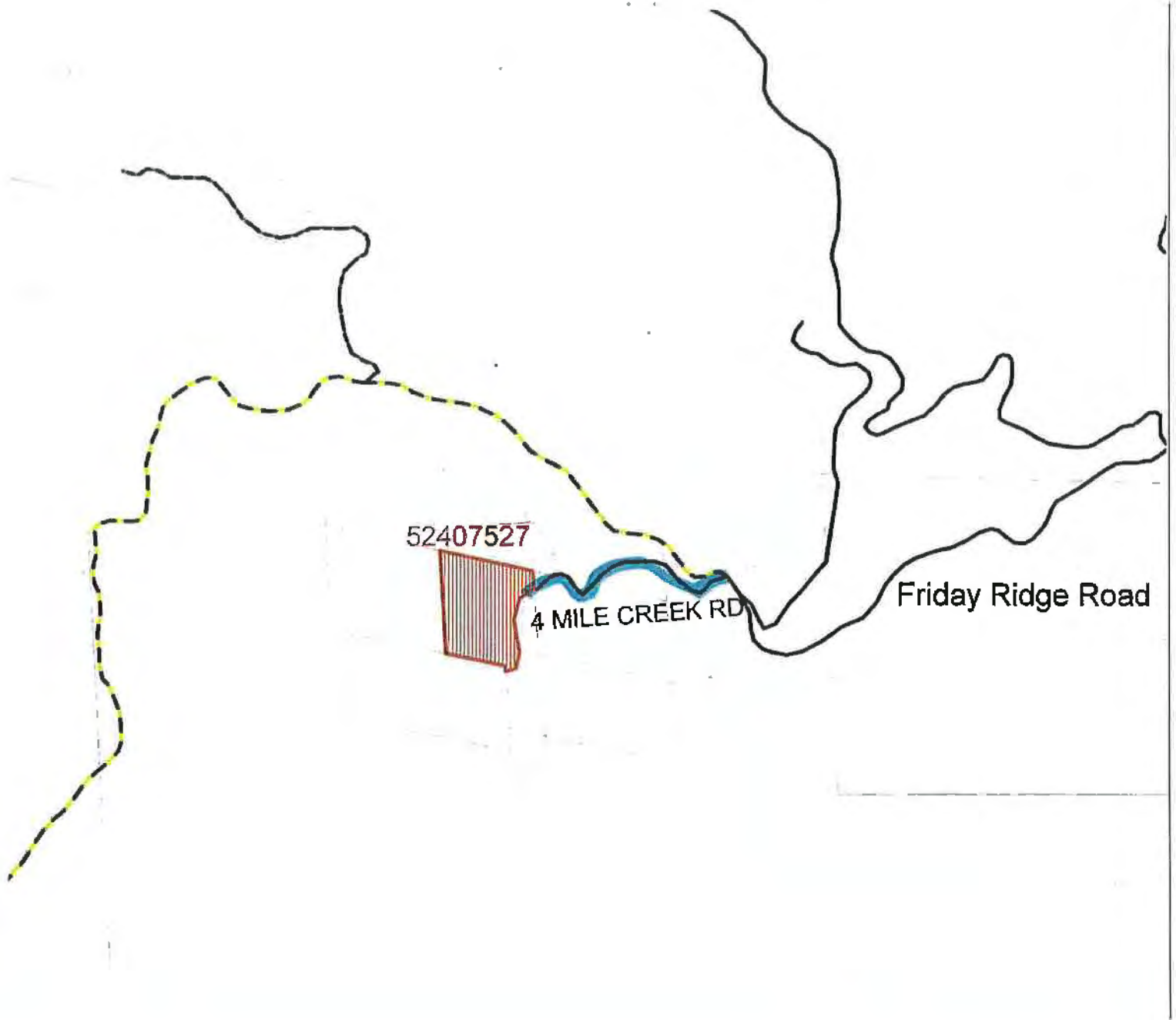
DRIVEWAYS: The driveway within the subject property has not been reviewed by the Department for conformance with Fire Safe Regulations (County Code Section 3112-12). This is an on-site issue that is to be reviewed by the Building Division or the Planning and Building Department.

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.

// END //



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

Planning & Building Department File/Case No.: SP16-119

Legend:



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



Indicates the project area

From: Salazar, Kim@CALFIRE [<mailto:Kim.Salazar@fire.ca.gov>]
Sent: Monday, March 27, 2017 11:05 AM
To: Moxon, Delilah
Subject: CANNABIS, APN#524-075-027-000

STATE OF CALIFORNIA—THE RESOURCES AGENCY

EDMUND G. BROWN, JR., Governor

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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



Ref: 7100 Planning
Date: March 27, 2017

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

Attention: ???
Applicant: Menehune Farms, Inc.
APN: 524-075-027-000
Area: Willow Creek
Case Numbers: SP16-119

Humboldt County Application #: 10987
Type of Application: Special Permit
Date Received: 3/27/2017
Due Date: 4/7/2017

Project Description: A Special Permit for Commercial Medical Cannabis Cultivation of up to 10,000 sq. ft. mixed-light. There is an existing 9,600 sq. ft. mixed-light cultivation onsite. Water is sourced from an on-site permitted well. Water storage is sixteen 2,500 gallon inline water tanks (40,000 gallons), sufficient for the entire season and fire protection. Harvested plants will be dried on-site in a drying facility, then transported to an off-site processing facility. There will be no employees. The existing single family dwelling is served by the water system and also by an on-site septic system.

Mr. Ford,

The California Department of Forestry and Fire Protection (CALFIRE) provides these standard project review comments on the above noted project.

Cannabis

General:

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

Local Responsibility Areas:

Should this project include Local Responsibility Area (LRA) lands, CALFIRE has no direct fire safe input on those parcels. However, in those areas with LRA parcels adjacent to State Responsibility Area (SRA)

land, CALFIRE recommends that local standards be applied that are consistent with those CALFIRE makes for SRA lands. Also CAL FIRE is the primary command and control dispatch, for most local agency fire districts and departments.

State Responsibility Areas:

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

1. Agricultural cannabis growing operations medicinal or commercial shall have an easily accessible material safety data sheet (MSDS) or safety data sheet (SDS) for all chemicals and hazardous materials on site. Posted (NFPA 704) Placard clearly visible to emergency responders
2. California code of regulations Health and Safety (CCR 11362.769.) Indoor and outdoor medical marijuana cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters. State agencies, including, but not limited to, the State Board of Forestry and Fire Protection, the Department of fish and Wildlife, the State Water Resources Control Board, the California regional water quality control boards, and traditional state law enforcement agencies shall address environmental impacts of medical marijuana cultivation and shall coordinate, when appropriate, with cities and counties and their law enforcement agencies in enforcement efforts.
3. International Fire Code (N101.1 Scope) Marijuana growing and extraction shall be in accordance with this chapter, of the International Building Code, and the International Mechanical Code. Cryogenic fluids shall comply with Chapter 55. Compressed gases shall comply with Chapter 53. Flammable and combustible liquids shall comply with Chapter 57. Hazardous materials shall comply with Chapter 50. LP-gas shall comply with Chapter 61 and the International Fuel Gas Code. All applicable California State Fire Marshal standards and regulations for the designated occupancy must be met.
4. Growing marijuana and the extracting of oils
Extraction of marijuana oils; All materials hazardous and non-hazardous associated with the extraction process shall be utilized in conformance of the law and fire safe codes.

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

By: Planning Battalion
CALFIRE Humboldt – Del Norte Unit

For **Hugh Scanlon**, Unit Chief

FIRE SAFE

General:

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

Local Responsibility Areas:

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

State Responsibility Areas:

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

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

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

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

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

Subdivisions increase fire risks from additional people and increase probable dollar losses in the event of fire due to added structures and improvements.

5. If the project expects to produce densities consistent with a major subdivision, the impacts on all infrastructures should be mitigated. Local government more appropriately provides the responsibility for high-density area protection and services. Annexation or inclusion into Local Responsibility Area should be studied as well.
6. CALFIRE does not support development in areas where there is no local agency fire service for structure fires and emergency medical response. Fire services should be extended into service gap areas as a condition of development. New development can adversely impact existing fire services. Careful consideration must be given where development may overload the local fire service's ability to respond.

RESOURCE MANAGEMENT

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

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

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

vote of the full board (Govt. Code 51119.5). TPZ may be rezoned using a "Ten Year Phase Out," which precludes the need for a Timberland Conversion Permit. CALFIRE opposes immediate rezoning of TPZ land.

Cannabis

General:

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

Local Responsibility Areas:

Should this project include Local Responsibility Area (LRA) lands, CALFIRE has no direct fire safe input on those parcels. However, in those areas with LRA parcels adjacent to State Responsibility Area (SRA) land, CALFIRE recommends that local standards be applied that are consistent with those CALFIRE makes for SRA lands. Also CAL FIRE is the primary command and control dispatch, for most local agency fire districts and departments.

State Responsibility Areas:

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

1. Agricultural cannabis growing operations medicinal or commercial shall have an easily accessible material safety data sheet (MSDS) or safety data sheet (SDS) for all chemicals and hazardous materials on site. Posted (NFPA 704) Placard clearly visible to emergency responders
2. California code of regulations Health and Safety (CCR 11362.769.) Indoor and outdoor medical marijuana cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters. State agencies, including, but not limited to, the State Board of Forestry and Fire Protection, the Department of fish and Wildlife, the State Water Resources Control Board, the California regional water quality control boards, and traditional state law enforcement agencies shall address environmental impacts of medical marijuana cultivation and shall coordinate, when appropriate, with cities and counties and their law enforcement agencies in enforcement efforts.
3. International Fire Code (N101.1 Scope) Marijuana growing and extraction shall be in accordance with this chapter, of the International Building Code, and the International Mechanical Code. Cryogenic fluids shall comply with Chapter 55. Compressed gases shall comply with Chapter 53. Flammable and combustible liquids shall comply with Chapter 57. Hazardous materials shall comply with Chapter 50. LP-gas shall comply with Chapter 61 and the International Fuel Gas Code. All applicable California State Fire Marshal standards and regulations for the designated occupancy must be met.
4. Growing marijuana and the extracting of oils
Extraction of marijuana oils; All materials hazardous and non-hazardous associated with the extraction process shall be utilized in conformance of the law and fire safe codes.

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

By: Planning Battalion

CALFIRE Humboldt – Del Norte Unit

For ***Hugh Scanlon***, Unit Chief



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

8/27/2018

PROJECT REFERRAL TO: CalFire

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Hoopa Valley Tribe, Regional Water Quality Control Board, Humboldt County Agriculture Commissioner

Applicant Name Golden Gardens, LLC **Key Parcel Number** 524-075-027-000

Application (APPS#) 10987 **Assigned Planner** Caitlin Castellano (707) 268-3731 **Case Number(s)** SP16-119

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

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

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

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

Return Response No Later Than 9/11/2018

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following (please check one):

☐ Recommend Approval. The Department has no comment at this time.

☐ Recommend Conditional Approval. Suggested Conditions Attached.

☐ Applicant needs to submit additional information. List of items attached.

☐ Recommend Denial. Attach reasons for recommended denial.

☐ Other Comments: _____

DATE: _____

PRINT NAME: _____

We have reviewed the above application and recommend the following (please check one):

☐ The Department has no comment at this time.

☐ Suggested conditions attached.

☐ Applicant needs to submit additional information. List of Items attached.

☐ Recommend denial.

☒ Other comments.

Date:

Name:

Forester Comments:

11/6/18

Chris Poli (707) 677-0761

A Notice of Violation has been issued for timberland conversion. Cal Fire does not anticipate any additional enforcement action and concurs with the mitigations proposed in the attached timberland conversion report.

Date:

Name:

Battalion Chief Comments:

Summary:



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Website: www.fire.ca.gov

November 6, 2018

Jessica and Ryan Tyler
P.O. Box 251
Arcata, CA 95518

NOTICE OF VIOLATION OF FOREST PRACTICE LAWS

Section 4604 of the Public Resources Code (PRC) requires the department to inspect timber operations for compliance with the Forest Practice Act and rules of the Board of Forestry and Fire Protection. Violations may be cause for prosecution as a misdemeanor (Public Resources Code 4601), action against a Timber Operator License (PRC 4573 and 4576), injunction action (PRC 4605 and 4606), or a combination of the foregoing actions. Civil penalties may also be imposed (see PRC 4601.1). The following letter details code sections violated, mitigations required and date by which all work must be completed.

Harvest Document: INSP-18-000550
Violator: Jessica & Ryan Tyler
Inspection Date: 11/6/2018
Inspection Type: Post Harvest
Inspection Number: 1
Person Contacted: N/A

These violations only apply to those listed as the "Violator". The "Notice" to others is for **informational purposes only**.

CODE SECTION: PRC4581 (Necessity of THP)

RULE: No person shall conduct timber operations unless a timber harvest plan or applicable exemption prepared by the registered professional forester has been submitted for such operations to the department pursuant to this article. Such plan shall be required in addition to the license required in section 4571.

VIOLATION: Jessica and Ryan Tyler conducted timber operations on property identified as Humboldt County parcel 524-075-027-000 without a timber harvest plan or valid harvest document by removing timber for the purpose of cultivation. The total acreage of the conversion area is approximately 0.7 acres.

Violator(s): Jessica and Ryan Tyler

MITIGATION: Not applicable.

DATE: 11/6/2018

"The Department of Forestry and Fire Protection serves and safeguards the people and protects the property and resources of California."

CODE SECTION: PRC4621.a (Application for Conversion; Procedure, Form, Fees)

RULE: Any person who owns timberlands which are to be devoted to uses other than the growing of timber shall file an application for conversion with the Board.

VIOLATION: Jessica and Ryan Tyler converted timberland to uses other than the growing of timber on property identified as Humboldt County Assessor Parcel # 524-075-027-000. The converted timberland is being used for cultivation purposes. Humboldt County Assessor records listed Jessica and Ryan Tyler as the landowners at the time the conversions took place.

Violator(s): Jessica and Ryan Tyler

MITIGATION: Not Applicable.

DATE: 11/6/2018

CODE SECTION: PRC4571.a (Necessity of License)

RULE: No person shall engage in timber operations until he/she has obtained a license from the board.

VIOLATION: Jessica and Ryan Tyler conducted timber operations without a valid timber operator's license by conducting commercial timber operations on property identified as Humboldt County Assessor Parcel # 524-075-027-000.

Violator(s): Jessica and Ryan Tyler

MITIGATION: Not Applicable.

DATE: 11/6/2018

COMMENT: Mitigations proposed by RPF Carroll in his Timberland Conversion Evaluation Report dated 3/9/2018 includes reforestation and hazard reduction mitigations as well as relocation of cultivation sites away from watercourse protection zones. These mitigations appear to be sufficient. Mr. Carroll's report, combined with analysis of satellite imagery, confirms the existence of unpermitted timberland conversion and therefore a site inspection was not deemed necessary. No further action by CAL FIRE is anticipated at this time.

If you have any question about this matter, please contact Chris Poli at 707-599-0609

Chris Poli Digitally signed by Chris Poli
DN: cn=Chris Poli, o=CALFIRE, ou=HUU,
email=chris.poli@fire.ca.gov, c=US
Date: 2018.11.06 09:12:23 -08'00'

Signature

CHRIS POLI
Forester I
Humboldt-Del Norte Unit
P.O. Box 749, Trinidad, CA 95580
707-677-0761 office
707-599-0609 cell

cc: Unit, Region, TLO, RPF

Castellano, Caitlin

From: Bocast, Kalyn@Wildlife <Kalyn.Bocast@Wildlife.ca.gov>
Sent: Thursday, July 25, 2019 10:13 AM
To: Castellano, Caitlin
Cc: ESchatz@co.humboldt.ca.us
Subject: RE: final CDFW comments needed for 8/15/19 ZA hearing - RE: Status - Apps#10987, APN 524-075-027 Golden Gardens, LLC

Hello Caitlin,

Thank you for circling back on this project. CDFW's recommendations for this project are consistent with what you have outlined below. Thank you for incorporating these conditions into the Project.

Best,

Kalyn Bocast
Environmental Scientist
Watershed Enforcement Team
California Department of Fish and Wildlife
619 2nd Street
Eureka, CA 95501
(707) 441-2077

From: Castellano, Caitlin <CCastellano1@co.humboldt.ca.us>
Sent: Monday, July 22, 2019 3:41 PM
To: Bocast, Kalyn@Wildlife <Kalyn.Bocast@Wildlife.ca.gov>
Cc: ESchatz@co.humboldt.ca.us
Subject: final CDFW comments needed for 8/15/19 ZA hearing - RE: Status - Apps#10987, APN 524-075-027 Golden Gardens, LLC
Importance: High

Hi Kalyn – I'm circling back on this project for final comments from CDFW. The project unexpectedly went on hold due to ownership issues but they were recently resolved so I have updated the staff report with notes from our last meeting and I'm working to get to decision at 8/15/19 Zoning Administrator hearing. I have spoken with the neighbors whom own the land where the class III watercourse is located and they will provide consent for the applicants to do remediation work outlined in the Timber Conversion Report and erosion control work as previously discussed to prevent further head cut of the gully. Attached is the following: site plan, setback exhibit, cultivation and operations plan and timber conversion report. And, I intend to incorporate the following into conditions of approval to address issues we previously discussed/reviewed (except for propagation greenhouse, that's new):

1. Within 30 days of the effective date of project approval, the applicant shall submit a revised site plan and install a smaller propagation greenhouse (or modify the existing one) so that its size is no larger than 10% of the total cultivation area, which is 630 SF, and provide proof of the reduction in size.
2. The applicant shall implement all remediation actions described in the Timber Conversion Report developed for the parcel. A letter or monitoring Report prepared by a Registered Professional Forester confirming the successful completion of the remediation actions will satisfy this condition.

3. The applicant shall submit updated plan to address erosion control issues associated with the dry class III watercourse adjacent to the property line located on the adjacent property. A Lake and Streambed Alteration Agreement from CDFW will be required for any activities that occur within the stream channel.
4. The primary power source is PG&E. The emergency backup generator and greenhouse fan sound levels must not result in the harassment of Marbled Murrelet or Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combination of background and greenhouse fan created noise (and backup generator as applicable) measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Should a noise containment structure be necessary to obtain compliance, a building permit shall be obtained.
5. All artificial light used for ancillary propagation activities within nursery greenhouse and multi-use building, shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed. Should the Humboldt County Planning Division receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected, and corrected as necessary.
6. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
7. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility
8. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
9. The use of anticoagulant rodenticide is prohibited.

Please let me know if you have any questions.

Thank you!



Caitlin Castellano, Planner
 Current Planning, Cannabis Services
 Planning & Building Department
 Direct: 707-268-3731
 Main: 707-445-7541
 Email: ccastellano1@co.humboldt.ca.us

New Redway Office Hours

Monday and Wednesday, 9:30 am to 3:30 pm
 3156 Redwood Dr, Redway (707) 383-4100
 Mondays – Building, Current Planning and Code Enforcement
 Wednesdays – Building, Cannabis Planning and Long Range Planning

From: Jill Brown <jill.brown1@gmail.com>

Sent: Friday, January 11, 2019 10:10 AM

To: Castellano, Caitlin <CCastellano1@co.humboldt.ca.us>

Cc: Bocast, Kalyn@Wildlife <Kalyn.Bocast@wildlife.ca.gov>; Johnson, Cliff <CJohnson@co.humboldt.ca.us>; Tyler



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7245



7/19/2019

Project Referred To The Following Agencies:

School District: Klamath-Trinity JUSD, Environmental Health, PW Land Use, Cal Fish & Wildlife, RWQCB, AG
Commissioner, NWIC, Hoopa Valley Tribe, CalFire, County Counsel

Applicant Name Key Parcel Number 524-075-027-000

Application (APPS#) PLN-10987-SP Assigned Planner Caitlin Castellano

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

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

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

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

Return Response No Later Than: 8/3/2019

Planning Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
Email: PlanningClerk@co.humboldt.ca.us Fax: (707) 268 - 3792

We have reviewed the above application and recommend the following (please check one):

☒ Recommend Approval. The department has no comment at this time.

☐ Recommend Conditional Approval. Suggested conditions attached.

☐ Applicant needs to submit additional information. List of items attached.

☐ Recommend Denial. Attach reasons for recommended denial.

Other Comments:

uno bus stops

DATE:

7/23/19

PRINT NAME:

Missu Ammar