



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CURRENT PLANNING DIVISION**

---

3015 H Street Eureka CA 95501  
Phone: (707)445-754 Fax: (707) 268-3792

Hearing Date: September 19, 2019

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Arcata Land Company, LLC**  
Application Number 15594  
Record Number: PLN-2019-15594-SP1  
Assessor's Parcel Numbers: 506-231-010 and 506-131-016  
2920 Foster Avenue, Arcata area

**Table of Contents**

**Page**

Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolutions	6

**Maps**

Zoning Map	9
Aerial Map	10
Topo Map	11
Project Plans	12

**Attachments**

Attachment 1: Recommended Conditions of Approval	13
Attachment 2: Required Findings for Approval	18
Attachment 3: Applicant's Evidence in Support of the Required Findings	29
Attachment 4: Referral Agency Comments and Recommendations	97

Please contact Elizabeth Schatz, Planner, at (707) 445-7541, or by email at [eschatz1@co.humboldt.ca.us](mailto:eschatz1@co.humboldt.ca.us), if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

<b>Hearing Date</b> September 5, 2019	<b>Subject</b> Special Permit	<b>Contact</b> Elizabeth Schatz
--	----------------------------------	------------------------------------

**Project Description:** Arcata Land Company, LLC is seeking three Special Permits (SP) for the development and operation of cannabis processing, manufacturing, and wholesale distribution facilities located within approximately 54,000 square feet of an existing 400,000 square-foot structure. The processing, manufacturing, and distribution facilities would only produce for State licensed facilities and would sell on a wholesale basis. The manufacturing facility would produce a variety of cannabis based and infused products including packaged flowers, infused edibles, oils, chewables, as well as solvent-based concentrates using butane, propane, CO2, and ethanol. The proposed hours of operation are 7:00 a.m. to 7:00 p.m.; however, during periods of seasonally high workload, the hours of operation within the facility may increase to 24 hours per day. Up to 46 employees would be utilized during peak periods of operation. No water will be used in the manufacturing or processing operations. Water for drinking, toilets, and handwashing facilities will be provided by existing permitted on-site wells. The project will be served by an on-site sewage disposal system. Power is provided by PG&E.

**Project Location:** The project is located in the Arcata area, on the North side of Foster Avenue, approximately 100 feet north from the intersection of Foster Avenue and Dolly Vardon Road, on the property known as 2920 Foster Avenue.

**Present Plan Land Use Designations:** Agricultural Exclusive (AE), Humboldt County General Plan (HCGP), Density: 20-60 acres/unit, Slope Stability: A0 - Relatively Stable

**Present Zoning:** Heavy Industrial with Qualified Combining Zone (MH-Q).

**Case Number:** PLN-2019-15594-SP1

**Application Number:** 15594

**Assessor Parcel Numbers:** 506-231-010 and 506-131-016

**Applicant**

Arcata Land Company LLC  
Attn: Darrell Billings  
3160 Upper Bay Road  
Arcata, CA 95521

**Owner**

Arcata Land Company LLC  
Attn: Darrell Billings  
3160 Upper Bay Road  
Arcata, CA 95521

**Agent**

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

**Environmental Review:** CEQA Exemption Section: 15301—Existing Facilities

**Major Issue:** None.

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

## Arcata Land Company, LLC Special Permit

Case Number: PLN-2019-15594

Assessor's Parcel Numbers (APNs): 506-231-010 and 506-131-016

### 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 the project exempt from environmental review pursuant to Section 15301 of the State CEQA Guidelines, make all the required findings for approval of the Special Permit based on evidence in the staff report, and adopt the Resolution approving the proposed Arcata Land Company, LLC Special Permit subject to the recommended conditions.*

### Executive Summary

Arcata Land Company, LLC is seeking three Special Permits (SP) for the development and operation of commercial cannabis manufacturing, processing, and distribution facilities in approximately 54,000 square feet of an existing 400,000 square-foot structure. The processing, manufacturing, and distribution facilities would only produce for State licensed facilities and would sell on a wholesale basis. The proposed hours of operation are 7:00 a.m. to 7:00 p.m. seven days per week; however, during periods of seasonally high workload, the hours of operation within the facility may increase to 24 hours per day. Up to 46 employees would be utilized during peak periods of operation. Water for the operation would be provided by existing, on-site wells. A new mound septic system is proposed. Electrical power is provided to the site by PG&E.

Historically Simpson Timber Company used the on-site facilities to process lumber. The Applicant proposes to develop facilities within an existing structure. The subject parcel (consisting of APN 506-231-010 and APN 506-131-016) is zoned Heavy Industrial with Qualified Combining Zone (MH-Q) and is approximately 28 acres in area. The CMMLUO identifies MH-zoned parcels as sites where commercial processing, manufacturing and wholesale distribution is allowed. The Applicant estimates between 50 and 130 vehicle trips per day at the site. Traffic and road impacts would be de minimis; the previous land use, lumber processing, resulted in heavier traffic than the proposed use. Current uses of the building and site include storage, processing, and distribution activities associated with the adjacent floral operation of the Sun Valley Group and a mushroom farm resulting in similar vehicle trips. The site is accessed by a paved county-maintained road and has close access to State Highways 101 and 255.

The Applicant proposes diverse security measures to ensure a protected facility for staff, and security of cannabis products against diversion and theft from intruders, staff, and visitors. Strict inventory control measures would be implemented. Adequate interior and exterior lighting would be installed to ensure that personnel and the video surveillance system can effectively monitor the space in and around the facility at all times. The exterior lighting would be designed to not create a nuisance on neighboring properties. A security alarm system would be installed to be monitored by a third-party remote central control station responsible to notify law enforcement of any breach of security; these communications would be powered by an uninterruptible power supply. All entrances to the occupied building spaces would be restricted by an access control system which would limit personnel access as needed. All cannabis deliveries and shipments would be handled by locally permitted and State licensed transportation company. All products of the facilities would be transported to locally permitted and State licensed wholesale, distribution, manufacturing, or dispensary companies.

Samples of all raw materials coming in and finished products ready to go out would be screened and tested by an independent State licensed and locally permitted laboratory for pesticides, mold, and other undesirable qualities prior to incorporation into the manufacturing process.

### Processing

The processing facility would require 8 to 30 full-time equivalent (FTE) employees. Recently harvested



cannabis will be dried in the existing building in climate controlled designated areas. Processing would begin with an inspection and the separation of stalks and branches from the flowers. Flowers would then be delivered to trimmers or trimming machine operators. Buds ready for sale would be packaged and vacuum sealed. All flowers destined for manufacturing would be placed in a secure storage area. All materials such as stalks and branches would be weighed, totaled, and returned to a locked storage area for later use in manufacturing. The facility would sell cannabis products to State licensed facilities on a wholesale basis; there would be no on-site retail sales. No water will be used in the processing operations.

## **Manufacturing**

The manufacturing facility would require 2 to 10 full-time equivalent (FTE) employees. The manufacturing facility would produce a variety of cannabis based and infused products including packaged flowers, infused edibles, oils, chewables, as well as solvent-based concentrates using butane, propane, CO2 and ethanol. All equipment used in solvent-based concentrate production of concentrates would be food grade. No water will be used in the manufacturing operations. The facility would sell cannabis products to State licensed facilities on a wholesale basis; there would be no on-site retail sales.

## **Distribution**

The distribution facility would require 2 to 6 FTE employees, depending on workload. All products would be sold to State licensed facilities on a wholesale basis. The facility will not be open to the public and will not accept visitors without a specific pre-authorized business purpose. All security measures listed above would be adhered to in order to prevent diversion and ensure safety for employees and consumers.

There are no schools, places of worship, public parks, or known easements or tribal cultural resources within 600 feet of the project area.

The property is subject to a Qualified combining zone (Q). Ordinance No. 1890 amended Humboldt County Zoning Code, reclassifying the area containing the subject parcel to allow for continued use of existing wood products processing facilities, and to prohibit expansion of the existing use or the establishment of new uses without first obtaining a use permit. The Special Permits (SPs) being sought are development permits equivalent to a conditional use permit in all treatment. The required findings for approval or conditional approval of a SP or Use Permit (UP) are the same pursuant to HCC §312-17.1. Pursuant to HCC §312-1.2.4, the Zoning Administrator is the authorized hearing officer to consider and approve or conditionally approve the Special Permit applications. To consider and approve or conditionally approve the requested SPs, a noticed public hearing is being held.

## **Environmental Review and Staff Recommendation**

Environmental review for this Project was conducted and, based on the results of that analysis, staff believes the existing cultivation operation can be considered to be "Existing Facilities" as defined by Section 15301 of the California Environmental Quality Act (CEQA) Guidelines because it consists of "the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination." The proposed project will be located within an existing structure that currently houses similar uses which will be relocated off site.

There is no substantial evidence of potentially significant adverse environmental effects resulting from the permitting of recognized legal uses (commercial processing, manufacturing, and distribution of cannabis) on property zoned MH-Q, with slopes less than 15%, along with access to appropriate road systems.

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

**Record Number PLN-2019-15594  
Assessor's Parcel Numbers: 506-231-010 and 506-131-016**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Arcata Land Company, LLC Special Permit request.**

**WHEREAS**, Arcata Land Company, LLC, submitted an application and evidence in support of approving the Special Permit to permit proposed cannabis processing facilities in a portion of a 54,000 square-foot area of an existing 400,000 square-foot structure; and

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

**WHEREAS**, the project is exempt from environmental review per Section 15301 (Existing Facilities) of the State 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 Permit (Record Number PLN-2019-15594); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Zoning Administrator on September 19, 2019.

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

1. The proposed project is categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) of the State CEQA Guidelines; and
2. The Zoning Administrator makes all of the required findings in Attachment 2 of the Planning Division staff report for Record Number PLN-2019-15594, based on the submitted substantial evidence; and
3. Special Permit Record Number PLN-2019-15594 is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on September 19, 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



**RESOLUTION OF RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 19-**

**Record Number PLN-2019-15594  
Assessor's Parcel Numbers: 506-231-010 and 506-131-016**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Arcata Land Company, LLC Special Permit request.**

**WHEREAS**, Arcata Land Company, LLC, submitted an application and evidence in support of approving the Special Permit to permit proposed cannabis manufacturing facilities in a portion of a 54,000 square-foot area of an existing 400,000 square-foot structure; and

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

**WHEREAS**, the project is exempt from environmental review per Section 15301 (Existing Facilities) of the State 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 Permit (Record Number PLN-2019-15594); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Zoning Administrator on September 19, 2019.

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

4. The proposed project is categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) of the State CEQA Guidelines; and
5. The Zoning Administrator makes all of the required findings in Attachment 2 of the Planning Division staff report for Record Number PLN-2019-15594, based on the submitted substantial evidence; and
6. Special Permit Record Number PLN-2019-15594 is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on September 19, 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

**RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 19-**

**Record Number PLN-2019-15594  
Assessor's Parcel Numbers: 506-231-010 and 506-131-016**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Arcata Land Company, LLC Special Permit request.**

**WHEREAS**, Arcata Land Company, LLC, submitted an application and evidence in support of approving the Special Permit to permit proposed cannabis distribution facilities in a portion of a 54,000 square-foot area of an existing 400,000 square foot structure; and

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

**WHEREAS**, the project is exempt from environmental review per Section 15301 (Existing Facilities) of the State 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 Permit (Record Number PLN-2019-15594); and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Zoning Administrator on September 19, 2019.

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

7. The proposed project is categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) of the State CEQA Guidelines; and
8. The Zoning Administrator makes all of the required findings in Attachment 2 of the Planning Division staff report for Record Number PLN-2019-15594, based on the submitted substantial evidence; and
9. Special Permit Record Number PLN-2019-15594 is approved as recommended and conditioned in Attachment 1.

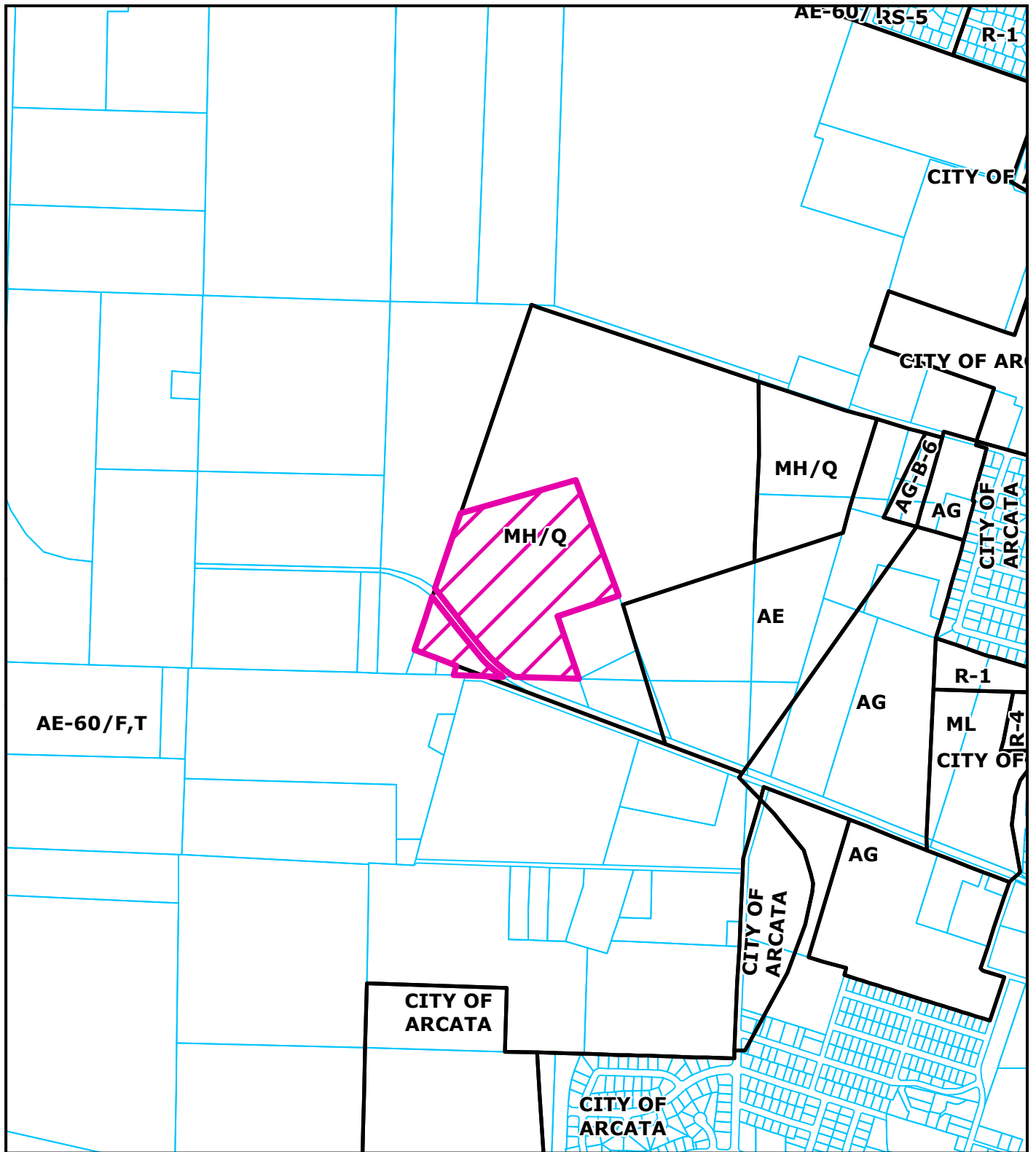
Adopted after review and consideration of all the evidence on September 19, 2019.

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

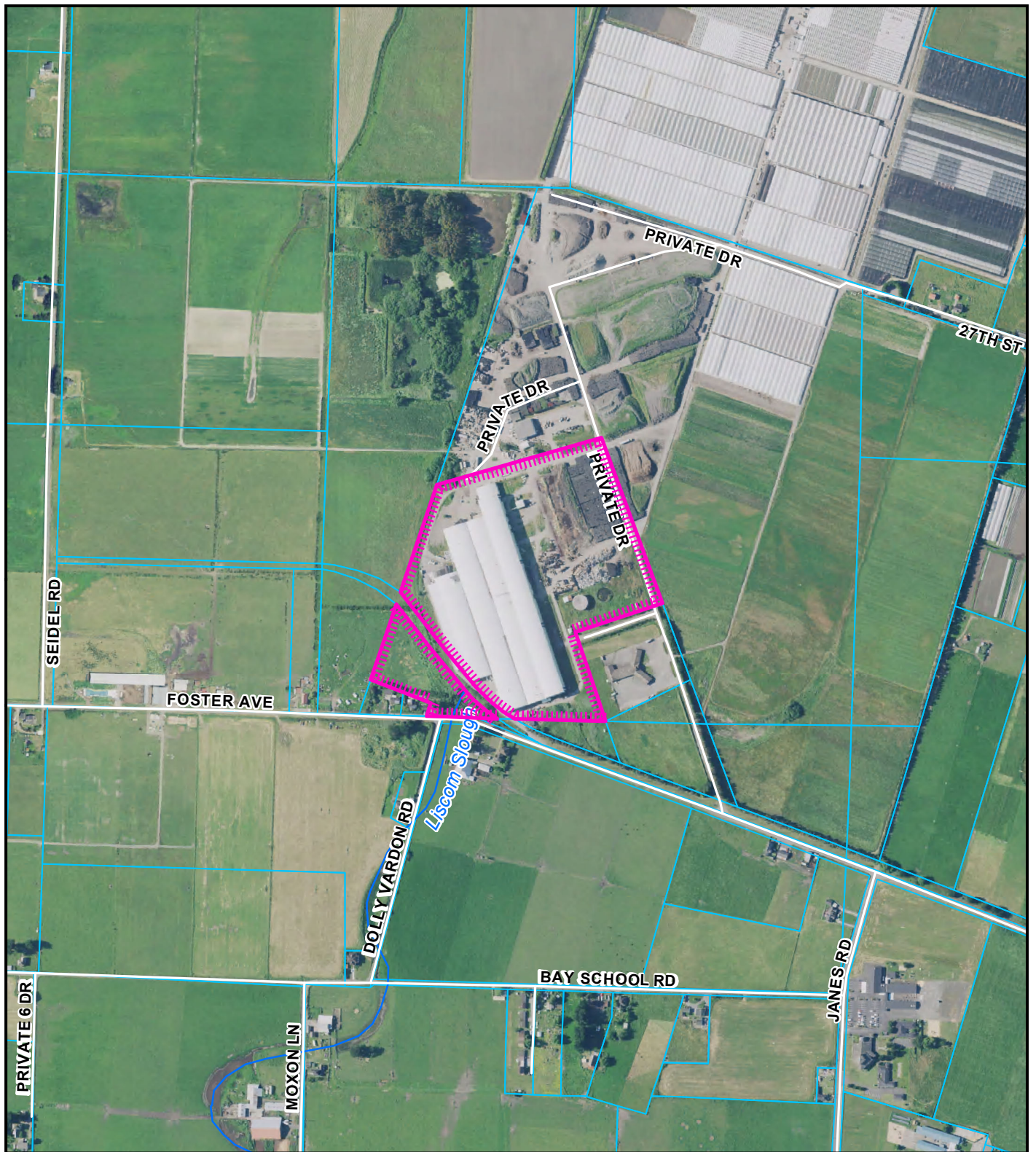




**Project Area =**

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

**ZONING MAP**  
**PROPOSED ARCATA LAND COMPANY, LLC**  
**ARCATA BOTTOMS AREA**  
**PLN-15594-SP**  
**APN: 506-231-010**  
**T06N R01E S19 HB&M (ARCATA NORTH)**



**AERIAL MAP**  
**PROPOSED ARCATA LAND COMPANY, LLC**  
**ARCATA BOTTOMS AREA**  
**PLN-15594-SP**  
**APN: 506-231-010**  
**T06N R01E S19 HB&M (ARCATA NORTH)**

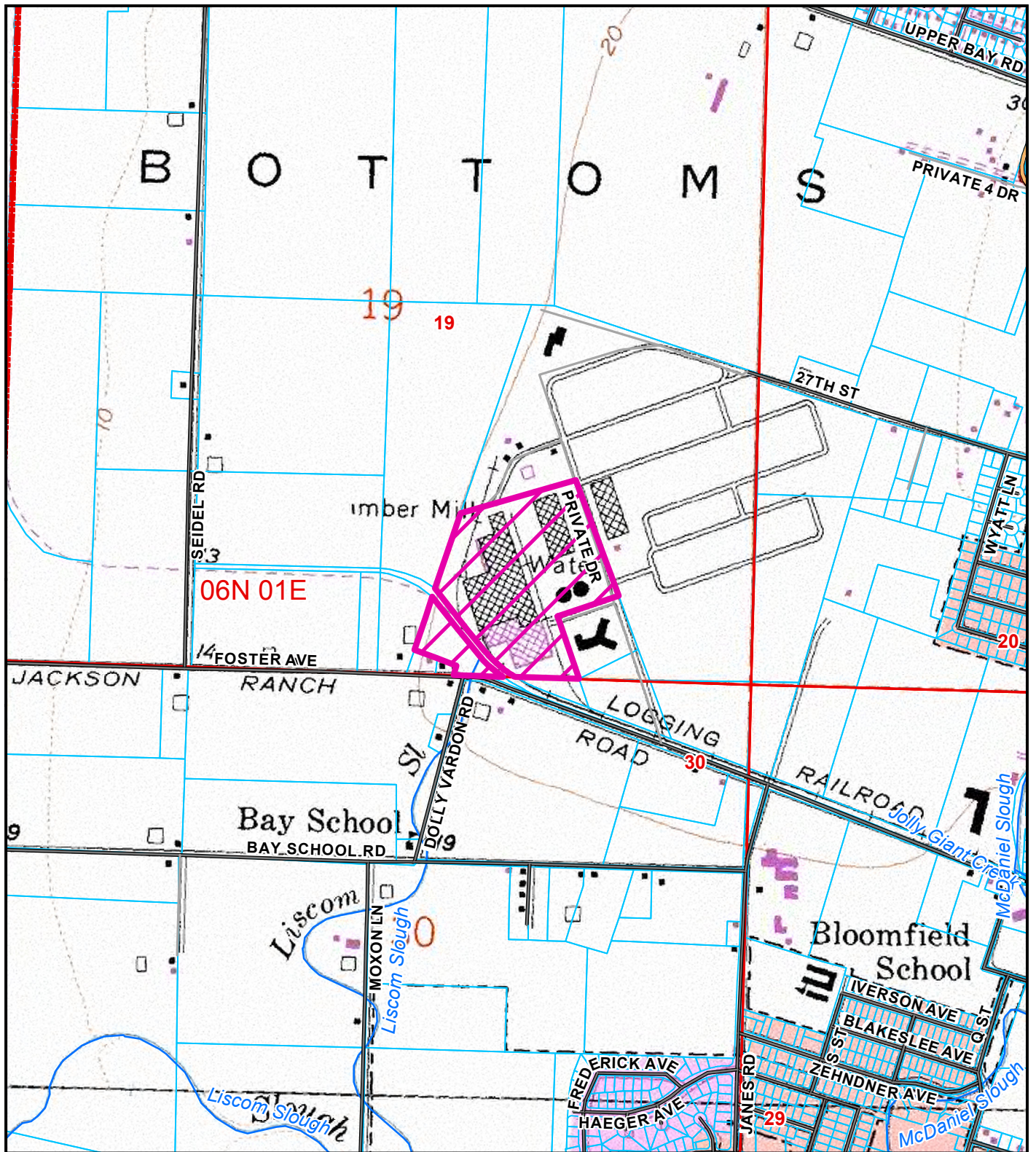
Project Area = 

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

0 875 1,750  
 Feet



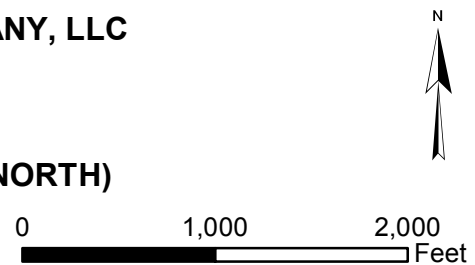




**TOPO MAP**  
**PROPOSED ARCATA LAND COMPANY, LLC**  
**ARCATA BOTTOMS AREA**  
**PLN-15594-SP**  
**APN: 506-231-010**  
**T06N R01E S19 HB&M (ARCATA NORTH)**

Project Area = 

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





SAVED: 7/16/2019 10:23 AM JSOUSA, PLOTTED: 7/16/2019 4:58 PM JUSTIN SOUSA  
||Eureka|Projects|2017|017062-ArcataLandCo|Dwg|017062-SITE-PARCEL-C.dwg



FORMERLY APN 506-231-010  
506-131-016  
LOT LINE ADJUSTMENT CURRENTLY IN PROCESS

1. EXISTING STRUCTURES WERE CONSTRUCTED IN 1950 (DATE IS APPROXIMATE).
2. NO SCHOOLS, BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, TRIBAL CULTURAL RESOURCES (600 FOOT SETBACK), AND OFF-SITE RESIDENCES WITHIN 300 FEET OF CULTIVATION AREA.
3. KNOWN EASEMENTS ON PARCEL C:
  - a. HENWID
4. WATER PROVIDED BY EXISTING WELLS. NO DIVERSIONS.

(E)	EXISTING
N/U	NOT USED FOR CULVATION
DCU	DATE OF CONSTRUCTION UNKNOWN (MORE THAN 20 YEARS OLD)
----	PROPERTY LINE
— — —	SETBACK FROM PROPERTY LINE
----	DRAINAGE DITCH

PRELIMINARY

**CONSULTING ENGINEERS  
& GEOLOGISTS, INC.**  
812 W. WABASH AVE.  
EUREKA, CA. 95501  
WWW.SHN-ENGR.COM  
707-441-8855

# MS

	DSGN	GSW					
	DR	NMD/CON					
	CHK	GSW					
	APVD						
	NO.	DATE	REVISION	BY			

ARCATA LAND COMPANY LLC  
COMMERCIAL CANNABIS PROJECT  
HUMBOLDT COUNTY, CALIFORNIA  
**PHASE 1  
SITE PLAN**

SHEET  
1  
SEQ  
DATE 07/2015  
PROJ. NO.  
12 017062



**ATTACHMENT 1**  
**Recommended Conditions of Approval**

**APPROVAL OF THE SPECIAL PERMITS IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE RELEASE OF THE BUILDING PERMIT AND INITIATION OF OPERATIONS.**

1. The applicant shall be responsible for obtaining all necessary County and State permits or licenses and for meeting all of the requirements set forth by other regulatory agencies.
2. Building permits are required for all tenant improvements. The applicant must specify on the building plans the prior use of all tenant spaces in the building. All work done shall meet current Structural, Electrical, Plumbing and Mechanical Codes. Issuance of a building permit for the necessary tenant improvements, or written documentation from the Building Department that no building permits are required shall satisfy this condition.
3. The project shall address odor management by incorporating a ventilation/air filtration system limiting potential adverse odor emission impacts to employees and/or properties located in the vicinity. The system shall be designed, signed, and stamped by a mechanical engineer for review and approval by the Building Official.
4. The project shall be developed in accordance with the project description and project site plan.
5. To ensure the safety of employees and product users, the Applicant shall have a qualified laboratory test samples of all medicine for pesticides, herbicides, mold, mildew, and pests.
6. Where feasible, new utilities shall be underground or sited unobtrusively if above ground.
7. Prior to commencing operations, the commercial driveway shall be improved to meet the County visibility ordinance and encroachment permit ordinance standards. All fences and gates shall be relocated or set back so that vehicles will not block the road when staging to open/close the gates. The access road shall be paved a minimum 20-foot width for a length of 50 feet from the County Road. Prior to construction improvements, the applicant shall obtain the required encroachment permits from the Department of Public Works (DPW). Upon completion of the improvements, the applicant shall submit communication from DPW demonstrating satisfaction.
8. All new development in the 100-year flood plain shall comply with the Flood Damage Prevention regulations, Humboldt County Code Section 335-1 et seq. The applicant shall secure and submit a flood elevation certificate from Building Inspection prior to initiating new development.
9. The Applicant shall identify any volatile solvents used, the amounts to be stored on site, and provide a Material Safety Data Sheet Report for review and approval by the Building Official.
10. The approved project shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project. Sign off on the Occupancy Permit by the Building Division shall satisfy this requirement.
11. The Applicant shall obtain from the Arcata Fire Protection District (AFPD) any required permits or approvals prior to commencing construction activities or the approved use. AFPD has required that portable fire extinguishers must be provided during construction and all fire department access roads shall be maintained. Construction requirements also include that existing systems, automatic fire sprinkler system, and fire alarm monitoring shall be operational and shall comply with current Fire Code requirements. A letter from the Arcata Fire Protection District will satisfy this condition.
12. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program. 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.

13. By utilizing this permit the applicant acknowledges and declares that:
  - A. All cannabis or cannabis products under my control, or the control of my agents or employees, and cultivated or manufactured pursuant to local Ordinance and the California Medical and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), will be distributed within the State of California; and
  - B. All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with MAUCRSA.
14. If applicable, the Applicant shall secure permits from the North Coast Unified Air Quality Management District. A letter or similar communication from the North Coast Air Quality Management District verifying that all their requirements have been met and/or no additional permitting is required will satisfy this condition.
15. The Applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the Applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
16. 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.

**Ongoing Requirements/Development Restrictions for Distribution, Processing and Manufacturing Activities Which Must be Satisfied for the Life of the Project:**

1. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
2. Commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and MAUCRSA, as may be amended from time to time, as applicable to the permit type.
3. 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.
4. Possession of a current, valid permit or license, issued by the Humboldt County Department of Health and Human Services-Environmental Health Division, as soon as such permits or licenses become available.
5. Confinement of the area of cannabis processing, manufacturing or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet



from any property line, and 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, Public Park, or Tribal Cultural Resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).

6. 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).
7. Refrain from the improper storage or use of any chemical agents.
8. All persons hiring employees to engage in commercial processing of cannabis shall comply with the following Employee Safety Practices:
  - A. Implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
    - 1) Emergency action response planning as necessary;
    - 2) Employee accident reporting and investigation policies;
    - 3) Fire prevention;
    - 4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
    - 5) Materials handling policies;
    - 6) Job hazard analyses; and
    - 7) Personal protective equipment policies, including respiratory protection.
  - B. Visibly post and maintain an emergency contact list which includes at a minimum:
    - 1) Operation manager contacts;
    - 2) Emergency responder contacts;
    - 3) Poison control contacts.
  - C. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
9. The Applicant shall comply with the following Processing Practices:
  - A. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
  - B. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
  - C. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
  - D. Employees must wash hands sufficiently when handling cannabis or use gloves.
10. The Applicant shall comply with an approved Processing Plan as to the following:
  - A. Processing Practices;
  - B. Location where processing would occur;
  - C. Number of employees, if any;
  - D. Employee Safety Practices;
  - E. Toilet and handwashing facilities;
  - F. Plumbing and/or septic system and whether or not the system is capable of handling increased usage;
  - G. Drinking water for employees;
  - H. Plan to minimize impact from increased road use resulting from processing; and
  - I. On-site housing, if any.



11. All new and existing outdoor lighting shall be compatible with the existing setting and directed within the property boundaries.
12. Odors shall be contained on the property on which the Cannabis activity is located. To implement this requirement air filtration and ventilation equipment is to be maintained in good working condition and monitored on an on-going basis to limit potential adverse odor emission impacts to employees and/or properties located in the vicinity of the operation. If the County receives any odor complaints, the permit holder shall work with the Building Official to correct odor concerns.
13. **Permit Duration:** Any Commercial Cannabis Cultivation issued pursuant to this section shall expire after one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees, lessees, and the permitted site have been found to comply with all conditions of approval.

If the inspector or other County official determines that the permittees, lessees, or site do not comply with the conditions of approval, the inspector shall serve the CUP or permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the Use Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to section 55.4.13.
14. **Transfers:** Transfer of any leases or permits approved by this project are 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 conformance with conditions review shall accompany the request. The request shall include the following information:
  - A. Identifying information for the new Owner(s) and management as required in an initial permit application;
  - B. A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
  - C. The specific date on which the transfer is to occur; and
  - D. Acknowledgement of full responsibility for complying with the existing Permit; and
  - E. Execution of an Affidavit of Non-diversion of Commercial Cannabis.
15. **Modifications to the Facility.** Prior to making any modifications to a permitted facility, the permittee shall submit to the Planning Director a request for determination of County approvals, together with the appropriate fee. The request shall contain a description sufficiently detailed to allow the Planning Director to determine what permits and other approvals, are needed, and whether a modified Permit is required.
16. **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.
17. All signage shall comply with Section 314-87.2 of the Humboldt County Code.
18. The operation shall participate in the Commercial Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner, when available.

19. Pay all applicable application and annual inspection fees.

**Informational Notes:**

1. The project site is not located within an area where known archaeological sites have been identified. However, as there exists the possibility that undiscovered archaeological resources may be encountered during construction activities, the following post-review, inadvertent archaeological discovery measures are required under state and federal laws:

If archaeological resources are encountered, all ground disturbing work at the find location plus a reasonable buffer zone must be immediately suspended, the approving County department contacted, and a qualified professional archaeologist retained to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, and protective cover) in consultation with culturally affiliated tribes or other descendent groups, where applicable. Resources may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Pursuant to California Health and Safety Code §7050.5, if known or suspected Native American or other human remains are encountered, all ground-disturbing work must cease in the vicinity of the discovery, and the County Coroner contacted at (707) 445-7542. The respectful treatment and disposition of remains and associated grave offerings shall be in accordance with PRC §5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

2. This 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 construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. Once initiated, the distribution, processing and manufacturing uses are subject to the Permit Duration and Renewal provisions set forth in Condition of Approval # 13 of the On-Going Requirements /Development Restrictions, above. The period within which construction or use must be initially commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.
3. 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.



## 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 (Legal Lot Requirement) and 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specifies the findings that are required to grant a Special Permit:

1. The proposed development is in conformance with the County General Plan, Open Space Plan, and Open Space Action Program;
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.
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.
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.



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

**1. The proposed development must be consistent with the General Plan, Open Space Plan, and Open Space Action Program.** The following table documents 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, Open Space Plan, and Open Space Action Program.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use Chapter 4  Land Use Designations Section 4.8  Agricultural Exclusive	Agricultural Exclusive (AE). This designation applies to bottomland farms and lands that can be irrigated. Allowable uses include agriculture products processing, and similar uses.	The applicant is proposing to develop commercial cannabis processing, manufacturing and distribution facilities within an existing commercial/industrial building. The property's historic use was wood products processing and manufacturing. Agriculture products processing and similar uses are allowed in the AE designation.
Circulation Chapter 7	Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1,C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County (C-G4, C-G5)  Related policies: C-P3. Consideration of Transportation Impacts in Land Use Decision Making.	Access to the site is directly off a paved County-maintained public road (Foster Avenue). The Public Works Department recommended conditional approval of the project. The conditions include: relocating and setting back all fences and gates so that vehicles will not block the road when staging to open/close the gate, maintaining driveways and private road intersections to meet County visibility requirements, and paving the access road with a minimum 20-foot width for a length of 50 feet from the County road. The project has been conditioned accordingly.
Housing Chapter 8	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.  Related policies: H-P3, Development of Parcels in the Residential Land Inventory.	The project does not involve residential development. The property is not zoned or planned to allow for residential development, therefore the project would 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.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces (CO-G1, CO-G3)</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program.</p>	<p>The proposed project is located within an existing commercial development, not on working resource lands or park lands. However, the project would not preclude orderly development and coordination with other agencies programs related to conserving open space lands.</p>
<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 only ground-disturbing activity proposed is to create a mound septic system on the southwest corner of the site. That area has been reviewed for biological resources, and a drainage swale seasonal wetland was mapped and a setback of 50 feet is proposed. The California Department of Fish and Wildlife reviewed the project and had no comments. The referral response is included in Attachment 4.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation].</p>	<p>The entire 181-acre area, of which the 28-acre parcel is a part, was surveyed by archaeological technicians for historic/prehistoric artifacts. None were found. Additionally, professional geotechnical soils analysis was performed in an attempt to find late Holocene buried landforms. None were identified. The existing structures on the site were evaluated for significance and determined to not be eligible for the California Register of Historical Resources.</p> <p>The Blue Lake Rancheria Tribal Historic Preservation Officer responded and requested standard inadvertent discovery protocol to protect cultural resources which has been included in the project conditions.</p>



Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.7</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-G2)</p> <p>Related policies: SR-S4. Light and Glare.</p>	<p>The proposed project is located within an existing commercial development, neighboring the Sun Valley Group flower operation. All additional exterior lighting would not pose a nuisance to neighboring parcels and must conform to Humboldt County Code lighting or signage requirements. The project shall adhere to the International Dark Sky Association Standards, which exceed the requirements of the Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. All proposed structural improvements will be located within an existing structure.</p>
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at delisting water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy (WR-G1, WR-G2, WR-G7, WR-G8, WR-G9); and</p> <p>Related policies: WR-P10. Erosion and Sediment Discharge; WR-P42. Erosion and Sediment Control Measures.</p>	<p>The proposed project occurs within an existing permitted commercial structure that met the requirements of the Building Department the Department of Public Works regarding erosion and stormwater management at time of construction. The project site is not located within a Low Impact Development Area. Drainage patterns will not be altered by the proposed project.</p>
<p>Water Resources Chapter 11</p> <p>On-site Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as on-site wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution (WR-G6, WR-G9, WR G10)</p> <p>Related policies: WR-IM7. Basin Plan Septic Requirements; and IS-P17. On-Site Sewage Disposal Requirements.</p>	<p>The project proposes a new on-site mound sewage treatment system. The applicant has provided information about the system design to the County Department of Environmental Health (DEH). DEH has responded with a recommendation of approval for the project.</p>



Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Noise Chapter 13	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.</p>	<p>The subject parcel is not located in an area that requires special noise attenuation measures. The proposed projects are for distribution, processing, and manufacturing of commercial cannabis and commercial cannabis products. Power to the existing structure is provided by PG&amp;E and does not require electrical generators.</p>
Safety Element Chapter 14  Geologic & Seismic	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury (S-G1, S-G2)</p> <p>Related policies: S-P11. Site Suitability, S-P7. Structural Hazards.</p>	<p>The project site is not located in a mapped Alquist-Priolo fault zone. WebGIS data reflects that the surrounding area is relatively stable. However the area of the Arcata Bottoms has the potential of liquefaction to occur. The proposed project is within an existing permitted building. Any structural modifications to the structure must have approval from the Building Division as conditioned.</p>
Safety Element Chapter 14  Flooding	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.</p>	<p>The subject site is in the mapped 100-year floodplain in the Arcata Bottoms per the National Flood Insurance Program Flood Insurance Rate Map, effective November 4, 2016 (Map No. 06023C0690F). All development is proposed within an existing structure. Attachment 1 includes a condition of approval that all new development conform with the County's Flood Damage Prevention regulations and that the applicant secure and submit a flood elevation certificate, if required.</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-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The parcel is in an area of Low Fire Hazard rating and within the Arcata Fire Protection District. AFD responded with requirements that during construction, portable fire extinguishers be provided and all fire department access roads be maintained. Construction requirements also include that existing systems including automatic fire sprinkler system and fire alarm monitoring shall be operational and comply with current Fire Code requirements. A condition of approval of the project is to meet all requirements of the Arcata Fire Protection District.</p>
<p>Air Quality Chapter 15</p>	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G4)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1, Construction and Grading Dust Control, AQ-P7, Interagency Coordination.</p>	<p>The proposed project occurs within an existing permitted commercial structure. The only ground disturbing activity that is proposed is to create a mound septic system. The access road may also require additional paving to meet the Public Works requirements.</p> <p>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>



## 2. Zoning Compliance and 3. Conforms with applicable standards and requirements of these regulations:

The following table documents the substantial evidence which supports the finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section and Summary of Applicable Requirement	Evidence
<p>§312-1.1.2 Legal Lot Requirement</p> <p>Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.</p>	<p>The subject parcel which consists of two Assessor Parcel Numbers (APN 506-231-010 and APN 506-131-016) was created in its current configuration by the Notice of Lot Line Adjustment and Certificate of Subdivision Compliance recorded as document 2007-18084-8 of Official Records on June 15, 2007, Humboldt County Records; it is referenced therein as Resultant Parcel 3. While there is a conditionally approved lot line adjustment (see LLA-17-005, Application No. 13484) to adjust the existing parcel boundaries, the parties have not acted to perfect the conditional approval. Therefore, the subject parcels were lawfully created in their current configuration and can be developed as proposed.</p>
<p>§314-3.3 Heavy industrial with Qualified Combining Zone (MH-Q)</p> <p>Qualified combining zone (Q): Ordinance No. 1890 amended Humboldt County Zoning Code, reclassifying the area containing the subject parcels to allow for continued use of existing wood products processing facilities, and to prohibit expansion of the existing use or the establishment of new uses without first obtaining a use permit.</p> <p>§§314-55.4.8.4, 314-55.4.8.5, and 314-55.4.8.6 specify that processing facilities other, manufacturing, and wholesale distribution shall be permitted in the MH zoning district subject to a Special Permit and the conditions and limitations set forth in the regulations.</p>	<p>The project area is zoned Heavy Industrial (MH). The referenced section expressly enumerates MH as zoning district where the processing, distribution, and manufacture of commercial cannabis may be permitted with a Special Permit. The applicant has applied for the specified permit. The recommended Conditions of Approval (Attachment 1) ensure conformance with the Humboldt County Code (HCC).</p> <p>The Special Permits (SPs) being sought are development permits equivalent to a conditional use permit in all treatment: The required findings for approval or conditional approval of a SP or Use Permit (UP) are the same pursuant to HCC §312-17.1. Pursuant to HCC §312-1.2.4, the Zoning Administrator is the authorized hearing officer to consider and approve or conditionally approve the Special Permit applications. To consider and approve or conditionally approve the requested SPs, a noticed public hearing is being held. Prior to the public hearing, noticing has been published in a newspaper of general circulation, notices have been mailed to the property owners and occupants within 300 feet of the property, and the City of Arcata has been mailed a notice as well [Reference Gov't Code Sections 65090 and 65091]. The CMMLUO regulations, HCC §314-55.4 et seq., are embedded in the General Provisions, §314-42 et seq. of the Humboldt County Zoning Regulations, and their applicability are additive to the provisions found in Sections 314-1 et seq. "Principal Zones" and 314-15 et seq. "Special Area Combining Zones," and are not a development standard exception.</p>

Zoning Section	Summary of Applicable Requirement	Evidence
Minimum Lot Area:	1 acre	The subject parcel is approximately 28 acres in size
Minimum Lot Width:	None specified	Approximately 300 feet
Maximum Lot	None specified	Approximately 1,500 feet

<b>Zoning Section</b>	<b>Summary of Applicable Requirement</b>	<b>Evidence</b>
Depth:		
Max. Lot Coverage:	None specified	The proposed project occurs within an existing permitted structure. Approximately 40% of the site is covered by structures.
Min. Yard Setbacks	MH Minimum Setbacks:  Front: 50 feet Rear: 50 feet Side: Ten percent (10% of average lot width but not less than twenty-five feet (25')).	Front: 77 feet Rear: 65 feet Side (east): 95 feet Side (west): 82 feet  The proposed project occurs within an existing structure that met setbacks at time of construction.
Max. Building Height:	75 feet	<75 feet
§314-109.1.3.4.1 Off-Street Parking  Manufacturing	The higher of one parking space for each 1500 square feet of gross floor area within all enclosed building areas or one (1) parking space for each employee at the peak shift. A minimum of two (2) parking spaces are required.	The structure has a gross floor area of 400,000 square feet; however, the proposed project occurs within approximately 54,000 square feet of that structure. The proposed project will utilize up to 46 employees during peak shift. The site currently has parking for 60 vehicles, and adequate loading spaces.

#### **314-55.4 Commercial Medical Marijuana Land Use Ordinance (CMMLUO)**



<p>§314-55.4.8.4 Processing</p> <p>§314-55.4.8.5 Manufacturing</p> <p>§314-55.4.8.6 Distribution</p>	<p>Processing facilities for commercial cannabis for medical use for other than appurtenant on-premises cultivation operation as provided in 314-4.9.1 shall be permitted in zoning districts AG, AE RA (on parcels 5 acres or larger), C-2, C-3, MB, ML, U (where developed as industrial use) and MH, subject to a Special Permit and the conditions and limitations set forth in this Section.</p> <p>Manufacturing of commercial cannabis for medical use shall be a permitted use in zone districts C-2, C-3, MB, ML, U (where developed as an industrial use) and MH, subject to a Special Permit and the conditions and limitations set forth in this Section.</p> <p>Wholesale distribution facilities for commercial cannabis for medical use shall be permitted in zoning districts C-2, C-3, MB, ML, U (where developed as an industrial use) and MH, subject to a Special Permit and the conditions and limitations set forth in this Section.</p>	<p>The subject parcel is zoned MH-Q.</p> <p>The proposed project would:</p> <ol style="list-style-type: none"> <li>1. Receive deliveries from licensed cannabis farms of harvested cannabis plants and process, including drying, trimming, and packaging.</li> <li>2. Manufacture a variety of cannabis based and infused products including packaged flowers, infused edibles, oils, chewables, as well as solvent-based concentrates.</li> <li>3. Distribute cannabis and cannabis products to be sold to State licensed facilities on a wholesale basis.</li> </ol> <p>The subject property is correctly zoned, Heavy Industrial with a Qualified Combining Zone (MH-Q), and the applicant would comply with all conditions of the CMMLUO ordinance, as specified in the recommended conditions of approval.</p>
<p>§314-55.4.8.10 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 applicants have applied for three cannabis activity permit types as part of this application, considered herein. While considered under one record number, the applicant would be considered active on three cannabis activity permits. No other commercial cannabis activity permits have been issued to this applicant.</p>
<p>§314-55.4.10 Application Requirements</p>	<p>Identifies the Information Required for All Applications</p>	<p>Attachment 3 identifies the information submitted with the application. Contents of the application are on file. All outstanding items are included as conditions of approval.</p>
<p>§314-55.4.11 Performance Standards</p>	<p>Identifies the Performance Standards for Cannabis Cultivation and Processing Activities</p>	<p>All the applicable performance standards are included as Conditions of project approval. They are required to be met throughout the timeframe of the permit.</p>
<p>§314-55.4.11.c Performance Standards-Water</p>	<p>Compliance with all statutes, regulations and requirements of the California State Water</p>	<p>Water for the proposed project is provided by permitted on-site wells. The proposed processing, manufacturing, and distribution</p>

	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.	does not include water use. The only proposed water use for this project is for drinking, toilets, and handwashing facilities.
§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 applicant's site plan and a review of WebGIS show that the processing, manufacturing, and distribution facility conforms to the 600-foot setback from all schools, school bus stops, churches and other places of religious worship, public parks and tribal cultural resources. The Northern Humboldt High School District did respond with a recommendation of denial due to cannabis being illegal under federal law, and that future students may live near the facility and may have to pass by it going to and from school. The letter also indicated that the proposed facility is not within 600 feet of a school or an existing bus stop. The project, therefore, meets the setback requirement.
§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	No generators would be used as a part of the proposed project.
§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 original applicant filed the application on December 22, 2016. This portion of the project was separated from the original application on May 22, 2019.

**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 would not be detrimental to the public health, safety and welfare since all reviewing referral agencies have approved or conditionally 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 parcel was not included in the 2014 Housing Inventory and is not designated for residential uses. 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 would not adversely impact the environment.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§15301 of CEQA Guidelines	Categorically exempt from State environmental review.	The project has been determined to be exempt from CEQA pursuant to Sections 15301 (Existing Facilities) of the Guidelines for the Implementation of CEQA. Section 15301 exempts from environmental review the operation, repair maintenance, permitting, licensing, or minor alteration of existing private structures or facilities where involving negligible or no expansion of use. The proposed development would occupy a 54,000 square foot area of an existing 400,000 square foot commercial structure that is currently being used for similar activities. The project site is an industrial site served by an existing, on-site well and septic system with a proposed mound septic system. A Phase I Environmental Site Assessment report was completed on June 2, 2015 by Partner Engineering and Science, Inc. which documented that only agricultural uses were located on the only area of the property where ground-disturbing activities are proposed to construct a mound septic system. The proposed uses would not result in any significant adverse impact on the environment.

## ATTACHMENT 3

### Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (Applicant is the owner)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Attached – with maps)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Operations Plans for distribution, manufacturing and processing provided and floor plan - 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. (On file – see Operations Plan and Site 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. (Not applicable)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (Not Applicable)
9. If the source of water is a well, a copy of the County well permit, if available. (On file)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner



has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE. (Not Applicable)

11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. 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. (Not Applicable)
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)

**PROJECT DESCRIPTION AND APPLICATION SUPPLEMENT**  
**FOR THE**  
**ARCATA LAND COMPANY LLC**  
**COMMERCIAL CANNABIS PROJECT**



**MANUFACTURING, PROCESSING, DISTRIBUTION, AND  
TRANSPORTATION (APP 12268)**

**Applicant:**

Arcata Land Company LLC  
P.O. Box 997  
Arcata, CA 95519

**Prepared by:**

Compass Land Group  
3140 Peacekeeper Way, Suite 102  
McClellan, CA 95652



**May 15, 2019**  
**Revised August 25, 2019**

**REVISED**



# TABLE OF CONTENTS

<b>1.0</b>	<b>INTRODUCTION.....</b>	<b>1</b>
1.1	Executive Summary.....	1
1.2	Names and Addresses of Applicant’s Representatives.....	2
1.3	Project Location .....	2
1.4	Assessor Parcels, Ownership, Zoning, and General Plan Designations .....	2
1.5	Environmental Setting .....	2
1.5.1	Existing Land Uses.....	3
1.5.2	Surrounding Land Uses .....	3
1.5.3	Access and Utilities .....	4
<b>2.0</b>	<b>PROJECT PURPOSE, NARRATIVE AND JUSTIFICATION .....</b>	<b>4</b>
2.1	Project Purpose and Objectives.....	4
2.2	Narrative Description of Proposed Activities .....	4
2.3	Project Justification.....	6
<b>3.0</b>	<b>REQUESTED ENTITLEMENTS .....</b>	<b>6</b>
3.1	County Entitlements .....	6
3.2	Other Permits, Licenses, and Approvals .....	6
<b>4.0</b>	<b>CMMLUO APPLICATION CHECKLIST.....</b>	<b>6</b>
4.1	Operations Plan.....	7
4.2	Site and Floor Plans.....	7
4.3	CEQA Evaluation .....	7
4.4	Consent and Acknowledgements .....	7
4.4.1	Consent for Onsite Inspection .....	7
4.4.2	Acknowledgement of Right to Reduce Cultivation Area .....	7
4.4.3	Acknowledgement of Right to Engage Local Tribes.....	7
4.4.4	Agricultural Employer Statement .....	8
<b>5.0</b>	<b>CMMLUO CONSISTENCY MATRIX.....</b>	<b>8</b>

## **FIGURES**

Figure 1	Site and Vicinity Map
Figure 2	Parcel and Zoning Map
Figure 3	Existing Conditions Site Map

## **SHEETS**

Sheet 1	Site Plan
Sheet 2	Floor Plan

## **APPENDICES**

Appendix A	Operations Plans
Appendix B	FEMA Letter of Map Amendment
Appendix C	PG&E Will Serve Letter
Appendix D	Wastewater Disposal Field Suitability Study



## 1.0 INTRODUCTION

### 1.1 Executive Summary

Arcata Land Company LLC ("Arcata Land") proposes to develop a commercial cannabis project on property located north of the junction of Dolly Varden Road and Foster Avenue, west of the City of Arcata, in an unincorporated area of Humboldt County, California ("Site"). The Project consists of the development and operation of commercial cannabis manufacturing, processing, distribution, and transportation facilities in an existing structure located at the Site ("Project").

The Site is primarily zoned Heavy Industrial with a Qualified Combining Zone (MH-Q) with limited Agriculture Exclusive (AE) zoning on the perimeter. The Site includes an existing approximately 400,000 square foot building that was historically used in connection with timber products processing operations of the Simpson Timber Company. Current uses of the building and Site include storage, processing, and distribution activities associated with the adjacent floral operation of the Sun Valley Group.

The Project involves the following land use entitlement requests from the County of Humboldt:

- Special Permits: Approval of Special Permits to allow for commercial cannabis manufacturing, wholesale distribution, and transportation activities within an existing industrial/commercial building.

The Project has been designed to be consistent with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance ("CMMLUO").

## 1.2 Names and Addresses of Applicant's Representatives

### Owner / Applicant:

Attn: Darrell Billings  
Arcata Land Company LLC  
3160 Upper Bay Road  
Arcata, CA 95521

### Agent:

Attn: Jeff Smith  
Lenders Construction Services, LLC  
P.O. Box 6218  
Eureka, CA 95502

### Engineer:

Attn: Greg Williston  
SHN Consulting Engineers & Geologists, Inc.  
812 West Wabash Avenue  
Eureka, CA 95501

## 1.3 Project Location

The Project is located north of the junction of Dolly Varden Road and Foster Avenue, west of the City of Arcata, in an unincorporated area of Humboldt County, California. The Project is located in Section 19 of Township 06 North, Range 01 East, in the Arcata North 7.5-minute USGS quadrangle. The Project site is located outside of the Coastal Zone, but within the City of Arcata Planning Area Boundary. See Figure 1, Site and Vicinity Map.

## 1.4 Assessor Parcels, Ownership, Zoning, and General Plan Designations

The Site's current assessor parcel numbers, ownership, County zoning and County General Plan land use designations are shown in Table 1, below. Also, See Figure 2, Parcel and Zoning Map.

**TABLE 1**  
**ASSESSOR PARCELS, OWNERSHIP, ZONING AND GENERAL PLAN DESIGNATIONS**

<b>APN<sup>1</sup></b>	<b>Ownership</b>	<b>Zoning<sup>2</sup></b>	<b>General Plan<sup>3</sup></b>
506-131-016	Arcata Land Company LLC	AE; MH-Q	AE
506-231-010	Arcata Land Company LLC	AE; MH-Q	AE

### **Notes:**

1. Source: Humboldt County Web GIS, accessed July 19, 2018.
2. Source: Humboldt County Zoning Code, with verification thru Humboldt County Web GIS. AE = Agriculture Exclusive. MH = Heavy Industrial. Q = Qualified Combining Zone.
3. Source: Humboldt County General Plan, with verification thru Humboldt County Web GIS. AE = Agricultural Exclusive.

## 1.5 Environmental Setting

Project activities will primarily occur within an existing commercial/industrial building on a heavily disturbed parcel that has a long history of agricultural, commercial and industrial uses.



## **Flooding**

According to an October 30, 1997 from the Federal Emergency Management Agency ("FEMA"), the Site is not located in a Special Flood Hazard Area, that is the area that would be inundated by a flood having a one percent chance of being equaled or exceeded in any given year (See Appendix B, FEMA Letter of Map Amendment).

## **Seismicity**

The Site is not located within a currently established Alquist-Priolo Earthquake Fault Zone. There are no active faults mapped on the Site, and it is not within an Earthquake Fault Zone as mapped by the California Geological Survey.

## **Fire Hazard**

The Site is located in an area of Low Fire Hazard rating and within the Arcata Fire Protection District.

## **Sensitive Environmental Habitat**

Given the heavily disturbed nature of the Site, no sensitive biological species, wetlands, or water features are known (or expected) to occur.

### **1.5.1 Existing Land Uses**

The Site includes an existing approximate 400,000 square foot building that was historically used in connection with the timber products processing operations of the Simpson Timber Company. Current uses of the building and Site include storage, processing, and distribution activities associated with the adjacent floral operation of the Sun Valley Group.

### **1.5.2 Surrounding Land Uses**

The predominant land uses in the vicinity of the Project include agricultural operations and scattered rural residential. Development associated with the City of Arcata is located approximately 0.7 miles to the east. There are no schools, places of worship, public parks, or known tribal cultural resources within 600 feet of the Project.

The closest offsite residences are located off of Foster Avenue approximately 200 feet to the south and southwest of the Site. St. Mary's Catholic Church is located >2,000 feet to the southeast. The City of Arcata School District owns property located >2,000 feet to the northeast (although it is currently developed to agriculture). The Mad River Montessori Preschool / Fuente Nueva Charter School is located off of Janes Road approximately 2,000 feet to the southeast.

### **1.5.3 Access and Utilities**

#### **Access**

The Project will be accessed from an existing driveway entrance off of Foster Avenue (See Sheet 1, Site Plan, and Figure 3, Existing Conditions Site Map). The Site has been historically used for heavy industrial traffic associated with the former timber processing operation and is configured to accommodate service and transport trucks. The combination of employee trips, delivery vehicles and other traffic is estimated to result in 50-130 trips per day, which is less than or consistent with current and historical traffic levels from the site.

#### **Water / Process Wastewater**

Water for drinking water, toilets and handwashing facilities will be supplied by existing permitted wells located on the Site (See Sheet 1, Site Plan, and Figure 3, Existing Conditions Site Map.). The wells have demonstrated adequate supply for the proposed Project given that water demands will be less than historic operations of the former mill site. Drinking water supplies may be supplemented by bottled water. No water is planned to be used in the manufacturing or processing operations, and thus, no process wastewater will be generated.

#### **Electricity**

Power to the existing building is provided by PG&E and it is not anticipated that electrical generators will be required. Power supply may be supplemented by an onsite co-generation plant, if necessary. (See Appendix C, PG&E Will Serve Letter)

#### **Wastewater**

SHN conducted a wastewater disposal field study and identified a suitable location for an onsite sewage disposal system located in the southwest corner of the property. See Sheet 1, Site Plan and Appendix D, Wastewater Disposal Field Suitability Study.

## **2.0 PROJECT PURPOSE, NARRATIVE AND JUSTIFICATION**

### **2.1 Project Purpose and Objectives**

The Project's basic purpose is to develop economically viable commercial cannabis manufacturing, processing, distribution, and transportation facilities on properly zoned land located near adequate transportation infrastructure within the County of Humboldt.

### **2.2 Narrative Description of Proposed Activities**

#### **General Description**

Arcata Land seeks approval of Special Permits to allow commercial cannabis manufacturing, processing, distribution, and transportation facilities to occur within an existing 400,000 square foot commercial structure located on a heavy industrial zoned parcel. The processing,



manufacturing and distribution facilities would only produce for State licensed facilities, and would sell on a wholesale basis. The proposed hours of operation are 7:00 AM - 7:00 PM; however, during periods of seasonally high workload, the hours of operations within the facility may increase to 24 hours per day. The combination of employee, delivery and other traffic is expected to result in average counts of 50 to 130 vehicle trips per day, depending on the stage of development. All cannabis deliveries and shipments would be handled by permitted and State licensed transportation companies. All products of the facilities would be transported solely to locally permitted and State licensed wholesale, distribution or dispensary companies.

### **Processing and Manufacturing**

The processing and manufacturing facilities would require 10 to 40 full-time equivalent (FTE) employees. The facilities would sell cannabis products to State licensed facilities on a wholesale basis; there would be no on-site retail sales. The inventory control practices would include tracking all incoming raw and processed materials, including the name and state license number of the cultivator, the testing lab data (as applicable), the strain, the supplier's product tracking identification data, and the bill of lading from the transport company. Additionally, a unique batch number will be assigned that could be cross-referenced with the above-mentioned data.

Samples of all raw materials coming in and finished products ready to go out would be screened and tested by an independent State licensed and locally permitted laboratory for pesticides, mold, and other undesirable qualities prior to incorporation into the manufacturing process.

Processing would begin with an inspection and the separation of stalks and branches from the flowers. Flowers would then be delivered to trimmers or trimming machine operators. Buds ready for sale would be packaged according to weight, and vacuum-sealed. All flowers destined for manufacturing would be placed in a secure storage area. Similarly, all materials such as stalks and branches would be weighed, toted and returned to a locked storage area for later use in manufacturing.

The manufacturing facility would produce a variety of cannabis based and infused products including packaged flowers, infused edibles, oils, chewables, as well as solvent-based concentrates using butane, propane, CO<sub>2</sub>, and ethanol. All equipment used in Solvent-Based Concentrate production of concentrates would be food grade. No water will be used in the manufacturing or processing operations.

### **Distribution**

The distribution facility would require 2 to 6 FTE employees, depending on workload. All products would be sold to State licensed facilities on a wholesale basis. The facility would not be open to the public and would not accept visitors without a specific pre-authorized business purpose. All security measures described in the Operations Plan would be adhered to in order to prevent diversion and ensure safety for employees and consumers.

See Appendix A, Operations Plans for a detailed description of the proposed activities, as well as Sheets 1 and 2 for graphical depictions of the Site and Floor Plans.

### 2.3 Project Justification

The Project is consistent with the County General Plan, consistent with the zoning of the Site, conforms to applicable standards and requirements of the CMMLUO, and will not be detrimental to public health, safety, or welfare.

## 3.0 REQUESTED ENTITLEMENTS

### 3.1 County Entitlements

Arcata Land anticipates needing to obtain the following Humboldt County entitlements for the Project:

- Approval of **Special Permits** to allow commercial cannabis commercial cannabis manufacturing, wholesale distribution, and transportation activities within an existing industrial/commercial structure.

### 3.2 Other Permits, Licenses, and Approvals

Arcata Land anticipates needing to obtain the following additional permits, licenses and approvals for the Project:

- Approval of appropriate **Licenses** for manufacturing, distribution, and transportation issued by the State of California in accordance with the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”).
- Approval of a **Building Permit** from the County of Humboldt to allow for improvements to the existing building necessary to facilitate the proposed uses.
- Approval of a new **Onsite Wastewater Treatment System** from the Humboldt County Department of Health and Human Services.

## 4.0 CMMLUO APPLICATION CHECKLIST

This section addresses the relevant sections of the CMMLUO that pertain to application requirements and performance standards for new commercial cannabis activities. In addition, this section includes responses to the Commercial Medical Marijuana Land Use Ordinance Cultivation Application Checklist (“Application Checklist”) where the Application Checklist supplements or amplifies the requirements of the CMMLUO.



## **4.1 Operations Plan**

Arcata Land has developed detailed Operations Plans outlining security measures, inventory and quality control procedures, material storage, handling, and disposal procedures, health and safety considerations, processing practices, and waste management for the proposed Project. See Appendix A, Operations Plans.

## **4.2 Site and Floor Plans**

See Sheet 1, Site Plan prepared by SHN Consulting Engineers & Geologists, Inc and Sheet 2, Floor Plan prepared by Lenders Construction Services, LLC.

## **4.3 CEQA Evaluation**

The Project consists of the development and operation of commercial cannabis manufacturing, processing, distribution, and transportation facilities in an existing 400,000 square foot commercial/industrial structure located at the Site. The Site is heavily disturbed, and has a long history of agricultural, commercial and industrial uses. Current uses of the building and Site include storage, processing, and distribution activities associated with the adjacent floral operation of the Sun Valley Group. The Project's traffic, water and electricity usage will be consistent with current and historical levels, no impacts to sensitive habitats will occur, and the Project will not otherwise involve alterations of land that could be considered significant. The Project has been designed consistent with the requirements of the Humboldt County CMMLUO, and the proposed activities are a permitted use in areas zoned Heavy Industrial. Accordingly, the project qualifies for an exemption from environmental review per Section 15301 (Existing Facilities) and 15061(b)(3) (Common Sense Exemption) of the California Environmental Quality Act (CEQA) Guidelines.

## **4.4 Consent and Acknowledgements**

### **4.4.1 Consent for Onsite Inspection**

Applicant hereby consents for an onsite inspection of the parcel by County officials at a prearranged date and time prior to issuance of any clearance or permit, and once annually thereafter.

### **4.4.2 Acknowledgement of Right to Reduce Cultivation Area**

N/A – the Project does not involve cultivation.

### **4.4.3 Acknowledgement of Right to Engage Local Tribes**

Applicant hereby acknowledges 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.

#### 4.4.4 Agricultural Employer Statement

Pursuant to the MMRSA, Health and Safety Code §19322(a)(9), the applicant hereby declares that it 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.

In addition to the above declaration of status as an “Agricultural Employer” per Labor Code Sections 1140-1166.3, the applicant/employer hereby agrees to comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).

## 5.0 CMMLUO CONSISTENCY MATRIX

The Project’s consistency with the provisions and standards of the CMMLUO (§314-55.4, Chapter 4, Division 1, Title III) is detailed in Table 3, below.

**TABLE 3**  
**CMMLUO CONSISTENCY MATRIX**

<b>CMMLUO Standard</b>	<b>Project Consistency</b>
55.4.8.2. Outdoor and mixed light cultivation zoning districts.	N/A. The Project does not involve outdoor or mixed light cultivation.
55.4.8.2.1. Approvals for new outdoor and mixed light cultivation areas up to 10,000 sf on parcels 5 acres or larger in size.	N/A. The Project does not involve a new outdoor or mixed light cultivation up to 10,000 sf on parcels 5 acres or larger in size.
55.4.8.2.1.1. Parcels 320 acres or larger in size.	N/A. The Project does not involve cultivation on a parcel 320 acres or larger in size.
55.4.8.2.1.2. Outdoor and mixed light cultivation in C-2, C-3, MB, ML, and MH zoning districts.	N/A. The Project does not involve outdoor or mixed light cultivation in C-2, C-3, MB, ML, and MH zoning districts.
55.4.8.2.1.3. Outdoor and mixed light cultivation in U, FP, DF, AG, or AE zoning districts on parcels between 1 and 5 acres.	N/A. The Project does not involve outdoor or mixed light cultivation in U, FP, DF, AG, or AE zoning districts on parcels between 1 and 5 acres.
55.4.8.2.1.4. Setbacks from existing residences on parcels under 5 acres.	N/A. The Project does not involve a request involving a parcel under 5 acres in size.



<b>CMMLUO Standard</b>	<b>Project Consistency</b>
55.4.8.2.2. Approvals for existing outdoor and mixed light cultivation areas.	N/A. The Project does not involve a request for approval of cultivation areas in existence prior to January 1, 2016.
55.4.8.3. Approvals for indoor cultivation.	N/A. The Project does not involve a request for indoor cultivation.
55.4.8.4. Allowed zoning districts for processing facilities.	Consistent. The Site is primarily zoned Heavy Industrial with a Qualified Combining Zone (MH-Q) with limited Agriculture Exclusive (AE) zoning on the perimeter. Processing is allowed, subject to a Special Permit, in the Heavy Industrial zoning district.
55.4.8.5. Allowed zoning districts for manufacturing.	Consistent. The Site is primarily zoned Heavy Industrial with a Qualified Combining Zone (MH-Q) with limited Agriculture Exclusive (AE) zoning on the perimeter. Manufacturing is allowed, subject to a Special Permit, in the Heavy Industrial zoning district.
55.4.8.6. Allowed zoning districts for wholesale distribution facilities.	Consistent. The is primarily zoned Heavy Industrial with a Qualified Combining Zone (MH-Q) with limited Agriculture Exclusive (AE) zoning on the perimeter. Wholesale distribution is allowed, subject to a Special Permit, in the Heavy Industrial zoning district.
55.4.8.7. Allowed zoning districts for nurseries.	N/A. The Project does not involve a request for a nursery.
55.4.8.10. No more than four cannabis permits per person.	Consistent. The Project applicants hold no other cannabis activity permits in Humboldt County.
55.4.9. Permit types.	Consistent. See discussion related to requested permit type in relation to site zoning in prior sections of this consistency matrix.
55.4.9.1. Processing of cannabis.	Consistent. The Project includes a request for a Special Permit, consistent with the

CMMLUO Standard	Project Consistency
	allowances of the Heavy Industrial zoning district.
55.4.9.2. Combined applications.	N/A. The Project does not involve a request for a combined application.
55.4.9.3. Combination of permit types.	N/A. The Project does not involve a request for a combination of permit types.
55.4.9.4. Pre-application registration of existing cultivation site.	N/A. The Project does not involve a request for recognition of cultivation areas in existence prior to January 1, 2016.
55.4.9.5. Applications for commercial cannabis activity on Tribal Land.	N/A. The Project is not located on Tribal Lands.
55.4.10. Application requirements.	
a. Contact info for applicant	Consistent. See Section 1.2.
b. Written consent of owner	N/A. Project applicant is also the property owner.
c. Site plan	Consistent. See Sheet 1, Site Plan.
d. Cultivation and operations plan	Consistent. See Appendix A, Operations Plans.
e. Copy of SWRCB permit	N/A. The Project's water demands will be served by existing permitted groundwater wells. See Sheet 1, Site Plan, and Figure 3, Existing Conditions Site Map.
f. Description of water source, storage, irrigation, and projected water usage.	Consistent. See Section 1.5.3.
g. Copy of Notice of Intent for NCRWQCB Order No. 2015-0023.	N/A. The Project does not involve cultivation subject to enrollment in Order No. 2015-0023 (or equivalent).
h. Copy of Streambed Alteration Agreement.	N/A. The Project does not involve activities requiring application for a Streambed Alteration Agreement from the Department of Fish & Wildlife.

CMMLUO Standard	Project Consistency
i. Copy of County well permit.	N/A. The existing wells have been in-place and operational for many years, and a copy of the County well permits is not available.
j. Copy of less-than-3-acre conversion exemption or timberland conversion permit.	N/A. The Project does not involve an area of timberland conversion.
k. Consent for onsite inspection.	Consistent. See Section 4.4.
l. Source of electrical power for indoor cultivation facilities and how it will meet energy requirements.	N/A. The Project does not involve a request for indoor cultivation facilities.
m. County right to reduce cultivation area.	N/A. The Project does not involve cultivation.
n. County right to engage local Tribes.	Consistent. See Section 4.4.
55.4.11. Performance standards for cultivation and processing operations.	
a. Compliance with all laws.	Consistent. Project activities will be conducted in compliance with all laws or the terms of a written approved compliance agreement.
b. Possession of valid licenses.	Consistent. The applicant will obtain and maintain current required licenses from the State of California.
c. Compliance with SWRCB regulations.	Consistent. The Project will maintain compliance with statutes, regulations and requirements of the California State Water Resources Control Board.
d. Setbacks.	Consistent. See Sheet 1, Site Plan.
e. Enrollment in NCRWQCB Order No. 2015-0023.	N/A. The Project does not involve cultivation subject to enrollment in Order No. 2015-0023 (or equivalent).



<b>CMMLUO Standard</b>	<b>Project Consistency</b>
f. Tier 1 dischargers.	N/A. The Project does not involve cultivation subject to enrollment in Order No. 2015-0023 (or equivalent).
g. Compliance with DFW Streambed Alteration Agreements.	N/A. The Project does not involve activities requiring application for a Streambed Alteration Agreement from the Department of Fish & Wildlife.
h. Compliance with less-than-3-acre conversion exemption or timberland conversion permit.	N/A. The Project does not involve an area of timberland conversion.
i. Consent to annual inspections.	Consistent. See Section 4.4.
j. Hazardous materials and wastes.	Consistent. Use and storage of hazardous materials will be performed in compliance with the State and local laws and regulations.
k. Payment of fees.	Consistent. The applicant will pay all applicable application and annual inspection fees.
l. Water surface diversion.	N/A. The Project's water demands will be served by existing groundwater wells.
m. Trucked water.	Consistent. Water will be supplied by onsite wells, and truck water shall not be used except for emergencies.
n. Conditions of approval.	Consistent. The Project will comply with any special conditions of approval which may be imposed on the Use Permit.
o. Generator noise.	N/A. The Project does not involve use of a generator.
p. Storage of fuel.	Propane will be stored and handled in compliance with applicable state and local laws and regulations. See Sheet 1, Site Plan for storage location.
q. Agricultural employer statement.	Consistent. See Section 4.4.4.

<b>CMMLUO Standard</b>	<b>Project Consistency</b>
r. Compliance with CA Agricultural Employer laws.	Consistent. The Project will comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers.
s. Processing Practices.	Consistent. See Appendix A, Operations Plans.
t. Employee Safety Practices.	Consistent. See Appendix A, Operations Plans.
u. Processing Plan.	Consistent. See Appendix A, Operations Plans.
Performance standards for mixed light cultivation.	
v. Artificial lighting.	N/A. The Project does not involve a request for mixed light cultivation.
w. Light shielding.	N/A. The Project does not involve a request for mixed light cultivation.
55.4.17. Sunset for applications.	Consistent. Project applications were submitted prior to the 12/31/16 sunset date.

Foster Avenue, Arcata, CA

APPS 12268 -- APN: 506-231-10, 506-131-16

Cannabis Processing and Manufacturing Facilities

RECEIVED  
MAY 16 2019  
Humboldt County  
Cannabis Svcs.

# Processing & Manufacturing Operations Plan & Manual

©2019 Lenders Construction Services, LLC  
Rev. 2019-05-14

Page | 1



## Table of Contents

<b>OPERATIONS PLAN &amp; MANUAL.....</b>	<b>4</b>
1) County's Access to the Facility:.....	4
2) Staffing & Staff Screening Processes .....	4
3) Vehicle Trips:.....	4
4) Days and Hours of Operation .....	4
5) Location Map & Zoning .....	5
a) Land Use —.....	5
6) Security Measures .....	5
i) Lighting:.....	5
ii) Alarm: .....	6
iii) Access Control: .....	6
iv) The Safety of Staff:.....	6
v) Diversion: .....	6
vi) Transport: .....	6
7) Customer Screening, Registration, and Validation Process and Procedures. ....	7
8) Inventory control processes and procedures .....	7
9) Measures taken to minimize carbon footprint. ....	8
10) Description of chemicals stored or discharged:.....	8
11) Quality/consumer safety control processes, procedures, and documentation.....	9
12) Health and Safety: .....	10
a) Training.....	10
b) Employee Knowledge: .....	11
c) Physical Plant Inspection:.....	11
d) Sanitary Conditions: .....	11
13) Solid Waste:.....	13
14) Disposal of Waste and Destroyed Product: .....	13
15) Cannabis Concentrate Production. ....	14
a) Products: .....	14

b)	Standard Practices: .....	14
c)	Production of Solvent-Based Cannabis Concentrate:.....	16
d)	Non-Solvent Based Cannabis Concentrate and Food-Based Cannabis Concentrate. ....	19
16)	Processing Operations Performance Standards:.....	20
a)	Labor: .....	20
b)	Summary of Processing Practices .....	21
i)	Facility & Setup: .....	21
ii)	Odor Control: .....	21
c)	Steps taken to process cannabis manually: .....	22
17)	Description & Location of where processing will occur. ....	23
18)	Summary of Employee Safety Practices. ....	23
a)	Sanitary Processing Practices: .....	23
b)	Employee/Worker Safety.....	23
c)	Emergency Contact List: .....	24
d)	Safe Drinking Water, Toilets, & Sanitary Facilities: .....	24
e)	On-Site Housing: .....	24
19)	Road Impacts:.....	24

# **OPERATIONS PLAN & MANUAL**

## **1) County's Access to the Facility:**

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

## **2) Staffing & Staff Screening Processes**

- a) All candidates for staff positions will undergo criminal background checks as part of the standard screening process. To the maximum effect allowed by California and federal employment law, candidates with a criminal history or a history of drug abuse will be screened from employment.
- b) It is estimated that the facilities will require approximately 10 to 40 FTE employees depending on workload.

## **3) Vehicle Trips:**

- a) The combination of employees', delivery, and other traffic is expected to result in average counts of 26 to 71 trips per day depending upon the stage of development.

## **4) Days and Hours of Operation**

- a) The facility is not open to the public and will not accept visitors without a specific business purpose.
- b) Hours of operation will typically be from 7 AM to 7 PM; however, during periods of seasonally high workload, the hours of operations within the facility may increase to 24 hours per day. During such extend hours of operations,



shipping, receiving, and any other traffic or noise generating activities will be limited to normal working hours.

## 5) Location Map & Zoning

### a) Land Use –

- i) The proposed operation is located on land with a zoning classification of MH-Q.



## 6) Security Measures

- a) The security measures located on the premises will include the following:

- i) Lighting:

- (1) Indoor and outdoor lighting will be controlled by photocell switching, timers, infrared motion sensors and/or other state-of-the-art control systems to maintain an adequate light level at the interior and exterior of the facilities to ensure that personnel and the video surveillance system can effectively monitor the space in and around the facility at all times. Exterior lighting will be directed so as to not pose a nuisance to neighboring properties.

ii) Alarm:

- (1) A security/burglar alarm system will be installed and operated at all appropriate times within the facility. This system will be monitored by a third-party remote central control station which will have the responsibility for automatically providing notification to law enforcement of any breach in the facility's security system. Communications between the facilities alarm system and the central control station will be uninterruptible by power outage and/or disability of the telephone system. Communications will be powered by an uninterruptible power supply, and transmission will either be by cellular or radio.

iii) Access Control:

- (1) All entrances to the occupied building space of the facility will be restricted by an access control system capable of identifying authorized personnel. The system will also be capable of limiting personnel access to the appropriate locations within the facility depending on the person's job and responsibilities, and also limit facility access to certain times and days as appropriate. 24 hour access to the facility by emergency responders (Fire Dept.) will be provided via a Knox Box.

iv) The Safety of Staff:

- (1) Working in concert together, the access control system, lighting, and alarm system, will provide a secure and protected facility for the staff to occupy.

v) Diversion:

- (1) The security measures will secure the cannabis against diversion by protecting against theft not only from intruders, but also from staff members and visitors. This is done by limiting access both into and within different areas of the facility as necessary and by surveillance monitoring of personnel and visitors at all times when in close proximity to the product. Strict inventory control measures will also be engaged to prevent and detect diversion.

vi) Transport:

- (1) All cannabis deliveries will be received at the facility from a State licensed and/or locally permitted licensed transport company; and all Cannabis-Infused Products will be transported to State licensed and/or

locally permitted licensed medical cannabis wholesale, distribution, or manufacturing companies by a State licensed and/or locally permitted licensed transport company.

## **7) Customer Screening, Registration, and Validation Process and Procedures.**

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

## **8) Inventory control processes and procedures**

- a) The facilities inventory control process includes tracking of all incoming raw and processed materials, including the name and state license number of the cultivator, the testing lab data (as applicable), the strain, the supplier's product tracking identification data, and bill of lading from the transport company.
- b) All incoming raw materials will be assigned a unique batch number that can be cross-referenced to the above referenced data and stays with the product through the processing and/or manufacturing process and to final sale to our authorized customers.
- c) All outgoing product will be tracked by SKU, batch number, invoice, and shipping documents; unless the product is not for sale and will be destroyed. The process for documenting product to be destroyed is described separately in this manual.
- d) The methodologies for tracking and Inventory Control of Cannabis and Cannabis-Infused Product may be subject to requirements imposed by the



State Licensing Authority and/or County regulation and will be adjusted accordingly as required.

## 9) Measures taken to minimize carbon footprint.

- a) We believe that everyone has a responsibility to reduce their individual carbon footprint. We will do our part by doing the following activities and more . . .
  - i) **Switch it Off:** Turn off the lights when natural light is sufficient and when we leave the room. It's that simple!
  - ii) **Climate Control:** Keep our temperature system on a moderate setting while we're in the room.
  - iii) **Wasteful Windows:** Use our windows wisely! If our climate control system is on, shut them...if we need a little fresh air, turn off the heat or AC.
  - iv) **Minimize Plug Load:** Cut down the number of appliances we are running and we will save big on energy. For example, minimize the number of printers in our office.
  - v) **Phantom Power:** Use power strips to easily unplug electronics when not in use.
  - vi) **Give it a Rest:** Power our computers down when we're away. A computer turned off uses at least 65% less energy than a computer left on or idle on a screen saver.
  - vii) **Switch to CFL or LED:** Compact fluorescent light bulbs (CFLs) use 75% less energy than incandescent and last up to 10 times longer.

## 10) Description of chemicals stored or discharged:

- a) The facility does not currently intend to handle any hazardous materials in amounts requiring a Hazardous Material Business Plan (HMBP); however, if the facility handles any non-exempt hazardous materials, it will register its hazardous materials with the local agency using the Hazardous Materials/Waste Registration Form so that the local agency can evaluate the storage or use and give notice of any permits or storage/use fees that may apply.
- b) If the facility begins to handle any individual hazardous material or mixture containing a hazardous material which has a quantity at any time during the reporting year equal to or greater than those listed below, it will complete a

Hazardous Material Business Plan (HMBP) and submit a copy to the local agency (Humboldt County DHHS Division of Environmental Health):

- i) 500 pounds for solid hazardous materials. [H&SC §25503.5(a)]
  - ii) The following amounts for liquid hazardous materials:
    - (a) Lubricating oil as defined by H&SC §25503.5(b)(2)(B): 55 gallons of any type or 275 gallons aggregate quantity on site. H&SC §25503.5(b)(2)(A)]
    - (b) All others, including waste oil: 55 gallons. [H&SC §25503.5(a)]
  - iii) The following amounts of hazardous material gases:
    - (a) Oxygen, Nitrogen, or Nitrous Oxide stored/handled at a physician, dentist, podiatrist, veterinarian, or pharmacist's place of business: 1,000 cubic feet of each material on site. [H&SC §25503.5(b)(1)]
    - (b) All others: 200 cubic feet. [H&SC §25503.5(a)]
  - iv) Amounts of radioactive materials requiring an emergency plan under Parts 30, 40, or 70 of Title 10 Code of Federal Regulations or equal to or greater than applicable amounts specified in items 1, 2, or 3, above, whichever amount is smaller. [H&SC §25503.5(a)]
  - v) Applicable federal threshold planning quantities for extremely hazardous substances listed in 40 CFR Part 355, Appendix A.
- c) Disposal of any chemical, dangerous, or hazardous waste will be conducted in a manner consistent with federal, state and local laws, regulations, rules or other requirements. This may include, but is not limited to, the disposal of all solvents or other chemicals used in the production of Cannabis Concentrate or any Cannabis soaked in a Flammable Solvent for purposes of producing a Cannabis Concentrate. Any waste solvents or other chemicals will be handled and disposed of properly by *Safety-Kleen* or another highly qualified and properly licensed contractor.

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

- a) Product Quality Control:
  - i) In addition to meeting all State and local requirements for product quality control, the standard procedures for operation will include the following:

- (1) Samples of all raw materials will be screened and tested by an independent State licensed and/or locally permitted licensed laboratory for pesticides, mold, and other undesirable qualities prior to incorporation into the manufacturing process.
- (2) Samples from each batch of finished products will be screened and tested by a State licensed and/or locally permitted licensed independent laboratory for pesticides, mold, and other undesirable qualities prior to release for sale to wholesalers and retailers.
- (3) Documentation of all lab test results will be kept on file.

b) Packaging:

- i) All packaging will meet State requirements for packaging. In advance of State requirements being issued, the facility will follow the following guidelines:
  - (1) Labeling will include a warning if nuts or other known allergens are used, and will include the total weight in grams of cannabis or milligrams of THC in the package.
  - (2) A warning that the item is a medication and not a food will be distinctly and clearly legible on the front of the package.
  - (3) The package label will have a warning that's clearly legible and emphasizes that the product is to be kept away from children.
  - (4) The label will also state that the product contains medical cannabis, and will specify the date of manufacture and batch number.
  - (5) Packaging that makes the product attractive to children will not be used.
  - (6) Any edible cannabis product that is made to resemble a typical food product (e.g., brownie, cake) will be in a properly labeled opaque (non see-through) package.

## 12) Health and Safety:

a) Training.

- i) Prior to engaging in the processing and manufacture of any Edible Cannabis-Infused Product, the Licensee will have an owner or employee who has successfully passed an approved and accredited food safety certification examination as specified in Sections 113947.2 and 113947.3 of the California Retail Food Code. Food safety certification will be achieved



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

b) Employee Knowledge:

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

c) Physical Plant Inspection:

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

d) Sanitary Conditions:

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

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

Cannabis and Cannabis-Infused Product will be excluded from any operations which may be expected to result in contamination until the condition is corrected;

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

contamination of Cannabis or Cannabis-Infused Product and in a manner that is in accordance with any applicable local, state or federal law, rule, regulation or ordinance;

- x) That all operations in the receiving, inspecting, transporting, segregating, preparing, manufacturing, packaging, and storing of Cannabis or Cannabis-Infused Product will be conducted in accordance with adequate sanitation principles;
- xi) That employees are provided with adequate and readily accessible toilet facilities that are maintained in a sanitary condition and good repair; and
- xii) That Cannabis and Cannabis-Infused Product that can support the rapid growth of undesirable microorganisms are held in a manner that prevents the growth of these microorganisms.

### **13) Solid Waste:**

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

### **14) Disposal of Waste and Destroyed Product:**

- a) Cannabis and Cannabis-Infused Product waste will be made unusable and Unrecognizable prior to leaving the Facility.
  - i) Methods to make waste unusable and unrecognizable. Cannabis and Cannabis-Infused Product waste will be rendered unusable and unrecognizable through one of the following methods unless another method is prescribed by the County of Humboldt or the State of California:
    - (1) Grinding and/or mixing with other plant materials for composting; or if required;
    - (2) Grinding and incorporating the marijuana waste with non-consumable, solid wastes listed below such that the resulting mixture is at least 50 percent non-marijuana waste:
      - (a) Non-recyclable solid waste;



- (b) Food waste;
  - (c) Grease or other compostable oil waste;
  - (d) Bokashi, or other compost activators;
  - (e) Other wastes approved by the State Licensing Authority that will render the Cannabis and Cannabis-Infused Product waste unusable and Unrecognizable as marijuana; and
  - (f) Soil.
- ii) The methodology for destroying and disposing of Cannabis and Cannabis-Infused Product may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.
- b) Records of destroyed product:
    - i) Records of destroyed raw materials and product will be kept and cross-referenced by batch number and SKU. The weight or volume, as appropriate, will be recorded along with the method of disposal.
    - ii) The methodology for recording destroyed Cannabis and Cannabis-Infused Product may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.

## **15) Cannabis Concentrate Production.**

### **a) Products:**

- i) The facility may produce Non-Solvent Based Cannabis Concentrate and Food-Based Cannabis Concentrate, and may also produce Solvent-Based Cannabis Concentrate using the following solvents: butane, propane, CO2, and ethanol.

### **b) Standard Practices:**

- i) The Facility will, regardless of the method of extraction or category of concentrate being produced, do the following:
  - (1) Ensure that the space in which any Cannabis Concentrate is to be produced is a fully enclosed room and clearly designated on the current diagram of the Facility.
  - (2) Ensure that all applicable sanitary rules are followed.
  - (3) Ensure that the standard operating procedure for each method used to produce a Cannabis Concentrate on its Licensed/Permitted Premise

- includes, but need not be limited to, step-by-step instructions on how to safely and appropriately:
- (a) Extract cannabinoids and other essential components of Cannabis;
  - (b) Purge any solvent or other unwanted components from a Cannabis Concentrate,
  - (c) Clean all equipment, counters and surfaces thoroughly; and
  - (d) Dispose of any waste produced during the processing of Cannabis in accordance with all applicable local, state and federal laws, rules and regulations. See – “Disposal of Waste and Destroyed Product.”
- ii) Establish written and documentable quality control procedures designed to maximize safety for employees and minimize potential product contamination.
  - iii) Establish written emergency procedures to be followed by employees in case of a fire, chemical spill or other emergency.
  - iv) Have a comprehensive training manual that provides step-by-step instructions for each method used to produce a Cannabis Concentrate on its Facility. The training manual will include, but need not be limited to, the following topics:
    - (1) All standard operating procedures for each method of concentrate production used at that Facility;
    - (2) The Cannabis-Infused Products Manufacturer’s quality control procedures;
    - (3) The emergency procedures for the licensed/permitted premises;
    - (4) The appropriate use of any necessary safety or sanitary equipment;
  - v) The hazards presented by all solvents used within the Facility as described in the material safety data sheet for each solvent;
    - (1) Clear instructions on the safe use of all equipment involved in each process and in accordance with manufacturer’s instructions, where applicable; and
    - (2) Any additional periodic cleaning required to comply with all applicable sanitary rules.
  - vi) Provide adequate training to every employee prior to that individual undertaking any step in the process of producing a Cannabis Concentrate.

- (1) Adequate training will include, but need not be limited to, providing a copy of the training manual and live, in-person instruction detailing at least all of the topics required to be included in the training manual.
  - (2) The individual providing training will sign and date a document attesting that all required aspects of training were conducted and that he or she is confident that the trainee can safely produce a Cannabis Concentrate.
- vii) Maintain clear and comprehensive records of the name and signature of every individual who engaged in any step related to the creation of a Production Batch of Cannabis Concentrate and the step that individual performed.
- viii) Business Records Required.

**c) Production of Solvent-Based Cannabis Concentrate:**

- i) Subsequent to obtaining Land-Use Entitlement (i.e. Use Permit) and prior to operation, the facility will have obtained a Certificate of Occupancy, permit final inspection, or other appropriate evidence acceptable to the County of Humboldt that the facility meets or exceeds California Title 24 Codes as applicable to the project. The following considerations will be incorporated into the building permit application submittal:
  - (1) Flammable Solvent Determinations. If a Flammable Solvent is to be used in the processing of Cannabis into a Cannabis Concentrate, then a Licensed Architect, Certified Industrial Hygienist, or Professional Engineer, as appropriate will:
    - (a) Establish a maximum amount of Flammable Solvents and other flammable materials that should be stored within that Facility in accordance with applicable laws, rules and regulations.
    - (b) Determine what type of electrical equipment, which may include but need not be limited to outlets, lights, junction boxes, will be installed within the room in which Cannabis Concentrate are to be produced or Flammable Solvents are to be stored in accordance with applicable laws, rules and regulations.
    - (c) Determine whether a gas monitoring system will be installed within the room in which Cannabis Concentrate are to be produced or Flammable Solvents are to be stored, and if required the system's



specifications, in accordance with applicable laws, rules and regulations.

- (d) Determine whether fire suppression system must be installed within the room in which Cannabis Concentrate are to be produced or Flammable Solvents are to be stored, and if required the system's specifications, in accordance with applicable laws, rules and regulations.

- (2) CO2 Solvent Determination. If CO2 is used as solvent at the Facility, then the a Licensed Architect, Certified Industrial Hygienist, or Professional Engineer will determine whether a CO2 gas monitoring system must be installed within the room in which Cannabis Concentrate are to be produced or CO2 is stored, and if required the system's specifications, in accordance with applicable laws, rules and regulations.
- (3) Exhaust System Determination. A Licensed Architect, Certified Industrial Hygienist, or Professional Engineer will determine whether a fume vent hood or exhaust system will be installed within the room in which Cannabis Concentrate are to be produced, and if required the system's specifications, in accordance with applicable laws, rules and regulations.
- (4) Material Change. If a Material Change is made to the equipment or a concentrate production procedure, in addition to all other requirements, a report will be obtained from a Licensed Architect, Certified Industrial Hygienist, or Professional Engineer re-certifying its standard operating procedures and, if changed, its Facility and equipment as well.
- (5) Manufacturer's Instructions. The Licensed Architect, Certified Industrial Hygienist, or Professional Engineer will review and consider any information provided to the Cannabis-Infused Products Manufacturer by the designer or manufacturer of any equipment used in the processing of Cannabis into a Cannabis Concentrate.
- (6) Records Retention. The facility will maintain copies of all reports received from a Licensed Architect, Certified Industrial Hygienist, or Professional Engineer on its Facility. Such reports will be maintained on

the Premises until the facility ceases production of Cannabis Concentrate.

- ii) The facility will ensure that all equipment, counters and surfaces used in the production of a Solvent-Based Cannabis Concentrate will be food-grade and will not react adversely with any of the solvents to be used in the Facility. Additionally, all counters and surface areas will be constructed in a manner that reduces the potential development of microbials, molds and fungi and can be easily cleaned.
- iii) The facility will ensure that the room in which Solvent-Based Cannabis Concentrate shall be produced will contain an emergency eye-wash station.
- iv) The facility will ensure that a professional grade, closed-loop extraction system capable of recovering the solvent is used to produce Solvent-Based Cannabis Concentrate (unless using ethanol methods);
  - (1) UL or ETL Listing.
    - (a) If the system is UL or ETL listed, then a Cannabis-Infused Products Manufacturer will use the system in accordance with the manufacturer's instructions.
  - (2) If the system is UL or ETL listed but the facility intends to use a solvent in the system that is not listed in the manufacturer's instructions for use in the system, then, prior to using the unlisted solvent within the system, the Cannabis-Infused Products Manufacturer will obtain written approval for use of the non-listed solvent in the system from either the system's manufacturer or a Professional Engineer after the Professional Engineer has conducted a peer review of the system. In reviewing the system, the Professional Engineer shall review and consider any information provided by the system's designer or manufacturer.
  - (3) If the system is not UL or ETL listed, then there will be a designer of record. If the designer of record is not a Professional Engineer, then the system will be peer reviewed by a Professional Engineer. In reviewing the system, the Professional Engineer may review and consider any information provided by the system's designer or manufacturer.

- v) Ethanol. The Facility need not use a professional grade, closed-loop system extraction system capable of recovering the solvent for the production of a Solvent-Based Cannabis Concentrate if ethanol or isopropanol are the only solvents being used in the production process.
- vi) The facility will ensure that all solvents used in the extraction process are food-grade or at least 99% pure;
  - (1) A material safety data sheet for each solvent used or stored on the Facility will be obtained and made readily available. Receipts of purchase for all solvents used or to be used in an extraction process will be maintained.
  - (2) Denatured alcohol will not be used to produce a Cannabis Concentrate.
  - (3) All Flammable Solvents or other flammable materials, chemicals and waste will be stored in accordance with all applicable laws, rules and regulations. At no time will the facility store more Flammable Solvent on its Facility than the maximum amount established for the Facility by the a Licensed Architect, Certified Industrial Hygienist, or Professional Engineer.
  - (4) The facility will ensure that the appropriate safety and sanitary equipment, including personal protective equipment, will be provided to, and appropriately used by, each employee engaged in the production of a Solvent-Based Cannabis Concentrate; and a properly trained employee will be present at all times during the production of a Solvent-Based Cannabis Concentrate whenever an extraction process requires the use of pressurized equipment.
  - (5) Ethanol and Isopropanol: If the Facility only produces Solvent Based Cannabis Concentrate using ethanol or isopropanol at its Facility and no other solvent, then it shall be relieved from the criteria above in this section titled "Production of Solvent-Based Cannabis Concentrate." Instead the facility will follow the criteria for non-solvent extraction. Regardless of which rule is followed, the ethanol or isopropanol will be food grade or at least 99% pure and denatured alcohol will not be used.

**d) Non-Solvent Based Cannabis Concentrate and Food-Based Cannabis Concentrate.**



- i) When engaging in the production of a Non-Solvent-Based Cannabis Concentrate or a Food-Based Cannabis Concentrate the facility will:
  - (1) The facility will ensure that all equipment, counters and surfaces used in the production of a Concentrate is food-grade including ensuring that all counters and surface areas were constructed in such a manner that it reduces the potential for the development of microbials, molds and fungi and can be easily cleaned.
  - (2) The facility will ensure that all equipment, counters, and surfaces used in the production of a Concentrate are thoroughly cleaned after the completion of each Production Batch.
  - (3) The facility will ensure that any room in which dry ice is stored or used in the processing Cannabis into a Cannabis Concentrate is well ventilated to prevent against the accumulation of dangerous levels of CO2.
  - (4) The facility will ensure that the appropriate safety or sanitary equipment, including personal protective equipment, is provided to, and appropriately used by each employee engaged in the production of a Concentrate.
  - (5) The facility will ensure that if propylene glycol or glycerin is used in the production of a Food-Based Cannabis Concentrate, then the propylene glycol or glycerin to be used is food-grade.
  - (6) The facility will ensure it follows all of the process criteria related to the production of a Solvent-Based Cannabis Concentrate if a pressurized system is used in the production of a Non-Solvent Based Cannabis Concentrate or a Food-Based Cannabis Concentrate.

## **16) Processing Operations Performance Standards:**

- a) Labor:
  - i) Pursuant to the MMRSA, Health and Safety Code section 19322(a)(9), the applicant hereby declares that it is a an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
  - ii) In addition to the above declaration of status as an "Agricultural Employer" per Labor Code Sections 1140-1166.3, the applicant/employer hereby agrees to comply with all applicable federal, state, and local laws and

regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).

b) Summary of Processing Practices

i) Facility & Setup:

- (1) Recently harvested cannabis will be dried in the existing building in climate controlled designated area(s) to prevent degradation of the product.
- (2) When cannabis raw product is brought from storage, it's taken to the processing room where a team of people prepare it. Below are best practices for setup of the environment to ensure optimal cannabis processing:
  - (a) The climate of the processing room is incredibly important. Climate control minimizes the introduction of harmful bacteria, mold, and mildew. The moisture level of the cannabis product should not go up or down after leaving the curing phase. The temperature and humidity in the processing room will be controlled so that the targeted moisture content at the end of curing is maintained throughout the processing cycle. Controlling humidity and temperature is vital.
  - (b) Air filtration is also important to prevent contamination and worker respiratory issues. Air filtration will be in operation during processing of the raw cannabis materials to remove dust and/or other particles and contaminants.
  - (c) Hairnet, masks, and gloves are worn by staff to prevent contamination, particularly e-coli and salmonella. Additionally, all processing workers will follow the hygiene protocols prescribed elsewhere in the operations manual.
  - (d) Lean manufacturing and minimal motion should be practiced to complete tasks. Every person on the processing team should minimize the motions they go through to accomplish their assigned task.

ii) Odor Control:

- (1) Odor control measures will be deployed to reduce the odor of exhaust air from the building. Such measures will include carbon filtration, particle filtration, bio-filtration, sealed air-recirculation, and/or other feasible measures as advancements are made in odor control technology.

c) Steps taken to process cannabis manually:

- i) A manager will be responsible for the removal of one bin at a time from locked storage area. Said individual will open bin examine content for proper level of moisture. If content is deemed ready for trimming this individual will weigh bin content, then remove it from storage and bring into processing room. Here it will be this person's job to remove trimmable cannabis from stalk and branches then deliver material to trimmers. Stalk, branches and large waste material will weighed, toted and returned to locked storage area. This material will be used for secondary manufacturing. Trimmers remove the leaf from bud. Trimmers use precise strategic cuts to minimize the agitation and movement in the trimming process. Finished product and waste product (leaf) is routinely collected by manager, weighed then stored in locked area awaiting packaging.
- ii) Packaging falls into two different categories:
  - (1) Packaging of finished cannabis buds will be in appropriate quantities by weight. The filled packaging will be vacuumed sealed and placed into the secured storage area.
  - (2) Temporary packaging of all trim products will be bagged for use in secondary manufacturing and put back into locked storage area. Packaging operations will be supervised by the manager.
- iii) Weights of raw and finished cannabis, as well as by-product, will be entered into the inventory track and trace system. The inventory management process reconciles the raw material weight to the finished weight and by-product weight.
- iv) Processes will be updated from time to time to incorporate State and local regulations and advancements in technologies, equipment, and automation. Such updating and revisions will be incorporated into this manual by modification or supplement and will not invalidate this procedures manual in any way.



- (g) Personal protective equipment policies, including respiratory protection.
- c) Emergency Contact List:
  - i) The employer will visibly post and maintain an emergency contact list which includes at a minimum:
    - (1) Operation manager contacts;
    - (2) Emergency responder contacts;
    - (3) Poison control contacts.
- d) Safe Drinking Water, Toilets, & Sanitary Facilities:
  - i) At all times, employees will have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations.
  - ii) Drinking water will be provided either by the existing potable on-site water supply (well) or by bottled water, or a combination thereof.
  - iii) New built-in restrooms and plumbing facilities will be constructed within the existing building as part of this project, along with a new on-site sewage disposal system.
- e) On-Site Housing:
  - i) There is no intent to provide on-site housing at this time.

## **19) Road Impacts:**

- a) Impacts to roads from operations at this facility will be de minimus due to the fact that the additional trips generated by these activities are more than offset by the number of trips reduced by elimination of the prior use of the location.

Foster Avenue, Arcata, CA

APPS 12268 -- APN: 506-231-10, 506-131-16

Cannabis Distribution Facility



# Distribution Facility Operations Plan & Manual

©2019 Lenders Construction Services, LLC  
Rev. 2019-05-13

Page | 1

## Table of Contents

OPERATIONS PLAN & MANUAL .....	3
1) County's Access to the Facility: .....	3
2) Staffing & Staff Screening Processes .....	3
3) Vehicle Trips:.....	3
4) Days and Hours of Operation .....	3
5) Location Map – (See Plot Plan) .....	4
6) Security Measures.....	4
i) Lighting:.....	4
ii) Alarm: .....	4
iii) Access Control: .....	4
iv) The Safety of Staff:.....	5
v) Diversion: .....	5
vi) Transport: .....	5
7) Customer Screening, Registration, and Validation Process and Procedures .....	5
8) Inventory control processes and procedures.....	5
9) Measures taken to minimize carbon footprint.....	6
10) Description of chemicals stored or discharged:.....	7
11) Quality/consumer safety control processes, procedures, and documentation.....	7
12) Health and Safety: .....	7
a) Physical Plant Inspection:.....	8
b) Sanitary Conditions: .....	8
13) Disposal of Waste and Destroyed Product: .....	9
14) Road Impacts: .....	10



# **OPERATIONS PLAN & MANUAL**

## **1) County's Access to the Facility:**

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

## **2) Staffing & Staff Screening Processes**

- a) All candidates for staff positions will undergo criminal background checks as part of the standard screening process. To the maximum effect allowed by California and federal employment law, candidates with a criminal history or a history of drug abuse will be screened from employment.
- b) The facility will require 2 to 6 FTE employees depending on workload.

## **3) Vehicle Trips:**

- a) The combination of employees', delivery, and other traffic is expected to result in average counts of 18 to 44 trips per day depending upon the stage of development.

## **4) Days and Hours of Operation**

- a) The facility is not open to the public and will not accept visitors without a specific business purpose.
- b) Hours of operation will typically be from 7 AM to 7 PM; however, during periods of seasonally high workload, the hours of operations within the facility

may increase. During such extend hours of operations, shipping, receiving, and any other traffic or noise generating activities will be limited to normal working hours.

## **5) Location Map – (See Plot Plan)**

## **6) Security Measures**

- a) The security measures located on the premises will include the following:
  - i) Lighting:
    - (1) Indoor and outdoor lighting will be controlled by photocell switching, timers, infrared motion sensors and/or other state-of-the-art control systems to maintain an adequate light level at the interior and exterior of the facilities to ensure that personnel and the video surveillance system can effectively monitor the space in and around the facility at all times. Exterior lighting will be directed so as to not pose a nuisance to neighboring properties.
  - ii) Alarm:
    - (1) A security/burglar alarm system will be installed and operated at all appropriate times within the facility. This system will be monitored by a third-party remote central control station which will have the responsibility for automatically providing notification to law enforcement of any breach in the facility's security system. Communications between the facilities alarm system and the central control station will be uninterruptible by power outage and/or disability of the telephone system. Communications will be powered by an uninterruptible power supply, and transmission will either be by cellular or radio.
  - iii) Access Control:
    - (1) All entrances to the occupied building space of the facility will be restricted by an access control system capable of identifying authorized personnel. The system will also be capable of limiting personnel access to the appropriate locations within the facility depending on the person's job and responsibilities, and also limit facility access to certain times and days as appropriate. 24 hour access to the facility by emergency responders (Fire Dept.) will be provided via a Knox Box.

iv) The Safety of Staff:

- (1) Working in concert together, the access control system, lighting, and alarm system, will provide a secure and protected facility for the staff to occupy.

v) Diversion:

- (1) The security measures will secure the cannabis against diversion for non-medical purposes by protecting against theft not only from intruders, but also from staff members and visitors. This is done by limiting access both into and within different areas of the facility as necessary and by surveillance monitoring of personnel and visitors at all times when in close proximity to the product. Strict inventory control measures will also be engaged to prevent and detect diversion.

vi) Transport:

- (1) All cannabis deliveries will be received at the facility from a State licensed and/or locally permitted licensed transport company; and all Cannabis-Infused Products will be transported to State licensed and/or locally permitted licensed medical cannabis wholesale, distribution, or dispensary companies by a State licensed and/or locally permitted licensed transport company.

## **7) Customer Screening, Registration, and Validation Process and Procedures.**

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

## **8) Inventory control processes and procedures**

- a) The facilities inventory control process includes tracking of all incoming products, including the name and state license number of the cultivator, the



testing lab data (as applicable), the strain, the supplier's product tracking identification data, and bill of lading from the transport company.

- b) All incoming raw materials will be assigned a unique batch number that can be cross-referenced to the above referenced data and stays with the product through the distribution process and to final sale to our authorized customers.
- c) All outgoing product will be tracked by SKU, batch number, invoice, and shipping documents; unless the product is not for sale and will be destroyed. The process for documenting product to be destroyed is described separately in this manual.
- d) The methodologies for tracking and Inventory Control of Cannabis and Cannabis-Infused Product may be subject to requirements imposed by the State Licensing Authority and will be adjusted accordingly as required.

## 9) Measures taken to minimize carbon footprint.

- a) We believe that everyone has a responsibility to reduce their individual carbon footprint. We will do our part by doing the following activities and more . . .
  - i) **Switch it Off:** Turn off the lights when natural light is sufficient and when we leave the room. It's that simple!
  - ii) **Climate Control:** Keep our temperature system on a moderate setting while we're in the room.
  - iii) **Wasteful Windows:** Use our windows wisely! If our climate control system is on, shut them...if we need a little fresh air, turn off the heat or AC.
  - iv) **Minimize Plug Load:** Cut down the number of appliances we are running and we will save big on energy. For example, minimize the number of printers in our office.
  - v) **Phantom Power:** Use power strips to easily unplug electronics when not in use.
  - vi) **Give it a Rest:** Power our computers down when we're away. A computer turned off uses at least 65% less energy than a computer left on or idle on a screen saver.
  - vii) **Switch to CFL or LED:** Compact fluorescent light bulbs (CFLs) use 75% less energy than incandescent and last up to 10 times longer.

## **10) Description of chemicals stored or discharged:**

- a) The facility does not currently intend to handle any hazardous materials in amounts requiring a Hazardous Material Business Plan (HMBP).

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

- a) Product Quality Control:
  - i) In addition to meeting all State and local requirements for product quality control, the standard procedures for operation will include the following:
    - (1) Samples of all products will be screened and tested by an independent State licensed and/or locally permitted licensed laboratory for pesticides, mold, and other undesirable qualities prior to distribution.
    - (2) Documentation of all lab test results will be kept on file.
- b) Packaging:
  - i) All packaging will meet State requirements for packaging. In advance of State requirements being issued, the facility will follow the following guidelines:
    - (1) Labeling will include a warning if nuts or other known allergens are used, and will include the total weight in grams of cannabis or milligrams of THC in the package.
    - (2) A warning that the item is a medication and not a food will be distinctly and clearly legible on the front of the package.
    - (3) The package label will have a warning that's clearly legible and emphasizes that the product is to be kept away from children.
    - (4) The label will also state that the product contains medical cannabis, and will specify the date of manufacture and batch number.
    - (5) Packaging that makes the product attractive to children will not be used.
    - (6) Any edible cannabis product that is made to resemble a typical food product (e.g., brownie, cake) will be in a properly labeled opaque (non see-through) package.

## **12) Health and Safety:**

a) Physical Plant Inspection:

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

b) Sanitary Conditions:

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

- i) That any person who, by medical examination or supervisory observation, is shown to have, or appears to have, an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination for whom there is a reasonable possibility of contact with Cannabis and Cannabis-Infused Product will be excluded from any operations which may be expected to result in contamination until the condition is corrected;
- ii) Hand-washing facilities will be adequate and convenient and be furnished with running water at a suitable temperature. Hand-washing facilities will be located in the Facility and where good sanitary practices require employees to wash or sanitize their hands, and provide effective hand-cleaning and sanitizing preparations and sanitary towel service or suitable drying devices;
- iii) That all persons working in direct contact with Cannabis and Cannabis-Infused Product will conform to hygienic practices while on duty, including but not limited to:
  - (1) Maintaining adequate personal cleanliness;
  - (2) Washing hands thoroughly in an adequate hand-washing area(s) before starting work and at any other time when the hands may have become soiled or contaminated; and
  - (3) Refraining from having direct contact with Cannabis and Cannabis-Infused Product if the person has or may have an illness, open lesion,



including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, until such condition is corrected.

- iv) That litter and waste are properly removed and the operating systems for waste disposal are maintained in an adequate manner so that they do not constitute a source of contamination in areas where Cannabis and Cannabis-Infused Products are exposed;
- v) Solid waste will be collected and stored in a proper receptacle with a lid until it can be removed from the site and taken to the Eel River Disposal transfer facility. Solid waste will be removed no less frequently than once per week.
- vi) That floors, walls, and ceilings of the processing and manufacturing areas are constructed in such a manner that they may be adequately cleaned and each is kept clean and in good repair;
- vii) That there is adequate lighting in all areas where Cannabis and Cannabis-Infused Product are stored, and where equipment or utensils are cleaned;
- viii) That there is adequate screening or other protection against the entry of pests. Rubbish will be disposed of so as to minimize the development of odor and minimize the potential for the waste becoming an attractant, harborage, or breeding place for pests;
- ix) That fixtures and other facilities are maintained in a sanitary condition;
- x) That toxic cleaning compounds, sanitizing agents, and other chemicals will be identified, held, stored and disposed of in a manner that protects against contamination of Cannabis or Cannabis-Infused Product and in a manner that is in accordance with any applicable local, state or federal law, rule, regulation or ordinance;
- xi) That all operations in the receiving, inspecting, transporting, segregating, preparing, manufacturing, packaging, and storing of Cannabis or Cannabis-Infused Product will be conducted in accordance with adequate sanitation principles;
- xii) That employees are provided with adequate and readily accessible toilet facilities that are maintained in a sanitary condition and good repair; and
- xiii) That Cannabis and Cannabis-Infused Product that can support the rapid growth of undesirable microorganisms are held in a manner that prevents the growth of these microorganisms.

### **13) Disposal of Waste and Destroyed Product:**

©2019 Lenders Construction Services, LLC  
Rev. 2019-05-13

Page | 9

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

#### **14) Road Impacts:**

- a) Impacts to roads from operations at this facility will be de minimus due to the fact that the additional trips generated by these activities are more than offset by the number of trips that have been eliminated from the prior use of the site as a sawmill. The site is an MH-Q Industrial zoned parcel with close access to State Highways 101 and 255 with no significant impact to the County maintained road system.

---

## **APPENDIX B**

# **FEMA LETTER OF MAP AMENDMENT**





Federal Emergency Management Agency  
Washington, D.C. 20472

OCT 30 1997

Mr. Charles J. Roecklein, P.E.  
SHN Consulting Engineers & Geologists  
812 West Wabash  
Eureka, California 95501-2138

IN REPLY REFER TO CASE NO. 98-09-088A  
Follows Case Nos. 97-09-013A and 97-09-917A  
Community: Humboldt County, California  
Community No.: 060060  
Map Panel Affected: 0615 C  
Map Effective Date: August 5, 1986  
218-70-R

Dear Mr. Roecklein:

We reviewed your request dated June 26, 1997, for a Letter of Map Amendment (LOMA). All required information for this request was received on October 22, 1997. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we determined the property described below is not in a Special Flood Hazard Area (SFHA), the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

Property Description: A portion of Sections 19, 20, 29, and 30, Township 6 North, Range 1 East, Humboldt Meridian, as shown on the survey recorded as Instrument No. 12226 in Book 12 of Surveys, Page 13, in the Office of the Recorder, Humboldt County, California

*See Below for affected parcels:*

Flood Hazard Source: Mad River

This letter amends the above-referenced NFIP map to remove the property from the SFHA. The property is now in Zone X (unshaded), an area of minimal flooding outside the SFHA.

This letter corrects the property description shown in the LOMA dated August 25, 1997.

The enclosed document provides additional information about LOMAs. If you have any questions about this letter, please contact Ms. Agnes De Coca of our staff in Washington, DC, either by telephone at (202) 646-2746 or by facsimile at (202) 646-4596.

Sincerely,

*Frederick H. Sharrocks, Jr.*

Frederick H. Sharrocks, Jr., Chief  
Hazard Identification Branch  
Mitigation Directorate

Enclosure

cc: Community Map Repository

*Affected parcels A.P. Nos.: 505-151-03  
506-131-01 & 02  
506-231-02  
507-101-07*

*changed to  
009*



PTN SE 1/4 SEC 19 6N 1E

2-F-14 CZ  
I-20 INLAND

506-23

AE

1" = 300'  
ALL  
AE-60 9/15/85  
FIT

MH 3/10/10  
Q 02/18/10

Field # 615  
(506-23)



NOTE: PTN ON N LN OF  
SE 1/4, N OF 506-231-02  
& W OF 506-231-01 IS  
ASSESSED ENTIRELY IN  
JANES SCH. DIST.

---

**APPENDIX C**  
**PG&E WILL SERVE LETTER**





August 28, 2018

**Darrell Billings**  
**Arcata Land Company LLC**  
c/o 3160 Upper Bay Rd  
Arcata, CA 95521



## Via Email Only

Re: Will Serve Letter for the Property near the intersection of Foster Avenue & Janes Rd., Arcata, CA. APN(s) 506-231-11, 507-181-07, 505-151-03, 506-231-10

Dear Mr. Billings,

Please be advised that your proposed project is located in an area where gas and electric facilities exist and are available to service your development under the provisions of rules which are filed with the California Public Utilities Commission.

Dependent on your proposed loads, Distribution and/or Transmission upgrades may be required prior to providing service, which could potentially delay your project connection by years and increase costs. This will vary based on the work required.

An application along with detailed site and electrical/utility plans are required before service to your development can be designed. Adequate easements to serve your development are your responsibility.

If you have any further questions regarding this matter please contact me at (707) 445-5594.

Regards,

*Alex Mossman*

Alex Mossman  
Industrial Power Engineer  
Pacific Gas & Electric Company

---

**APPENDIX D**  
**WASTEWATER DISPOSAL FIELD SUITABILITY STUDY**



Reference: 017062

May 2, 2019

Darrell Billings  
Arcata Land Company, LLC  
3318 Foster Avenue  
Arcata, CA 95521



**Subject: Disposal Field Suitability Testing, Analysis and Feasibility-Memorandum of Understanding**

Dear Mr. Billings:

This letter is to communicate the status of the groundwater monitoring, soil profiling, and percolation testing performed at your project site from February through April 2019.

As you are aware, SHN was engaged by you to identify areas suitable for a wastewater disposal field. SHN installed and monitored shallow groundwater wells, performed percolation testing and met with Adam Molofsky from the Humboldt County Department of Health and Human Services, Division of Environmental Health on-site during testing within the wet weather testing period. SHN found the sites tested suitable for a disposal area and are prepared to design a disposal system in those locations in conformance with current HCDEH standards.

To be clear, in collaboration with Adam Molofsky, the required testing during Humboldt County's "wet weather season" has demonstrated this site is suitable for an above ground mound system utilizing a low pressure distribution system. Specific site design parameters are pending.

Please call me at 707-441-8855 if you have any questions.

Sincerely,

SHN

Greg Williston  
Project Manager

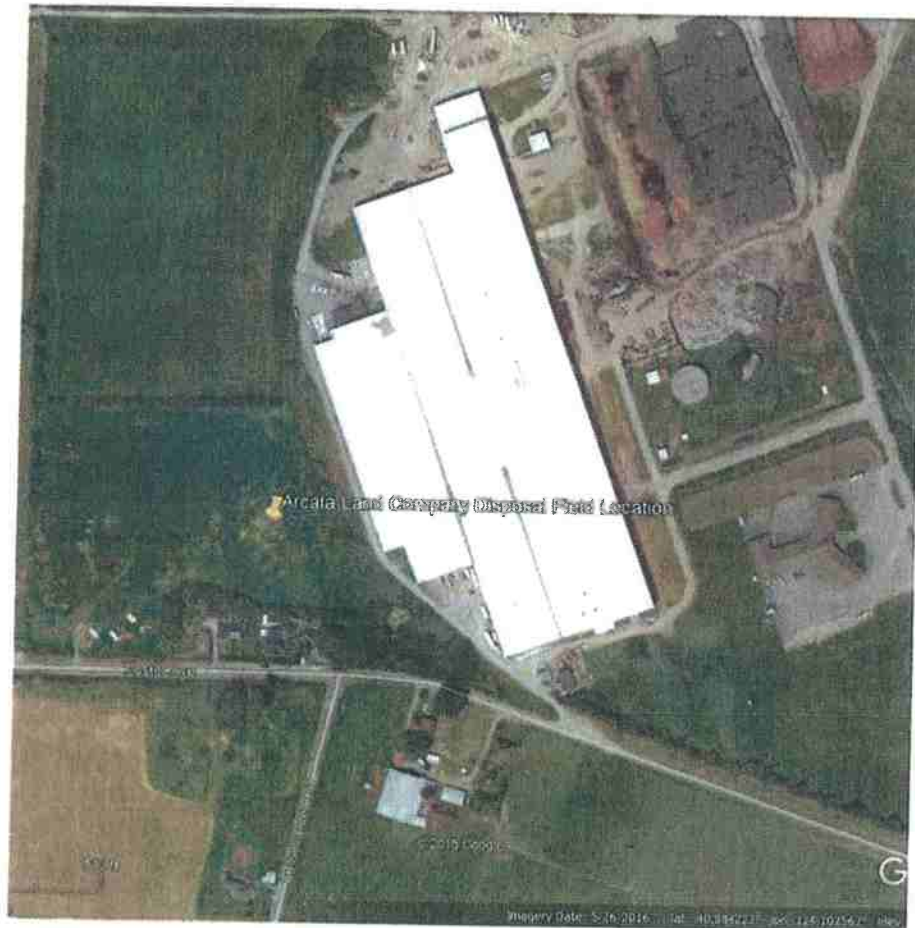
Attachments: 1. Site Map  
2. Field Logs

\\eureka\projects\2017\017062-ArcataLandCo\100-Leachfield\PUBS\Rpts\20190502-leachfield-memo.docx

CIVIL ENGINEERING • ENVIRONMENTAL SERVICES • GEOSCIENCES • PLANNING • SURVEYING









# Consulting Engineers & Geologists, Inc.

812 West Wabash, Eureka, CA 95501 ph. (707) 441-8855 fax. (707) 441-8877

PROJECT NAME: Arcata Land Company

PROJECT NUMBER: 017062.100

LOCATION: Southwest Corner Field

DATE EXCAVATED: 2-28-19

APN: --

TOTAL DEPTH OF HOLE: 8.5 feet

EXCAVATION METHOD: Hand Auger

SAMPLER TYPE: Bulk

LOGGED BY: A. Call

HOLE  
NUMBER  
**OW-13**

DEPTH (ft)	GROUNDWATER LEVEL	DATE	BULK SAMPLE	TUBE SAMPLE	FIELD CLASSIFICATION BASED ON U.S.D.A. CLASSIFICATION SYSTEM TEXTURE, STRUCTURE, CONSISTENCY, MOISTURE, COLOR, REMARKS	Laboratory Data				PERC RATE (MPI)	WATER MONITOR CONSTRUCTION	WATER MONITOR DETAILS	REMARKS
						Coarse Fragments % By Volume	% Fines	Bulk Density (g/cc)	Percolation Sufficiency Zone				
0					FILL: GRAVELLY SANDY LOAM, dark brown, soft, very friable, single grain to weak subangular blocky, wet, slightly sticky, slightly plastic, common fine roots upper 6", fine rounded gravel. Becomes saturated at 2 feet BGS.	8	38		2	7			
-1													
-2		2/28			LOAM, grayish brown, soft, friable, subangular blocky, slightly sticky, slightly plastic, wet, faint yellowish brown mottles.	0	55		2				Plastic and paper recovered from 2 feet BGS.
-3													
-4		3/26			Grades to:								
-5		3/14 3/21			LOAMY SAND to SANDY LOAM, gray, subangular blocky, very friable, slightly sticky, non-plastic, wet, faint yellowish brown mottles.								
-6					Thin zone of large, prominent, yellowish brown mottles.								
-7					SILT LOAM, gray with yellowish brown mottles, subangular blocky, slight hard, friable to firm, slightly sticky, plastic, wet.								
-8													
-9													
-10					Bottom of Hand Auger boring at 8.5 feet BGS.								
-11													
-12													

The log and data presented are a simplification of actual conditions encountered at the time of drilling at the drilled location. Subsurface conditions may differ at other locations.



# Consulting Engineers & Geologists, Inc.

812 West Wabash, Eureka, CA 95501 ph. (707) 441-8855 fax. (707) 441-8877

PROJECT NAME: Arcata Land Company

LOCATION: Southwest Corner Field

APN: 506-231-010

EXCAVATION METHOD: Hand Auger

LOGGED BY: A. Call

PROJECT NUMBER: 017062.100

DATE EXCAVATED: 2-28-19

TOTAL DEPTH OF HOLE: 8.5 feet

SAMPLER TYPE: Bulk

HOLE  
NUMBER  
**OW-14**

DEPTH (ft)	GROUNDWATER LEVEL	DATE	BULK SAMPLE	TUBE SAMPLE	FIELD CLASSIFICATION BASED ON U.S.D.A. CLASSIFICATION SYSTEM TEXTURE, STRUCTURE, CONSISTENCY, MOISTURE, COLOR, REMARKS	Laboratory Data				Perc Rate (MPH)	WATER MONITOR CONSTRUCTION	WATER MONITOR DETAILS	REMARKS
						Coarse Fragments % By Volume	% Fines	Bulk Density (g/cc)	Percolation Suitability Zone				

0					FILL: GRAVELLY SANDY LOAM, dark brown, soft, very friable, single grain to weak subangular blocky, wet, slightly sticky, slightly plastic, common fine roots upper 6", fine rounded gravel.	9.7	28		2	5			
-1													
-2													
-3					LOAM, grayish brown, soft, friable, subangular blocky, slightly sticky, slightly plastic, wet, faint yellowish brown mottles, very fine sand..	0.6	60		2				Plastic and paper recovered from 2 feet BGS.
-4		3/4			At 4 feet BGS, becomes saturated.								
-5		3/14			Grades to:								
-6		3/21			SANDY LOAM, gray, subangular blocky, slightly sticky, non-plastic, soft, very friable, wet, common faint yellowish brown mottles.								
-7					Grades to:								
-8					SILT LOAM, gray with many medium, distinct, yellowish brown mottles, subangular blocky, slight hard, friable to firm, slightly sticky, plastic, wet.								
-9													
-10					Bottom of Hand Auger boring at 8.5 feet BGS.								
-11													
-12													

The log and data presented are a simplification of actual conditions encountered at the time of drilling at the drilled location. Subsurface conditions may differ at other





# Consulting Engineers & Geologists, Inc.

812 West Wabash, Eureka, CA 95501 ph. (707) 441-8855 fax. (707) 441-8877

PROJECT NAME: Arcata Land Company

LOCATION: Southwest Corner Field

APN: --

EXCAVATION METHOD: Hand Auger

LOGGED BY: A. Call

PROJECT NUMBER: 017062.100

DATE EXCAVATED: 2-28-19

TOTAL DEPTH OF HOLE: 8.5 feet

SAMPLER TYPE: Bulk

HOLE  
NUMBER  
**OW-15**

DEPTH (ft)	GROUNDWATER LEVEL	DATE	BULK SAMPLE	TUBE SAMPLE	FIELD CLASSIFICATION BASED ON U.S.D.A. CLASSIFICATION SYSTEM TEXTURE, STRUCTURE, CONSISTENCY, MOISTURE, COLOR, REMARKS	Laboratory Data				Perc Rate (MPH)	WATER MONITOR CONSTRUCTION	WATER MONITOR DETAILS	REMARKS
						Coarse Fragments % By Volume	% Fines	Bulk Density (g/cc)	Percolation Suitability Zone				
0					FILL: GRAVELLY SANDY LOAM, dark brown, soft, very friable, single grain to weak subangular blocky, wet, slightly sticky, slightly plastic, common fine roots upper 6", fine rounded gravel.					20			
-1													
-2		2/28			LOAM, dark brownish gray, soft, friable, subangular blocky, slightly sticky, slightly plastic, wet, very fine sand.	29		2					
-3		3/4 3/14				55		2					
-4		3/21			Grades to: SANDY LOAM, gray, subangular blocky, slightly sticky, non-plastic, soft, very friable, wet, faint reddish brown mottles.								
-5		3/26											
-6													
-7					Thin zone of prominent medium yellowish brown mottles.								
-8					SILTY CLAY LOAM, gray with many medium, distinct, yellowish brown mottles, subangular blocky, slight hard, friable to firm, slightly sticky, plastic, wet.	82		4					
-9													
-10					Bottom of Hand Auger boring at 8.5 feet BGS.								
-11													
-12													

Plastic and paper recovered from 2 feet BGS.

The log and data presented are a simplification of actual conditions encountered at the time of drilling at the drilled location. Subsurface conditions may differ at other



# Consulting Engineers & Geologists, Inc.

812 West Wabash, Eureka, CA 95501 ph. (707) 441-8855 fax. (707) 441-8877

PROJECT NAME: Arcata Land Company

LOCATION: Southwest Corner Field

APN: --

EXCAVATION METHOD: Hand Auger

LOGGED BY: A. Call

PROJECT NUMBER: 017062.100

DATE EXCAVATED: 2-28-19

TOTAL DEPTH OF HOLE: 8.5 feet

SAMPLER TYPE: Bulk

HOLE  
NUMBER  
**OW-16**

DEPTH (ft)	GROUNDWATER LEVEL	DATE	BULK SAMPLE TUBE SAMPLE	FIELD CLASSIFICATION BASED ON U.S.D.A. CLASSIFICATION SYSTEM TEXTURE, STRUCTURE, CONSISTENCY, MOISTURE, COLOR, REMARKS	Laboratory Data				PERC RATE (MPH)	WATER MONITOR CONSTRUCTION	WATER MONITOR DETAILS	REMARKS
					Coarse Fragments % By Volume	% Fines	Bulk Density (g/cc)	Percolation Suitability Zone				

0				FILL: GRAVELLY LOAM, dark brown, soft, very friable, single grain to weak subangular blocky, wet, slightly sticky, slightly plastic, common fine roots upper 6", fine rounded gravel. Becomes saturated at 1 foot BGS.								No perc test or lab tests performed due to observed high groundwater.
-1	2/28 3/4											
-2	3/26 3/4			SILT LOAM, dark brownish gray, soft, friable, subangular blocky, slightly sticky, slightly plastic, wet, very fine sand.								
-3	3/21											
-4				Grades to:								
-5				SANDY LOAM, gray, subangular blocky, slightly sticky, non-plastic, soft, very friable, wet, faint reddish brown mottles.								
-6				Thin zone of prominent medium yellowish brown mottles.								
-7				SILT LOAM, gray with many medium, distinct, yellowish brown mottles, subangular blocky, slight hard, friable to firm, slightly sticky, plastic, wet.								
-8												
-9												
-10				Bottom of Hand Auger boring at 8.5 feet BGS.								
-11												
-12												

The log and data presented are a simplification of actual conditions encountered at the time of drilling at the drilled location. Subsurface conditions may differ at other locations.

Observation Well Data

Observation Well ID				Project #: 017062.100 Arcata Land Co.				APN: 506-231-010			
Total well depth				OW-13		OW-14		OW-15		OW-16	
Height of top of casing above ground				8.50		8.50		8.50		8.50	
Well depth below ground surface				1.53		1.84		1.61		1.75	
				6.97		6.66		6.89		6.75	
DATE	PRECIPITATION	TIME									
(dd/mm/yr)	Daily	Total	(am/pm)	Reading	Depth bgs	Reading	Depth bgs	Reading	Depth bgs	Reading	Depth bgs
3/4/2019	0	32.2	1352	5.27	3.74	5.32	3.48	4.73	3.12	2.92	1.17
3/6/2019	1.27	33.84	1315	3.78	2.25	4.29	2.45	3.7	2.09	2.21	0.46
3/14/2019	0	34.27	1148	5.76	4.23	5.62	3.78	5.83	4.22	3.8	2.05
3/21/2019	0	34.4	1551	5.96	4.43	5.85	4.01	6.38	4.77	4.65	2.9
3/26/2019	1.15	35.81	1145	5.23	3.7	5.33	3.49	5.44	3.83	3.66	1.91

Reading = measured reading of groundwater relative to the top of casing.

Reading = measured reading of groundwater relative to the top of well casing.

Depth = depth to groundwater below the ground surface.

ND = non-detection of groundwater (dry well).



**CONSULTING ENGINEERS & GEOLOGISTS, INC.**

812 W. Wabash Eureka, CA 95501-2138 Tel: 707/441-8855 FAX: 707/441-8877 E-mail: shninfo@shn-engr.com

Reference: 017062.100

March 15, 2019

Lane DeVries  
 Arcata Land Company  
 P.O. Box 997  
 Arcata, CA 95519

**SOIL PERCOLATION SUITABILITY / TEXTURAL ANALYSIS RESULTS**

Job Name: Arcata Land Co.  
 Date Sampled: 02/28/19  
 Date Received: 03/11/19

Sampled By: AC  
 Date Tested: 03/12/19  
 AP Number: Not Provided

<u>Sample ID</u>	<u>Depth</u>	<u>% Sand</u>	<u>% Clay</u>	<u>% Silt</u>	<u>% Coarse Fragments by Volume</u>	<u>Zone</u>	<u>Bulk Density</u>
OW-15	1.5-2.0	71.5	5.4	23.1	9.7	2	*
	Material: Sandy Loam						
OW-15	2.5-3.0	45.2	19.8	35.0	0.6	2	*
	Material: Loam						
OW-15	7.0-7.5	17.7	31.2	51.1	0.1	4	*
	Material: Silty Clay Loam						

\* = no peds provided

**Regional Water Quality Control Board Zone Descriptions:**

**Zone 1** - Soils in this zone are very high in sand content. They readily accept effluent, but because of their low silt and clay content they provide minimal filtration. These soils demand greater separation distances from groundwater.

**Zone 2** - Soils in this zone provide adequate percolation rates and filtration of effluent. They are suitable for use of a conventional system without further testing.

**Zone 3** - Soils in this zone are expected to provide good filtration of effluent, but their ability to accept effluent at a suitable rate is questionable. These soils require wet-weather percolation tests to verify their suitability for effluent disposal by conventional leachfield methods.

**Zone 4** - Soils in this zone are unsuitable for a conventional leachfield because of their severe limitations for accepting effluent.



# CONSULTING ENGINEERS & GEOLOGISTS, INC.

812 W. Wabash Eureka, CA 95501-2138 Tel: 707/441-8855 FAX: 707/441-8877 E-mail: shninfo@shn-engr.com

Reference: 017062.100

March 15, 2019

Lane DeVries  
Arcata Land Company LLC  
P.O. Box 997  
Arcata, CA 95519

## SOIL PERCOLATION SUITABILITY / TEXTURAL ANALYSIS RESULTS

Job Name: Arcata Land Co.  
Date Sampled: 02/28/19  
Date Received: 03/11/19

Sampled By: AC  
Date Tested: 03/12/19  
AP Number: Not Provided

Sample ID	Depth	% Sand	% Clay	% Silt	% Coarse Fragments by	Zone	Bulk Density
					Volume		
OW-13	0.5-1.0'	62.6	7.5	29.9	7.8	2	*
	Material: Sandy Loam						
OW-13	2.0-2.5'	45.1	20.7	34.2	0.4	2	*
	Material: Loam						
OW-14	2.5-3.0'	39.9	21.9	38.2	0.8	2	*
	Material: Loam						
OW-14	1.0-1.5	72.4	8.8	18.8	16.4	2	*
	Material: Sandy Loam						

\* = no peds provided

### Regional Water Quality Control Board Zone Descriptions:

**Zone 1** - Soils in this zone are very high in sand content. They readily accept effluent, but because of their low silt and clay content they provide minimal filtration. These soils demand greater separation distances from groundwater.

**Zone 2** - Soils in this zone provide adequate percolation rates and filtration of effluent. They are suitable for use of a conventional system without further testing.

**Zone 3** - Soils in this zone are expected to provide good filtration of effluent, but their ability to accept effluent at a suitable rate is questionable. These soils require wet-weather percolation tests to verify their suitability for effluent disposal by conventional leachfield methods.

**Zone 4** - Soils in this zone are unsuitable for a conventional leachfield because of their severe limitations for accepting effluent.

**SOILS PERCOLATION TEST DATA SHEET**

CLIENT Arcata Land Co.  
 JOB REF. 017062.100  
 TEST PIT No. OW-13  
 DEPTH TESTED 6"-18"  
 PRE-SOAK 1 Hour

DATE 4/2/2019  
 APN 506-231-010  
 TESTED BY AC  
 DTW 3.7'

Reading No.	Start Time	Stop Time	Interval (Minutes)	Water Level Drop (Inches)	Percolation Rate (Minutes per Inch)
1	12:15	12:30	15	2 9/20	6
2	12:30	12:45	15	2 1/2	6
3	12:45	13:00	15	2 2/5	6
4	13:00	13:15	15	2 1/4	7
5	13:15	13:30	15	2 1/5	7
6	13:30	13:45	15	2 1/5	7

STABILIZED PERCOLATION RATE = 7

TEST PIT No. OW-14  
 DEPTH TESTED 6"-18"  
 PRE-SOAK 1 Hour

TESTED BY AC  
 DTW 3.48'

Reading No.	Start Time	Stop Time	Interval (Minutes)	Water Level Drop (Inches)	Percolation Rate (Minutes per Inch)
1	12:20	12:35	15	3 3/20	5
2	12:35	12:50	15	2 19/20	5
3	12:50	13:05	15	2 17/20	5
4	13:05	13:20	15	2 17/20	5
5	13:20	13:35	15	2 17/20	5
6	13:35	16:50	15	2 17/20	5

STABILIZED PERCOLATION RATE = 5

TEST PIT No. OW-15  
 DEPTH TESTED 6"-18"  
 PRE-SOAK 1 Hour

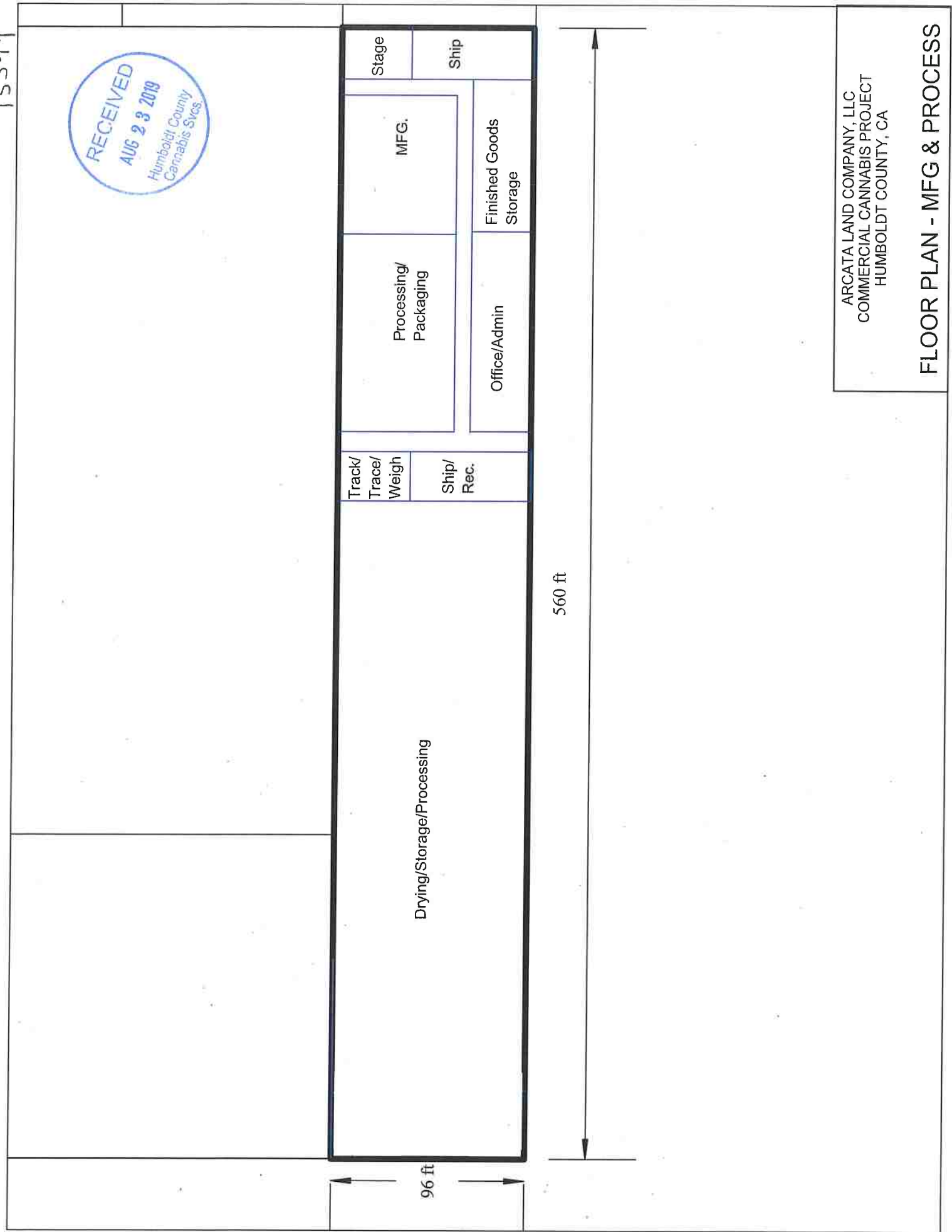
TESTED BY AC  
 DTW 3.83'

No.	Time	Time	(Minutes)	Drop (Inches)	(Minutes per Inch)
1	12:25	12:40	15	3/4	20
2	12:40	12:55	15	3/4	20
3	12:55	13:10	15	3/4	20
4	13:10	13:25	15	3/4	20
5	13:25	13:40	15	3/4	20
6	13:40	13:55	15	3/4	20

STABILIZED PERCOLATION RATE = 20



15594



ARCATA LAND COMPANY, LLC  
COMMERCIAL CANNABIS PROJECT  
HUMBOLDT COUNTY, CA

FLOOR PLAN - MFG & PROCESS

## ATTACHMENT 4

### Referral Agency Comments and Recommendations

The project was referred to the following referral agencies for review and comment. Recommendations received are summarized, and the locations of the recommendations are noted.

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Site map and Plan of Operation look complete	On file
Public Works Land Use Division	✓	Conditional Approval	Attached
Arcata Fire Protection District	✓	Conditional Approval	Attached
CA Department of Fish & Wildlife	✓	No Comment	Attached
Environmental Health Division	✓	Approval	On file
City of Arcata	✓	No Objections	Attached
Humboldt Co. District Attorney		No Response	
Humboldt County Agriculture Commissioner		No Response	
State Water Resources Control Board – Division of Water Resources		No Response	
RWQCB		No Response	
NCUAQMD		No Response	
Humboldt Bay Municipal Water District		No Response	
Humboldt County Sheriff		No contact with applicant	On file
Northern Humboldt High School District	✓	Recommended denial	Attached
Pacific Union School District		No Response	
State Water Resources Control Board – Division of Water Rights		No Response	
California Coastal Commission		No Response	
Bear River Band of Rohnerville Rancheria	✓	Recommendations made in CRS will suffice	Confidential and on file with Planning
Wiyot Tribe		No response	
Blue Lake Rancheria	✓	Conditional Approval	Confidential and on file with Planning
NWIC	✓	Conditional Approval	Confidential and on file with Planning



DEPARTMENT OF PUBLIC WORKS  
**COUNTY OF HUMBOLDT**  
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL  
McKINLEYVILLE  
FAX 839-3596

AVIATION

839-5401

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

ADMINISTRATION

445-7491

BUSINESS

445-7652

ENGINEERING

445-7377

FACILITY MAINTENANCE

445-7493

NATURAL RESOURCES

445-7741

NATURAL RESOURCES PLANNING

287-9540

PARKS

445-7651

ROADS & EQUIPMENT MAINTENANCE

445-7421

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

LAND USE

445-7205

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

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

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 8-28-2018

RE:

<b>Applicant Name</b>	Arcata Land Company, LLC
<b>APN</b>	506-231-010
<b>APPS#</b>	12268

The Department has reviewed the above project and has the following comments:

- ☒ The Department's recommended conditions of approval are attached as **Exhibit "A"**.
- ☐ Additional information identified on **Exhibit "B"** is required before the Department can review the project. **Please re-refer the project to the Department when all of the requested information has been provided.**
- ☐ Additional review is required by Planning & Building staff for the items on **Exhibit "C"**. **No re-refer is required.**
- ☐ *Road Evaluation Reports(s)* are required; See **Exhibit "D"**. **No re-refer is required.**

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

---

---

---

---

---

---

---

---

// END //



## Exhibit "A"

### Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 12268

☒ **COUNTY ROADS- FENCES & ENCROACHMENTS:**

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

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

☐ **COUNTY ROADS- DRIVEWAY (PART 1):**

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

☐ **COUNTY ROADS- DRIVEWAY (PART 2):**

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

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

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

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

☐ **COUNTY ROADS- DRIVEWAY (PART 3):**

The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

☐ **COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**

Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

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

☒ **COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:**

All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

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

☒ **COUNTY ROADS- PRIVATE ROAD INTERSECTION:**

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

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

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

☐ **COUNTY ROADS- ROAD EVALUATION REPORT(S):**

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

// END //





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



1/24/2018

**PROJECT REFERRAL TO: Arcata Fire Protection District**

**Project Referred To The Following Agencies:**

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, California Coastal Commission, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, City of Arcata, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Arcata Fire Protection District Fire Protection District, Humboldt County Sheriff, SWRCB - Division of Water Rights, Arcata Fire Protection District, Pacific Union School District

**Applicant Name** Arcata Land Company, LLC **Key Parcel Number** 506-231-010-000

**Application (APPS#)** 12268 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-600

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 2/8/2018**

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: 1/29/18

PRINT NAME: JUSTIN McDONALD

**Arcata Fire Protection District**  
**FIRE PREVENTION BUREAU**  
631 9<sup>th</sup> Street  
Arcata Ca. 95521  
(707) 825-2000

**Project Referral-Pre construction**

<b>Project Location:</b>	Foster and Dolly Vardon Rd.		
<b>Type of Project:</b>	Cultivation	APN# 506-231-010	
<b>Business Name:</b>	Arcata Land Company LLC	<b>Phone:</b>	
<b>Business Owner:</b>	Arcata Land Company LLC	<b>Phone:</b>	
<b>Property Owner:</b>	Arcata Land Company LLC	<b>Phone:</b>	
<b>Agent:</b>	Lenders Construction LLC/Jeff Smith	<b>Phone:</b>	496-9998
<b>Arch./Engineer:</b>	SHN	<b>Phone:</b>	
<b>Occupancy Class:</b>		<b>Number of Stories:</b>	1
<b>Occupant Load:</b>		<b>Type of Construction:</b>	

<input type="checkbox"/>	<b><i>Plans accepted as drawn.</i></b>
<input checked="" type="checkbox"/>	<b><i>Plans accepted with corrections noted below.</i></b>
<input type="checkbox"/>	<b><i>Plans not accepted. Resubmit with corrections noted below.</i></b>

***Note: All materials and construction must conform to applicable codes adopted by the City of Arcata, County of Humboldt and the State of California.***

***Requirements during Construction:***

Fire safety during construction shall comply with Chapter 14 of the California Fire Code including but not limited to:

1. During construction provide portable fire extinguishers, minimum 2A10BC rated, on all levels and in storage and construction sheds so that no spot in the building is more than 75 feet travel distance to a fire extinguisher on the same level. Title 19, Chapter 3, Article 5, CFC1415
2. Fire department access roads shall be maintained during construction. CFC 1410

***Construction Requirements:***

1. Existing systems, Automatic Fire Sprinkler System and Fire Alarm Monitoring, shall be operational and comply with current Fire Code requirements.

***Note: Detailed construction plans shall be submitted and approved prior to beginning of work.***

***Plan Review by: Ed Laidlaw***

***Date: 1-29-18***



Applicant: Arcata Land Company		Date: 07/29/19	
APPS No.: 15594	APN: 506-231-010	DFW CEQA No.: 15594	Case No.: CUP16-600
<input checked="" type="checkbox"/> New <input type="checkbox"/> Existing		Proposed: <input type="checkbox"/> Mixed-light (SF): <input type="checkbox"/> Outdoor (SF): <input checked="" type="checkbox"/> Other (SF): 225,150	

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

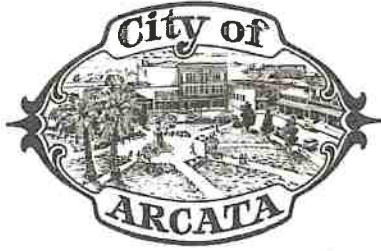
CDFW offers the following comments on the Project in our role as a Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code Section 21000 *et seq.*). These comments are intended to assist the Lead Agency in making informed decisions early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

☒ The Department has no comment at this time.

Thank you for the opportunity to comment on this Project.

Sincerely,

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



736 F Street Arcata, California 95521

City Council  
822-5953

City Manager  
822-5953

Public Works  
822-5957

Police  
822-2428

Community Development  
822-5955

Environmental Services  
822-8184

A&MRTS  
822-3775

Finance  
822-5951

Recreation Division  
822-7091

FAX  
822-8018

September 4, 2019

Humboldt County Planning and Building  
Attn: Elizabeth Schatz, Senior Planner  
3015 H Street  
Eureka, CA 95501



RE: PLN-2019-15594 Arcata Land Company, LLC Cannabis Permit

Dear Ms. Schatz,

Thank you for the opportunity to comment on the above referenced project. This letter follows our February 28, 2018, letter. I would direct you to that letter in which the City identified several concerns based on the information available on the project at that time. This referral comment is based on additional detail identified in the record.

We understand the project proposes three Special Permits for the development and operation of cannabis processing, manufacturing, and wholesale distribution facilities located within approximately 54,000 square feet of an existing 400,000 square-foot structure. The processing, manufacturing, and distribution facilities would only produce for State licensed facilities and would sell on a wholesale basis. The proposed hours of operation are 7:00 a.m. to 7:00 p.m.; however, during periods of seasonally high workload, the hours of operation within the facility may increase to 24 hours per day. Up to 46 employees would be utilized during peak periods of operation. There is no cultivation in this project, however, cultivation is planned under separate application on the surrounding land.

The project will replace the current use by Sun Valley Floral Farms, which employs approximately 80 at the site for non-cannabis manufacturing currently. The cannabis manufacturing and distribution project will require 46 employees. There are no exterior modifications to the building proposed at this time. All activities will be conducted within the existing building.

The applicant has proposed a CEQA exemption. Staff is not aware of an initial study for the project. Based on our understanding of the project to date, an exemption may be applicable. However, if the project incorporates cultivation in the future, the City would reiterate the points made in the February 2018 letter.

The City has no objections to the project based on the current project description.

Sincerely,

Karen Diemer

City Manager





**From:** [Nielsen, Michelle](#)  
**To:** [Planning Clerk](#)  
**Subject:** FW: Simpson Mill site cultivation comments  
**Date:** Tuesday, February 27, 2018 9:53:25 AM  
**Attachments:** [Simpson Mill site referral letter 2-26-18 signed.pdf](#)

---

Please post the attached comments to Apps # 12255, 12262, and 12258, and generate hard copies for the project files. Thanks, Michelle

Michelle Nielsen, Senior Planner  
Current Planning, Cannabis Services  
[Planning & Building | Humboldt County, CA - Official Website](#)  
3015 H Street | Eureka, CA 95501  
Main: 707-445-7541  
[mnielsen@co.humboldt.ca.us](mailto:mnielsen@co.humboldt.ca.us)

---

**From:** Alyson Hunter [<mailto:ahunter@cityofarcata.org>]  
**Sent:** Tuesday, February 27, 2018 9:18 AM  
**To:** Nielsen, Michelle <[MNielsen@co.humboldt.ca.us](mailto:MNielsen@co.humboldt.ca.us)>  
**Subject:** Simpson Mill site cultivation comments

Hi Michelle –

Sorry this took so long – lots of herding of cats around here.

Please add us to the hearing notice for this one. Also, is there an BOS hearing date for the Mad River/HBMWD appeal?

Thanks,

Alyson Hunter, Senior Planner  
City of Arcata Community Development Dept.  
736 F Street | Arcata, CA 95521  
707.825.2040

#### LET YOUR VOICE BE HEARD!

The City is seeking public input on cannabis retail services and sales in Arcata.

Use this link to take the survey: <https://goo.gl/forms/IVZvqoThq1g1TuHi2>

The link can also be found at the City website and on Facebook.

The survey will close at 5:00 pm Friday, March 9, 2018.

Feel free to distribute the link to others. If you have any questions, contact Joe Mateer at 707-825-2139.

*Thank you for your valuable time and input.*



736 F Street  
Arcata, CA 95521

City Manager (707) 822-5953	Environmental Services 822-8184	Police 822-2428	Recreation 822-7091
Community Development 822-5955	Finance 822-5951	Public Works 822-5957	Transportation 822-3775

Michelle Nielsen, Senior Planner  
Humboldt County Planning & Building  
3015 H Street  
Eureka, CA 95501

February 28, 2018

Subject: Referral Comments re: Application Nos. 12255, 12262, and 12268; Arcata Land Company, LLC.; APNs 506-231-010, -011, and 507-181-007

Dear Ms. Nielsen,

Thank you for giving the City of Arcata the opportunity to comment on this large project just outside the City limit, but within our Planning Area. The City is reviewing the three applications in a comprehensive manner given that the ownership, applicant and proposed uses appear to be the same and we request that the County do the same to ensure that environmental review and local permitting address all potential impacts. The City has several concerns with the project including, but not limited to, potential impacts to: traffic and circulation, night sky lighting impacts, stormwater and drainage, the City's General Plan policies relating to agricultural resources management and intensive agricultural uses that may result in environmental impacts, greenhouse gas emissions resulting from electricity usage (lights, fans, pumps, etc.), and the conversion of prime agricultural soils. The County's GIS indicates that the majority of the project site is classified as Fe2, prime ag soils.

We are not aware of the type of CEQA analysis the County is intending to undertake, but there are several categories of potential environmental impact that could be significant unless mitigated. The following *italicized* categories of potential environmental impact that the City is concerned about are sampled directly from the Appendix G of the CEQA Guidelines:

1. Without the stringent enforcement of night sky standards, the project will *create a new source of substantial light or glare which would adversely affect day or nighttime views in the area*. The  $\pm 35$  acres of new greenhouses and associated lighting should be considered cumulatively with the  $\pm 80$  acres of existing lighted greenhouses on the Sun Valley Floral Farms property immediately to the north and under the same ownership. The proposed "mixed-light" cultivation should include the ability to cover the greenhouses at night to minimize these impacts.
2. It is unclear as to whether or not the cultivation will utilize existing native soils or rather cover the soil with either permeable or non-permeable surface that would result in the conversion of *Prime Farmland ... as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use*. As the property is within the City's Planning Area, please consider the City's General Plan policy RC-5a in which the City supports: *Diverse and intensive agricultural production and increased participation shall be promoted, in order to maintain the value of agricultural lands, improve the economic base, and increase employment and food production. The City does not, however, advocate more intensive agricultural uses and practices that would have adverse environmental impacts*. Furthermore, the City is in the process of adopting a

Western Greenbelt Plan, a guide for identifying significant open space areas and a tool for planning and developing the entire Greenbelt system. From the City's draft Plan:

*A "greenbelt" is an area of land that is preserved for a non-urban land use. While established greenbelts serve a number of purposes, they tend to share two features: an open landscape ("green") and a linear shape ("belt"). Greenbelts have been established in many cities, serving in each case one or more purposes. Purposes of greenbelt designation may include:*

- *Providing for continuing agricultural use, and*
- *Delineating community boundaries*

In addition to the concerns above, the City recommends that new development be clustered to maximize pervious surface.

3. Please provide a complete analysis on the Greenhouse Gas (GHG) emissions that the project may produce as a result of increased traffic, and electricity use for lighting, fans, and pumps.
4. Given the unknown chemical amendments that might be used, the project could *emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school* (Fuente Nueva Elementary is  $\pm 0.11$  miles from the southeast corner of the project site). Similarly, the addition of significant impervious surface may *create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff*. There are no formal municipal stormwater facilities in the area and the project will not be allowed to contribute to the City's system to the east. Furthermore, the project must be conditioned to meet the County's MS4 Stormwater requirements using the hydromodification methodology.
5. The City is concerned about traffic impacts along Foster Avenue. It appears that all project traffic will access the site from the south on Foster Avenue. Please verify that no access will be from 27<sup>th</sup> Street on the north. We recommend that the County consider the City's Central Arcata Areawide Traffic Study (W-Trans, March 2017) which can be reviewed on the City's website here: <http://www.cityofarcata.org/DocumentCenter/View/5246> for additional detail on current projects, existing traffic impacts, and proposed improvements in the vicinity. The City requests that the project provide further analysis regarding its expected trip generation of 102-228 vehicles per day and its cumulative effects on the *potential increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)*. The project may *substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections [17<sup>th</sup> and Q Streets]) or incompatible uses (e.g., farm equipment, [school])*.

The discussion above is not intended to be a complete list of concerns, but rather an excerpt from the CEQA checklist to help guide environmental review.

Please be aware of the annexation of the 15-acre property 0.25 mile to the east for residential and assisted living uses for which a Draft EIR is currently being prepared. The City's project includes the annexation of the 4.22 acre "Ennis Park Expansion" property which is 300' from the County project's eastern property line and will be used for public park purposes. Please consider expanding the 600' prohibition of cannabis-related activities to this park property as well as to the south and the Fuente Nueva Elementary property. This proposed annexation and development should be considered in the cannabis project's CEQA document.

Finally, please add the City of Arcata to all public hearing notice lists and to the notice of availability for review for the CEQA document prepared for the project. All correspondence can be directed to Alyson Hunter, Senior Planner, at the address below or [ahunter@cityofarcata.org](mailto:ahunter@cityofarcata.org). If the City can be of any assistance with this project, please do not hesitate to call or email.

Sincerely,



Karen T. Diemer, City Manager

City of Arcata

736 F Street

Arcata, CA 95521 | 707-822-5953

CC: John Ford, Director of Planning & Building, Humboldt County





## Northern Humboldt Union High School District

2755 McKinleyville Avenue, McKinleyville, CA 95519-3400  
TELEPHONE: (707) 839-6470 • FAX: (707) 839-6477  
www.nohum.k12.ca.us

**ROGER MACDONALD**  
District Superintendent

**CINDY VICKERS**  
Director of Fiscal Services

**MELANIE SUSAVILLA**  
Director of Student Services

June 4, 2019

Humboldt County Planning Commissioners  
Planning Commission Clerk  
3015 H Street  
Eureka, CA 95501

RE: Case No. PLN-2019-15594

The proposed facility is not within 600 feet of a school or existing bus stop. However, Northern Humboldt Union High School District has concerns about this proposed facility as cannabis is still illegal under federal law and our district receives federal funds.

Additionally, the district has concerns about a grow operation in an area where current and/or future students may live in the area or near the facility, and be required to pass by it to and from school.

Should you have any further questions, please let me know.

Sincerely,

  
**ROGER MACDONALD**  
Superintendent



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

5/30/2019

**Project Referred To The Following Agencies:**

PW Land Use, NWIC, Arcata:FPD, Building Inspections, Environmental Health, County Counsel, Cal Coastal Commission, Cal Fish & Wildlife, Bear River Band, Wiyot Tribe, RWQCB, NCUAQMD, District Attorney, AG Commissioner, Arcata:FPD, CA Division of Water Rights, Pacific Union:School District, Arcata, Sheriff, Blue Lake Rancheria, Humboldt Bay Municipal Water District, **Northern Humboldt High :School District**

**Applicant Name** Arcata Land Company, LLC **Key Parcel Number** 506-231-010-000

**Application (APPS#)** **PLN-2019-15594** Planning Application **Assigned Planner** Elizabeth Schatz

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

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

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

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

**Return Response No Later Than: 6/14/2019**

Planning Commission 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: \_\_\_\_\_

DATE: 6/4/19 PRINT NAME: Roger MacDonald