



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

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

Hearing Date: January 9, 2020

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Good Fields Agro, LLC Special Permit**  
Record Number: PLN-2018-15202  
Assessor's Parcel Number: 107-300-011  
51530 Mattole Road, Honeydew area

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Please contact Stephen Luther Planner, at 707-268-3737, or by email at [sluther@co.humboldt.ca.us](mailto:sluther@co.humboldt.ca.us), if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
January 9, 2020	Special Permit	Stephen Luther

**Project Description:** A Special Permit for 10,000 SF existing mixed light cultivation in three (3) greenhouses. Cultivation occurs from March to October, with two harvest cycles. Clones are purchased from off-site nurseries and supplemental lighting is used to support vegetative growth. The operation will only use lights when fully automated covers have been installed on the greenhouses. The irrigation water source is a well. Estimated annual water use is 412,458 gallons. Water is stored in nine (9) hard storage tanks totaling 18,950 gallons. The owner-operator and one (1) employee will run cannabis operations. Processing will take place off-site. Power is delivered by P.G.&E., with 100% renewable energy purchased through the Redwood Coast Energy Authority RePower+ program.

**Project Location:** The project is located in the Honeydew area, on the southeast side of Mattole Road, approximately 2 miles from the intersection of Mattole Road and Catheys Peak Road, on the property known as 51530 Mattole Road.

**Present Plan Land Use Designation:** Timberland (T), 2017 General Plan, Density: range is 40 to 160 acres per unit, Slope Stability: Moderate Instability (2)

**Present Zoning:** Agriculture Exclusive (AE); Timberland Production (TPZ)

**Record Number:** PLN-2018-15202

**Assessor's Parcel Numbers:** 107-300-011

Applicant	Owner	Agent
Good Fields Agro, LLC PO Box 996 Fortuna, CA 95540	Good Fields Agro, LLC PO Box 996 Fortuna, CA 95540	Rinehart Engineering 559 Howard Heights Road Eureka, CA 95503

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

**Major Issue:** None.

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

**Good Fields Agro, LLC Special Permit**  
Record Number: PLN-2018-15202  
Assessor's Parcel Number: 107-300-011

**Recommended Zoning Administrator Action:**

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

*Find that the Zoning Administrator has considered the Addendum to the Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit based on evidence in the staff report, and adopt the Resolution approving the proposed Good Fields Agro, LLC Special Permit subject to the recommended conditions.*

**Executive Summary**

The proposed Special Permit would allow the continued operation of 10,000 square feet (SF) of mixed-light commercial cannabis cultivation. The subject parcel is currently developed with a single-family residence. No new structures are proposed. The site is accessed by a private driveway off Mattole Road, a paved County-maintained road. The Department of Public Works commented on the project and recommended conditions of approval. The project is conditioned on meeting the standards identified in Exhibit A of the Public Works referral response (see Attachment 5).

Cultivation is proposed in three (3) greenhouses each measuring 34' x 98' (3,332 SF). The cultivation was in existence prior to January 1, 2016. Aerial imagery from Google Earth Pro dated 5/28/2014 shows the three greenhouses in the proposed location. An abatement notice was issued on the parcel on October 16, 2017. The case was closed upon removal of cultivation infrastructure. The applicant has provided a grading plan for the existing unpermitted graded flat where greenhouses are located. A condition of approval requires the applicant to obtain an after the fact grading permit. Drying will occur in the existing barn. Additional processing will occur off-site at a licensed processing facility. Three parking spaces are available for employees. Power is provided by Pacific Gas and Electric (P.G.&E.). The applicant will purchase 100% renewable electricity through the RePower+ program.

Supplemental lighting is used to extend vegetative growth in the three greenhouses. Lighting will consist of five (5) 250 W CFL bulbs per greenhouse. Fully automated greenhouse controls will be applied to ensure that lights are only on when tarps are fully drawn. These settings will ensure that no light escapes the greenhouses between sunset and sunrise. A condition of approval stipulates that no mixed-light cultivation is authorized until these measures can be shown to be met. Ongoing operational conditions require the applicant to maintain noise levels no more than 50 decibels as measured 100 feet from the source.

A Biological Report was prepared for the site by Natural Resources Management on December 13, 2018. The report evaluated the presence of and habitat for rare and sensitive species in the project area. No special status wildlife was observed on the site. The report identified potential habitat for special status plant species such as Howell's Montia. A Supplemental Botanical Survey was provided by NRM in July 2019. The survey timing coincided with the bloom windows of the target species. Although disturbed opening in forest and rocky soils provided potential habitat for sensitive species, the survey did not identify any listed species at the project site. The report did

identify the site has potential nesting habitat for golden eagles. The management recommendations of the Biological Report include conducting a protocol level survey for nesting golden eagles within 500 feet of the project site prior to the short-term noise impacts created by construction of greenhouses. Per the Biological Report recommendations, the applicant shall mow the grass surrounding the cultivation area or provide a survey for nesting songbirds two weeks prior to construction. A condition of approval requires the biological management recommendations be met prior to ground-disturbing activities.

The project site is planned Timberland (T) and the cultivation occurs on the portion of the property zoned Timber Production Zone (TPZ). The majority of the parcel is forested and consists of second growth tanoak, live oak, pepperwood, madrone, and Douglas-fir. A Timber Conversion Evaluation Report was prepared by Timberland Resource Consultants. The report identifies past logging activity of old-growth Douglas-fir occurred 50 to 60 years ago. The cultivation site was developed between 2005 to 2009. A review of aerial imagery on the Humboldt County WebGIS, TerraServer® and Google Earth shows the area had been enlarged to its present condition by September 18, 2015. The area constitutes 1.1 acres of timber conversion. CALFIRE responded to the referral and had no comment on the project. A condition of approval requires that all RPF recommendations be implemented, including treating all slash piles and woody debris near the cultivation site.

Water to the site is supplied by a permitted groundwater well (DEH 11/12-1306). The projected water usage 412,458 gallons (41 gal/sf). The applicant provided a well hydrogeologic analysis by Rinehart Engineering. The analysis looked at the well completion report and geologic characteristics to conclude the well water is not hydrologically connected to surface water. The project was referred to the Division of Environmental Health. The applicant provided a Notification of Lake or Streambed Alteration to California Department of Fish and Wildlife (CDFW) disclosing the well. CDFW commented on the project and requested the well be evaluated annually for drawdown. A condition of approval is included requiring the applicant provide the results of an annual pump test evaluating the well draw down.

Water pumped from the well will be stored in nine (9) hard-sided plastic water tanks totaling 18,950 gallons. Water meters will be used to quantify irrigation water use. Conditions of approval require the applicant to submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Applicability and a Site Management Plan.

Environmental review for the proposed project was conducted, and based on the results of that analysis, staff determined the existing cultivation and other aspects of the project were previously analyzed in the Final Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project will result in modifications to the existing operation that will reduce and eliminate environmental impacts. Permitting the existing cultivation areas and bringing them into compliance with County and State regulations would not present substantial changes that would require major revisions to the previous mitigated negative declaration. An addendum to the Final EIR has been prepared for consideration per §15164 of the State CEQA Guidelines.

Staff recommends that the Zoning Administrator describe the application as a part of the consent agenda, survey the audience to see if any person would like to discuss the application and, if no one requests discussion, make all the required findings based on the evidence in the record and approve the application subject to the 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 you are unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

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

**Resolution Number 20-**

**Record Number: PLN-2018-15202  
Assessor's Parcel Number: 107-300-011**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Good Fields Agro, LLC, Special Permit request.**

**WHEREAS**, Good Fields Agro, LLC, submitted an application and evidence in support of approving the Special Permit for 10,000 square feet existing mixed-light cannabis cultivation. Irrigation water is provided by a groundwater well. Power is provided by P.G.&E.; and

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

**WHEREAS**, the County Planning Division, the lead agency, prepared an Addendum to the Final Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project does not present substantial changes that would require major revisions to the previous EIR. No new information of substantial importance that was not known and could not be known at the time was presented as described by § 15162(c) of CEQA Guidelines; and

**WHEREAS**, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Special Permit (Record Number PLN-2018-15202) and

**WHEREAS**, a public hearing was held on the matter before the Humboldt County Zoning Administrator on January 9, 2020.

**NOW, THEREFORE**, be it resolved, determined, and ordered by the Humboldt County Zoning Administrator that:

1. The Zoning Administrator considered the Addendum to the Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance; and
2. The Zoning Administrator makes the required findings for approval in Attachment 2 of the Planning Division staff report based on the submitted substantial evidence; and
3. Special Permit Record Number PLN-2018-15202 is approved as recommended and conditioned in Attachment 1.

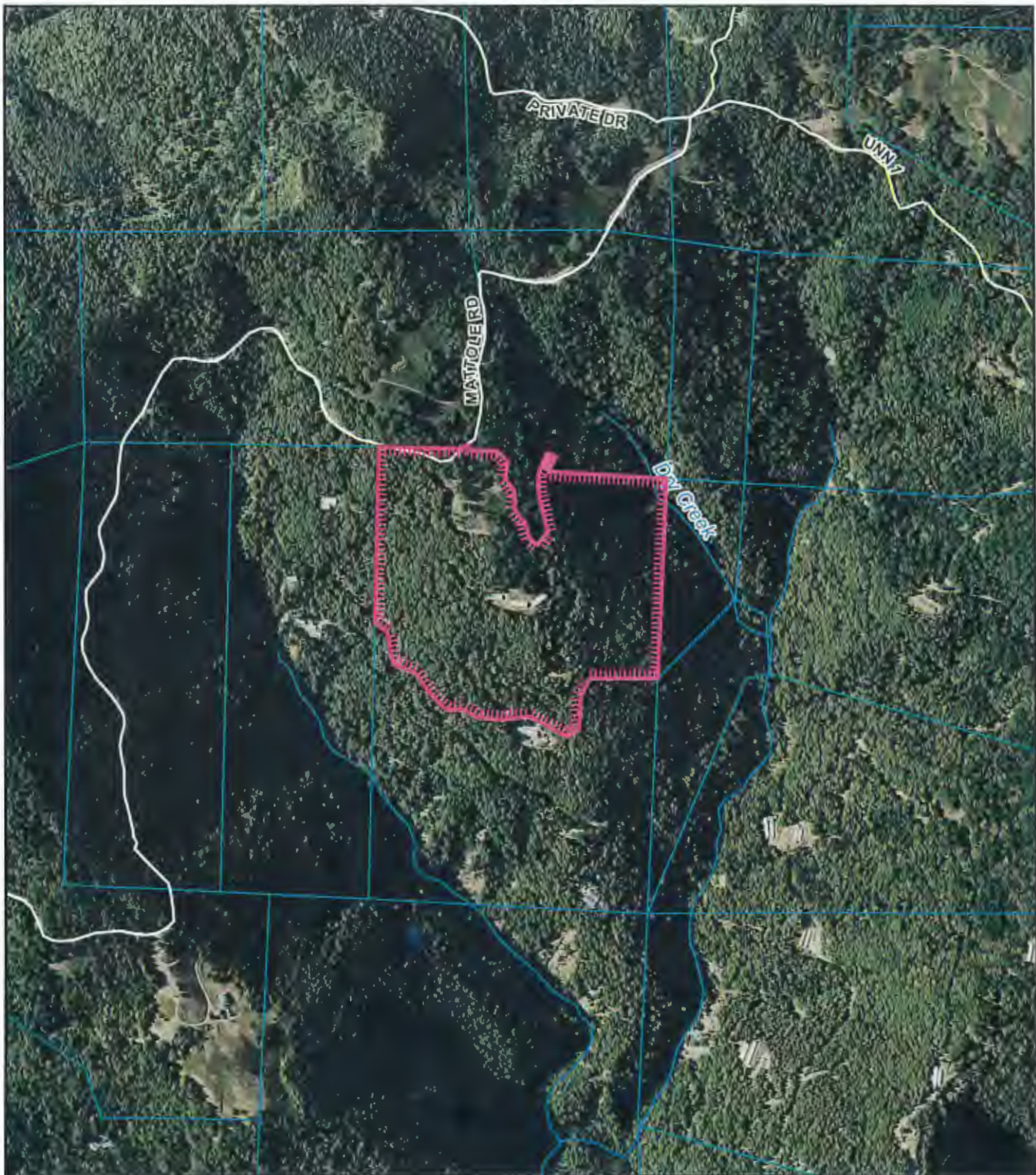
Adopted after review and consideration of all the evidence on January 9, 2020.

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.

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





Project Area = 

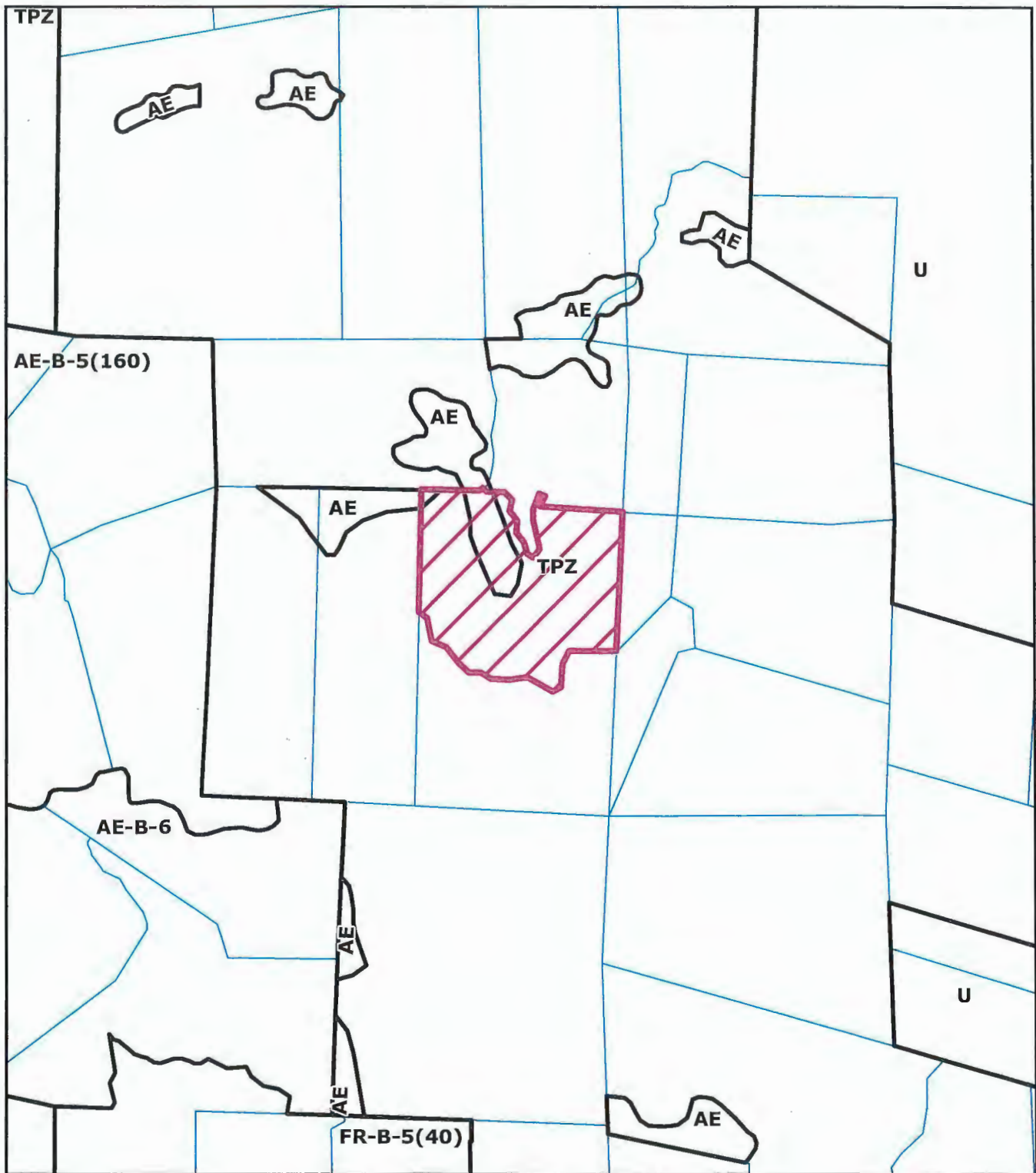
**AERIAL MAP**  
**PROPOSED GOOD FIELDS AGRO LLC**  
**Honeydew AREA**  
**PLN--2018-15202**  
**APN: 107-300-011-000**  
**T02S R01E S28 HB&M (BULL CREEK)**



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

0 1,000 2,000 Feet

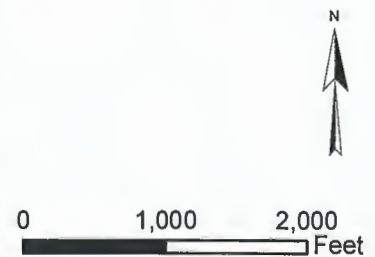




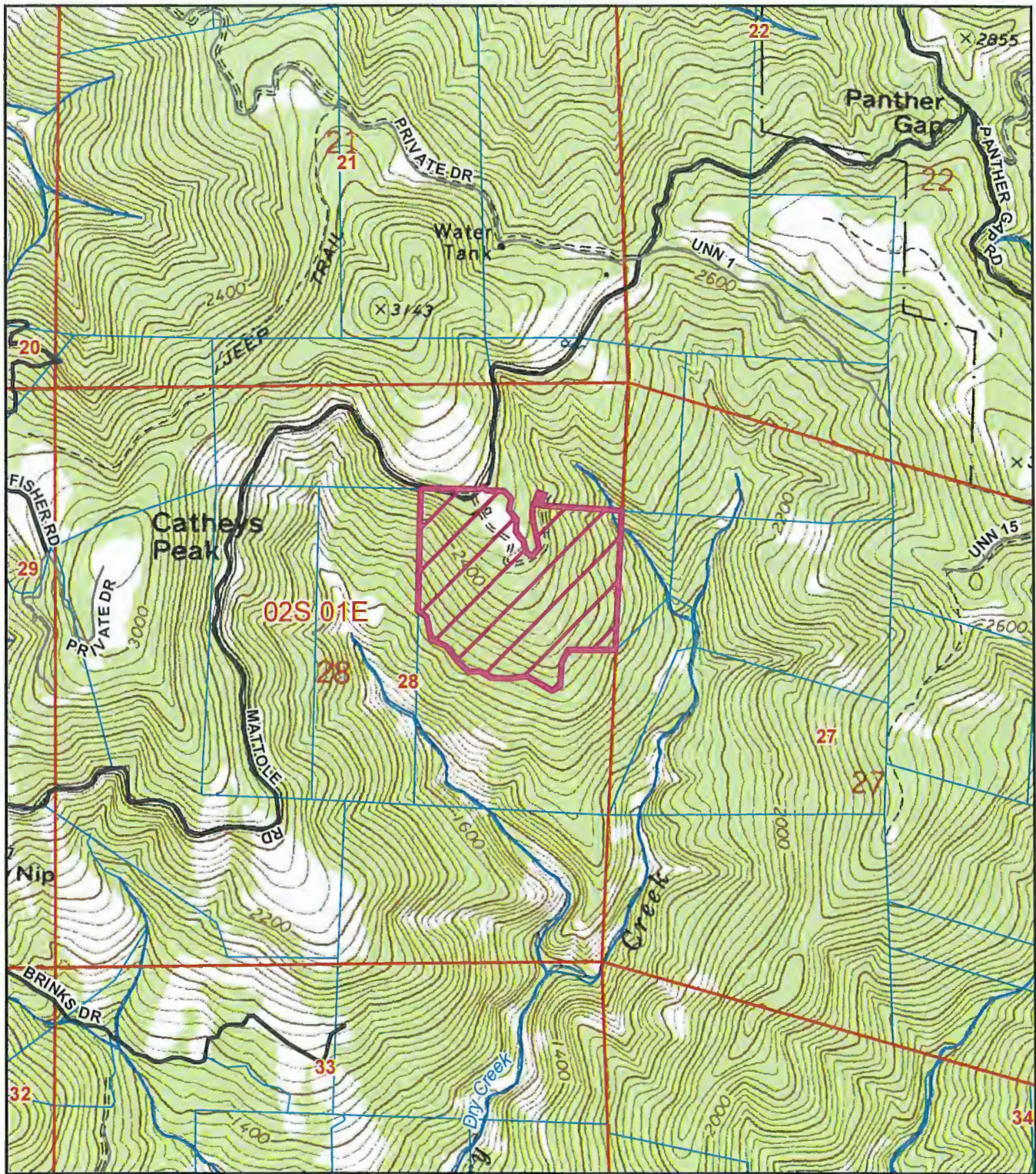
Project Area = 

**ZONING MAP  
PROPOSED GOOD FIELDS AGRO LLC  
Honeydew AREA  
PLN--2018-15202  
APN: 107-300-011-000  
T02S R01E S28 HB&M (BULL CREEK)**

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





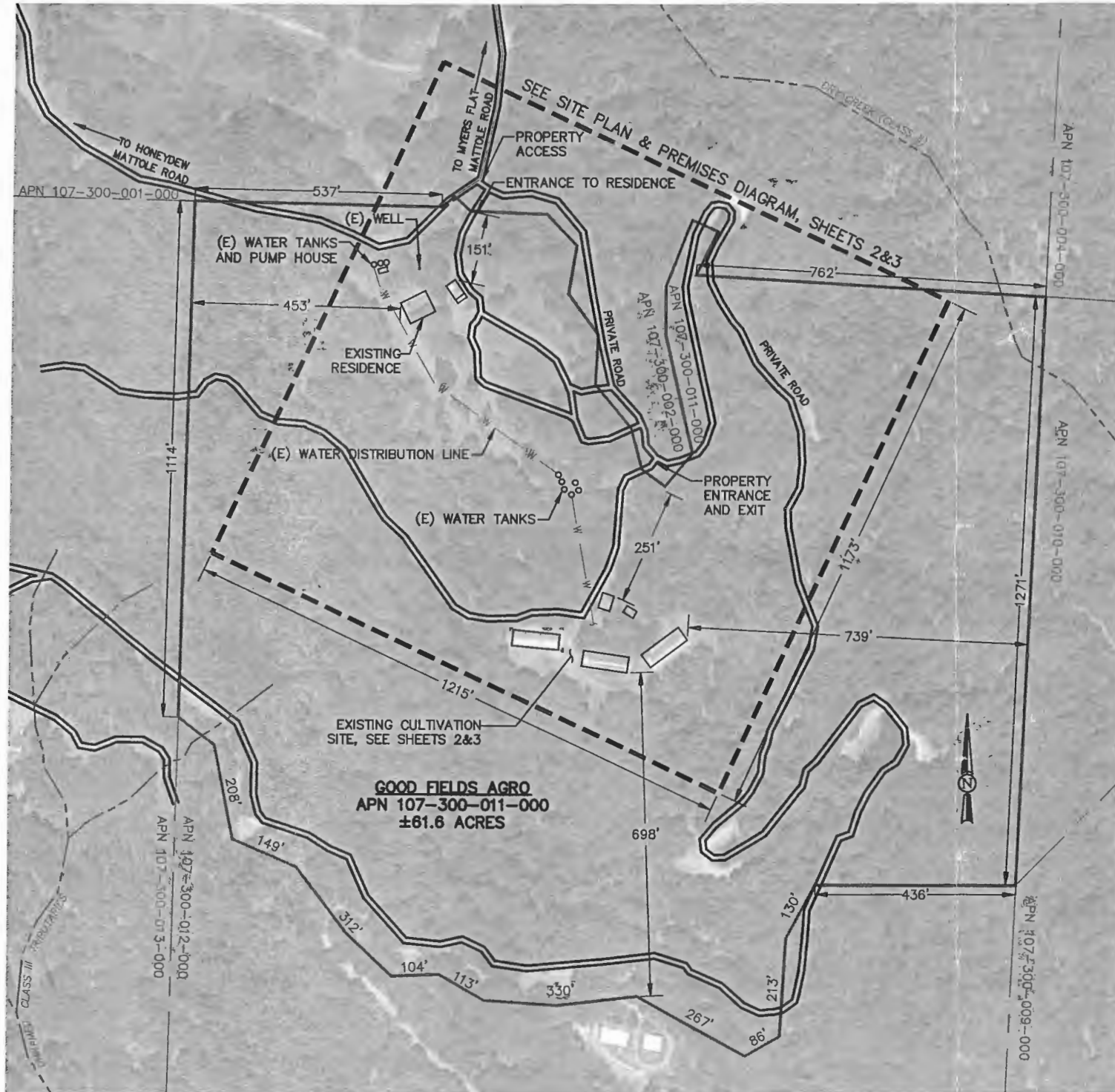


**Project Area =**

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.

**TOPO MAP**  
**PROPOSED GOOD FIELDS AGRO LLC**  
**Honeydew AREA**  
**PLN--2018-15202**  
**APN: 107-300-011-000**  
**T02S R01E S28 HB&M (BULL CREEK)**





PROPERTY DIAGRAM

0 150' 300'

GRAPHIC SCALE

**DIRECTIONS TO SITE:**

FROM HONEYDEW CA, HEAD NORTHWEST ON WILDER RIDGE ROAD, TOWARD MATTOLE ROAD. TURN RIGHT ONTO MATTOLE ROAD AND PROCEED FOR 4.6 MILES. STAY LEFT TO CONTINUE ONTO MATTOLE ROAD FOR APPROXIMATELY 2 MILES. PROPERTY ENTRANCE ON RIGHT.

**APPLICANT:**  
GOOD FIELDS AGRO  
51530 MATTOLE ROAD  
HONEYDEW, CA 95526

**SITE ADDRESS:**  
APN 107-300-011-000  
51530 MATTOLE ROAD  
HONEYDEW, CA 95526

PROPOSED FILL VOLUME: 0 CY  
PROPOSED GRADING VOLUME: 50 CY  
TREES TO BE REMOVED: 0  
WATER COURSES TO BE AFFECTED: 0

TOTAL CULTIVATION AREA: 10,000 SQ. FT

**WATER SOURCE:** PRIVATE 5" DIAM WELL (40.275823' -124.070489)

**ALL WATER STORAGE IS PRIVATE:** 6.150 GALLONS (40.274589 -124.069327)

**LAND STATUS (107-300-011-000):** TP2, WWD, IMPROVED

**GENERAL NOTES:**

1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE DIMENSIONS
2. BOUNDARY DATA ACQUIRED THROUGH HUMBOLDT COUNTY 2015 GIS DATA. ALL BOUNDARIES ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED OR SURVEYED.

**PROJECT DESCRIPTION:**

1. PERMIT 10,000 SQ. FT OF EXISTING MIXED LIGHT CULTIVATION.

**LEGEND**

- PARCEL BOUNDARY
  - SUBJECT PARCEL BOUNDARY
  - 240 --- 120' CONTOUR
  - 160 --- 40' CONTOUR
  - STREAM CENTERLINE
  - RIPARIAN BUFFER
  - STRUCTURES
  - w --- WATER DISTRIBUTION LINE
  - GRADED EXTENTS
  - === ROADS
  - === ROADS TO DECOMMISSION
  - > ROAD SURFACE DRAINAGE
  - SECTION VIEW
- SECTION --- SHEET NUMBER

**REVISIONS**

REV DESCRIPTION

BY

DATE

1-30-19

**RINEHART  
ENGINEERING**  
(707) 498-3414  
RINEHARTENGINEERING@GMAIL.COM

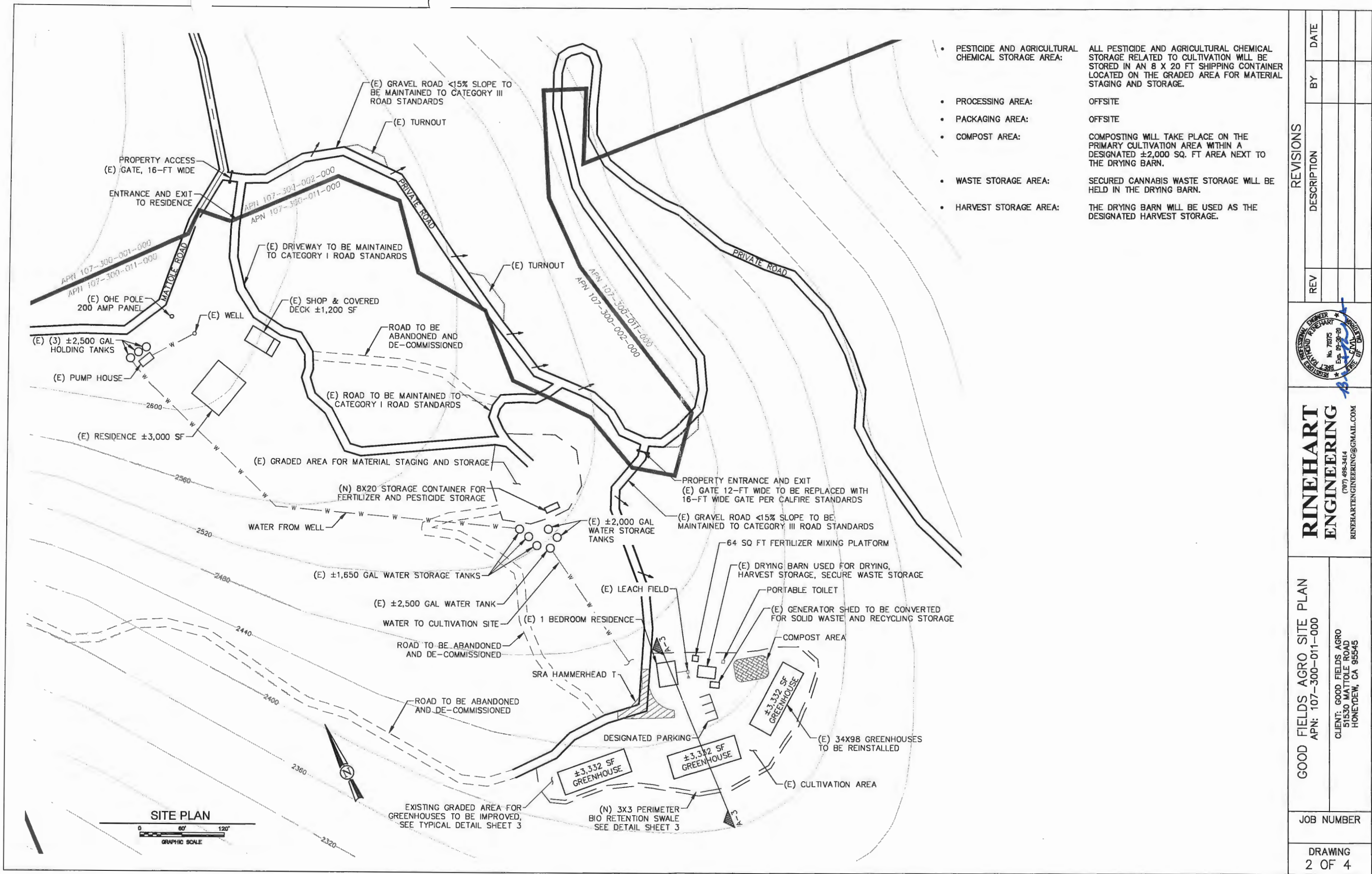
**GOOD FIELDS AGRO SITE PLAN**  
APN: 107-300-011-000

CLIENT: GOOD FIELDS AGRO  
51530 MATTOLE ROAD  
HONEYDEW, CA 95545

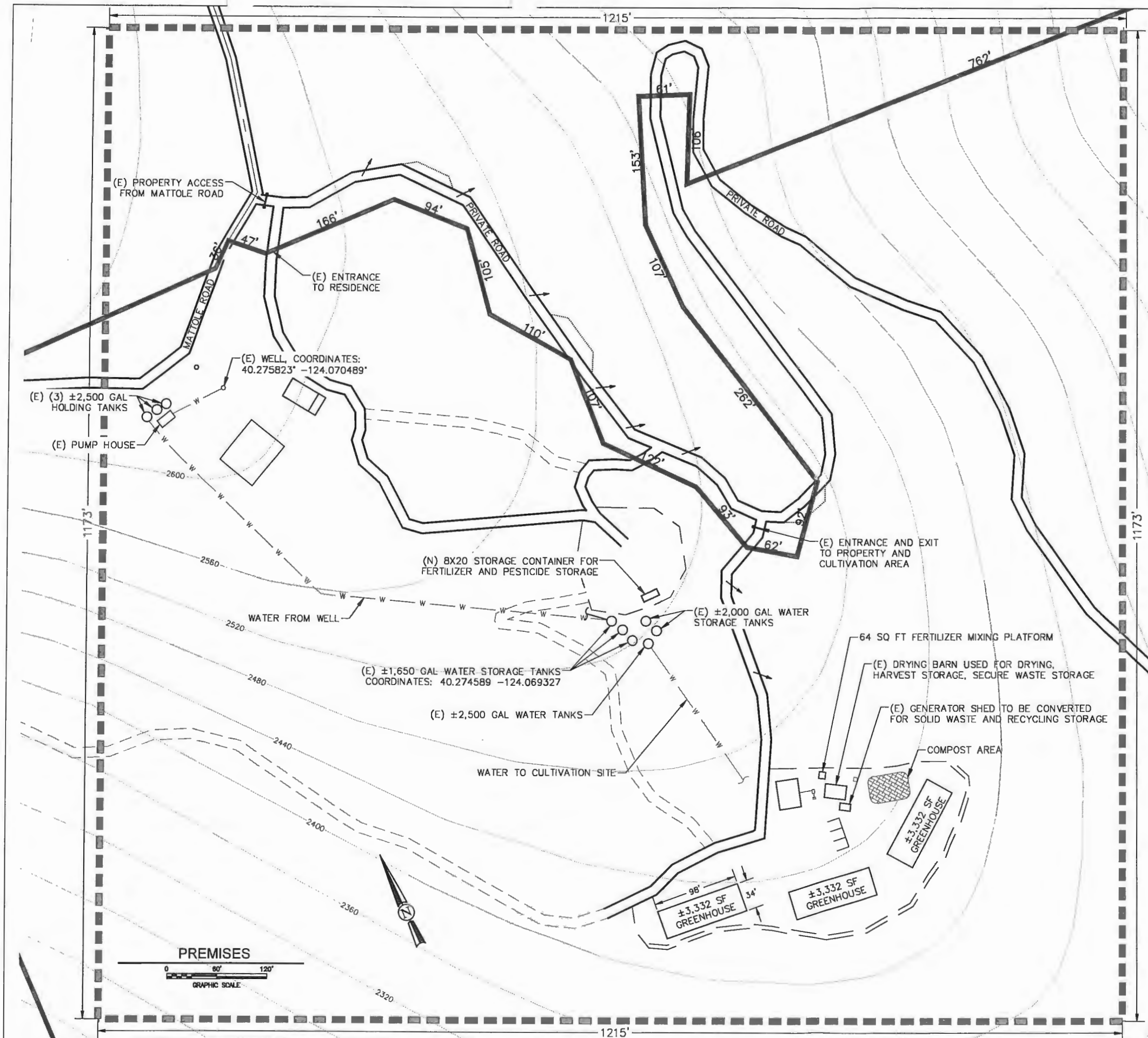
JOB NUMBER

DRAWING  
1 OF 4









- PESTICIDE AND AGRICULTURAL CHEMICAL STORAGE AREA: ALL PESTICIDE AND AGRICULTURAL CHEMICAL STORAGE RELATED TO CULTIVATION WILL BE STORED IN AN 8 X 20 FT SHIPPING CONTAINER LOCATED ON THE GRADED AREA FOR MATERIAL STAGING AND STORAGE.
- PROCESSING AREA: OFFSITE
- PACKAGING AREA: OFFSITE
- COMPOST AREA: COMPOSTING WILL TAKE PLACE ON THE PRIMARY CULTIVATION AREA WITHIN A DESIGNATED ±2,000 SQ. FT AREA NEXT TO THE DRYING BARN.
- WASTE STORAGE AREA: SECURED CANNABIS WASTE STORAGE WILL BE HELD IN THE DRYING BARN.
- HARVEST STORAGE AREA: THE DRYING BARN WILL BE USED AS THE DESIGNATED HARVEST STORAGE.

REVISIONS		
REV	DESCRIPTION	DATE



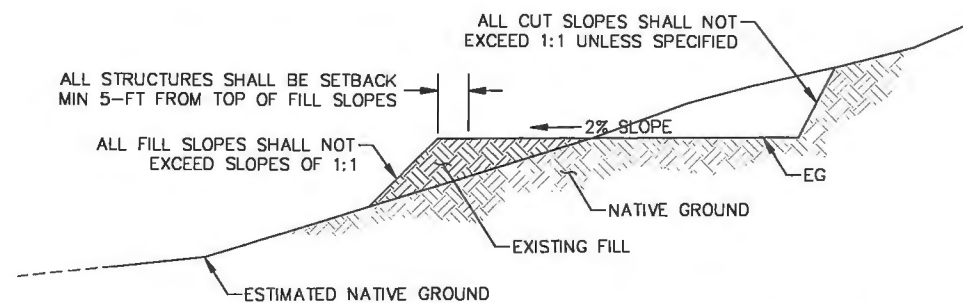
**RINEHART ENGINEERING**  
 (707) 998-3414  
 RINEHARTENGINEERING@GMAIL.COM

GOOD FIELDS AGRO SITE PLAN  
 APN: 107-300-011-000  
 CLIENT: GOOD FIELDS AGRO  
 51530 MATTOLE ROAD  
 HONEYDEW, CA 95545

JOB NUMBER

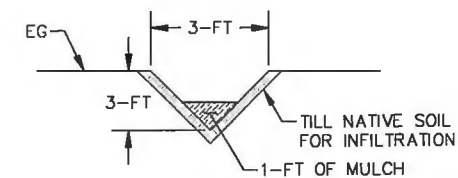
DRAWING  
 3 OF 4



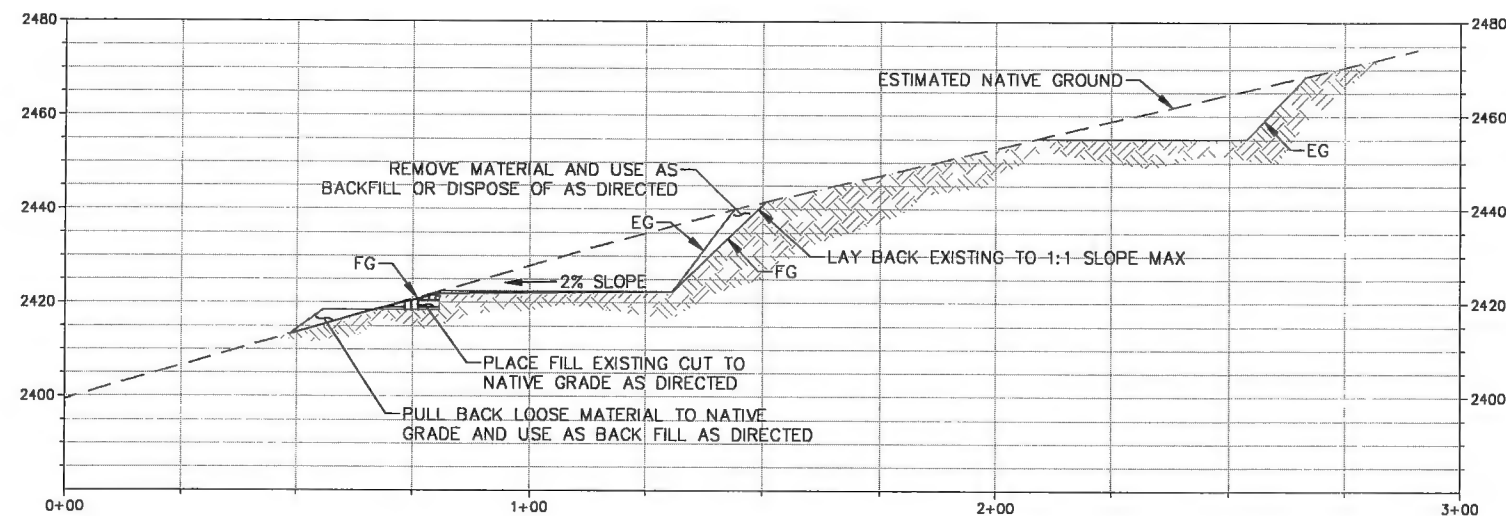


**EXISTING GREENHOUSE GRADED PAD**  
NOT TO SCALE

- NOTES:**
- LOOSE MATERIAL SHALL BE REMOVED, TRACKED, AND WADDLED AS DIRECTED.
  - ALL CORRECTIVE GRADING SHALL CONFORM TO HUMBOLDT COUNTY TITLE III, DIVISION 3, SECTION 331-12
  - SLOPES NOT TO EXCEED 2:1 UNLESS SPECIFIED.
  - ALL DISTURBED SLOPES SHALL BE STAKED WITH WADDLES EVERY 10-FT, SPREAD WITH STRAW, AND RE-SEEDED WITH APPROVED NATIVE GRASS MIX.
  - ALL FINISHED GRADE SHALL MAINTAIN POSITIVE DRAINAGE



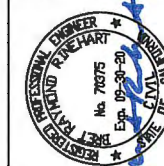
**BIO SWALE DETAIL**  
NOT TO SCALE



**SECTION A**



REVISIONS		
REV	DESCRIPTION	DATE



**RINEHART  
ENGINEERING**  
(707) 498-3414  
RINEHARTENGINEERING@GMAIL.COM

GOOD FIELDS AGRO SITE PLAN  
APN: 107-300-011-000

CLIENT: GOOD FIELDS AGRO  
51530 MATTOLE ROAD  
HONEYDEW, CA 95545

JOB NUMBER

DRAWING  
4 OF 4

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

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

1. The applicant shall execute a Compliance Agreement with the Humboldt County Planning Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #5-15. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. All mixed light cultivation used in the appurtenant nursery shall comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare (BUG). International Dark Sky Association standards exceed the requirements of 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. 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. No mixed-light in the cultivation operation is authorized by this permit until the structures and greenhouses can be demonstrated to comply with these standards.
3. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding any hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
4. Noise generated from generators shall not exceed 50db at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer, as required by Section 314-55.4.12.6 Humboldt County Code. No mixed-light is authorized by this permit until the cultivation greenhouses can be demonstrated to comply with these standards.
5. The applicant shall obtain all necessary building permits and grading permits from the Building Inspection Division (BID) for all structures related to the commercial cannabis cultivation operation, including all greenhouses, agricultural buildings, sheds, and barns used in cultivation. The applicant shall submit floor plans including dimensions with electrical, mechanical and plumbing details for all existing Agriculture Exempt Structures and an Agriculture Exempt letter of intent for each. The applicant shall submit two complete sets of construction plans developed by a California-licensed engineer for the building permits. All building plans submitted for approval shall be consistent with those approved by the Zoning Administrator.
6. Prior to construction of greenhouses and initiation of operation, the applicant shall provide a protocol level survey by a qualified biologist to determine presence of golden eagles and other potentially nesting raptors.

7. The applicant shall provide evidence of mowing the cultivation area flat on a continual basis following the rainy season and prior to construction. Alternatively, the applicant shall provide a preconstruction survey for ground-dwelling songbird species
8. The applicant shall complete and implement all corrective actions detailed within the WRPP developed for the parcel (attached) prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board (RWQCB) Cannabis Waste Discharge Regulatory Program, including those measures later determined necessary during annual and periodic site inspections in accordance with the monitoring element. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the RWQCB a letter or similar communication from the RWQCB verifying that all their requirements have been met by the listed dates or the applicant has proven to the satisfaction of RWQCB that the plan to complete the improvements by the listed dates is sufficient, will satisfy this condition.
9. The applicant shall provide a copy of the Notice of Applicability from the SWRCB.
10. The applicant shall provide the Planning Department of copy of the Site Management Plan developed for the parcel prepared pursuant to Tier 1 enrollment under the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy, General Order. The applicant shall provide substantial evidence that all corrective actions detailed within the Site Management Plan have been completed.
11. The applicant shall implement all corrective actions detailed in the Timber Conversion Mitigation Report. A monitoring report shall satisfy this condition.
12. The applicant shall contact the local fire service provider [Honeydew Volunteer Fire Company] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
13. The driveway shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects Mattole Road. 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.
14. All 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.
15. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
16. 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.

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

1. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
2. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
3. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO and MAUCRSA, as applicable to the permit type.
4. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort towards compliance can be shown within the two years following the issuance of the provisional clearance or permit, The Planning Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow for additional time to meet the outstanding requirements.
5. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
6. Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
7. Confinement of the area of cannabis cultivation, processing, manufacture or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, or Tribal Cultural Resources, except where a reduction to this setback has been approved pursuant to County Code Section 55.4.11(d).
8. Maintain enrollment in Tier 1, 2 or 3, certification with the NCRWQCB Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
9. For cultivation area(s) for which no enrollment pursuant to RWQB Order No. R1-2015-0023 is required by that Order, comply with the standard conditions applicable to all Tier 1 dischargers.



10. 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).
11. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
12. Pay all applicable application, review for conformance with conditions and annual inspection fees.
13. Power is to be supplied by PG&E. If the project is modified to use a generator for cannabis operations the noise from the generator or fans shall not be audible by humans from neighboring residences. The decibel level for generators measured at the property line shall be no more than 50 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 50 decibels as measured at 100 feet from the generator or at the edge of the nearest Marbled Murrelet or Spotted Owl habitat, whichever is closer.
14. Storage of Fuel - Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
15. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
16. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Section 719-1 et seq.).
17. Participate in and bear costs for permittee's participation in the Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner.
18. The use of monofilament netting for all uses, including but not limited for erosion control, shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.
19. Leave wildlife unharmed. If any wildlife is encountered during the Authorized Activity, Permittee shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed.
20. The environmental impacts of improper waste disposal are significant and well documented. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
21. Artificial light used in cultivation operation will adhere to shielding and International Dark Sky Association standards as set forth in the CCLUO.

#### Performance Standards for Cultivation and Processing Operations

22. Pursuant to the MAUCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations

Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."

23. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
24. Cultivators engaged in processing shall comply with the following Processing Practices:
  - I. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
  - II. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
  - III. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
  - IV. Employees must wash hands sufficiently when handling cannabis or use gloves.
25. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
  - i. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
    - 1) Emergency action response planning as necessary;
    - 2) Employee accident reporting and investigation policies;
    - 3) Fire prevention;
    - 4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
    - 5) Materials handling policies;
    - 6) Job hazard analyses; and
    - 7) Personal protective equipment policies, including respiratory protection.
  - ii. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
    - 8) Operation manager contacts;
    - 9) Emergency responder contacts;
    - 10) Poison control contacts.
  - iii. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
  - iv. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
26. All cultivators shall comply with the approved Processing Plan as to the following:
  - i. Processing Practices.
  - ii. Location where processing will occur.
  - iii. Number of employees, if any.
  - iv. Employee Safety Practices.
  - v. Toilet and handwashing facilities.

- vi. Plumbing and/or septic system and whether or not the system is capable of handling increased usage.
- vii. Drinking water for employees.
- viii. Plan to minimize impact from increased road use resulting from processing.
- ix. On-site housing, if any.

27. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation Special Permit issued pursuant to the CCLUO shall expire after one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.

If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the Special Permit or permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13 of the CCLUO.

28. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located will not support diversions for irrigation.

Permittee further acknowledges and declares that:

- (1) All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt for commercial cultivation, processing, manufacturing, and distribution of cannabis for adult use or medicinal use within the inland area of the County of Humboldt, shall at all times be conducted consistent with the provisions of the approved County permit; and
- (2) 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 State of California Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA") (SB 94), will be distributed within the State of California; and
- (3) All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with the State of California MAUCRSA.

29. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CCLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:

- (1) Identifying information for the new Owner(s) and management as required in an initial permit application;

- (2) A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
- (3) The specific date on which the transfer is to occur; and
- (4) Acknowledgement of full responsibility for complying with the existing permit; and
- (5) Execution of an Affidavit of Non-diversion of Commercial Cannabis.

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

**Informational Notes:**

1. Pursuant to Section 314-55.4.6.5.7 of the CCLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state of county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit.

2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where the Compliance Agreement per Condition of Approval #1 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #27 of the On-Going Requirements /Development Restrictions, above.

3. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code Section 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code Section 5097.98. Violators shall be prosecuted in accordance with Public Resources Code Section 5097.99.

4. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

5. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will send a bill to the Applicant for all staff costs incurred for review of the project for conformance with the conditions of approval. All Planning fees for this service shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.



6. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. Within three days of the effective date of permit approval, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOD and will charge this cost to the project.

7. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions prior to release of building permit or initiation of use and at time of annual inspection. In order to demonstrate that all conditions have been satisfied, applicant is required to pay the 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) 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.

8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled *Cannabis Palm Card* and *Cannabis Rack Card*. This information shall also be provided to all employees as part of the employee orientation.

## ATTACHMENT 2

### Required Findings for Approval

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

The County Zoning Ordinance, Sections 312-1.1.2 and 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specifies the findings that are required to grant a Special Permit:

1. The proposed development is in conformance with the County General Plan, the Open Space Plan, and the 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.

**1. The proposed development must be consistent with the General Plan.** The following table identifies the substantial evidence which supports finding that the proposed development is in conformance with all applicable policies and standards of the Humboldt County General Plan 2017, the Open Space Plan, and the Open Space Action Plan.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations 4.8</p>	<p><b>Timberland (T):</b> This designation is utilized to classify land that is primarily suitable for the growing, harvesting and production of timber. Prairie and grazing lands may be intermixed.</p> <p>Density range is 40-160 acres/unit.</p>	<p>The proposed project includes 10,000 square feet of mixed-light cannabis cultivation on lands designated as Timberland. General agriculture is allowable use type for this designation.</p>
<p>Circulation Chapter 7</p>	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1,CT-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County. (C-G4, C-G5)</p> <p>Related policies: C-P3. Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>The subject parcel is accessed via a private driveway directly off Mattole Road, a paved County-maintained road which passes through the subject parcel. No Road Evaluation Report was provided because the driveway access off Mattole Road occurs within the subject parcel. In addition, the applicant provided a Road System Assessment and Improvement Plan prepared by Rinehart Engineering that assesses the private driveway that occurs on interior of the parcel.</p> <p>Public Works has commented and requested conditions of approval. The driveway intersection at Mattole Road shall be maintained in accordance with the County Site Visibility Ordinance and have a paved encroachment 20 feet wide and 50 feet long. All fences and gates shall be relocated out of the County right of way. These have been included as Conditions of Approval for the project.</p>
<p>Housing Chapter 8</p>	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of</p>	<p>The project does not involve residential development, nor is the project site part of the Housing element Residential Land Inventory. However, the project will not preclude any future residential development. The project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in</p>

	<p>housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory.</p>	<p>determining compliance with housing element law.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces. (CO-G1, CO-G3)</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program.</p>	<p>The proposed project is located within Open Space Land Plan because the project site is planned Timberland and is zoned Agriculture Exclusive and Timber Production Zone. The project can be found consistent with the Open Space Plan because the proposed project is consistent with the allowable uses of the Land Use Designation.</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 cultivation site is at the top of the Dry Creek drainage that is tributary to the Mattole River, in the Middle Mattole River subwatershed. Dry Creek, a Class II stream, runs through the northeast corner of the parcel. A Class III ephemeral watercourse is located in the southwest corner of the parcel. The cultivation area is setback more than 600 feet from watercourses.</p> <p>Northern Spotted Owl activity center is approximately 1.8 miles northwest of the cultivation area. Fully automated greenhouse controls will be applied to ensure that lights are only on when tarps are fully drawn. These settings will ensure that no light escapes the greenhouses between sunset and sunrise. A condition of approval stipulates that no mixed-light cultivation is authorized until these measures can be shown to be met. Ongoing operational conditions require the applicant to maintain noise levels no more than 50 decibels as measured 100 feet from the source. Indirect effects on wildlife from light and noise will be mitigated by adherence to performance</p>



		<p>standards for generator and mixed-light greenhouse use.</p> <p>A Biological Report was prepared for the site by Natural Resources Management on December 13, 2018. The report evaluated the presence of and habitat for rare and sensitive species in the project area. No special status wildlife was observed on the site. The report identified potential habitat for special status plant species such as Howell's Montia. A Supplemental Botanical Survey was provided by NRM in July 2019. The survey timing coincided with the bloom windows of the target species. Although disturbed opening in forest and rocky soils provided potential habitat for sensitive species, the survey did not identify any listed species at the project site. The report did identify the site has potential nesting habitat for golden eagles. The management recommendations of the Biological Report include conducting a protocol level survey for nesting golden eagles within 500 feet of the project site prior to the short-term noise impacts created by construction of greenhouses. Per the Biological Report recommendations, the applicant shall mow the grass surrounding the cultivation area or provide a survey for nesting songbirds two weeks prior to construction. A condition of approval requires the biological management recommendations be met prior to ground-disturbing activities. The project was referred to CDFW and CDFW commented on the project. The project as conditioned to mitigate light and noise, and conduct surveys prior to construction, satisfied CDFW requests.</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>The project was referred to the Northwest Information Center (NWIC), the Bear River Band of the Rohnerville Rancheria and Intertribal Sinkyone Wilderness Council. NWIC responded indicating a Cultural Resource Survey may be needed. The Bear River Band responded indicating an archaeological survey is not required at this time. The Bear River Band THPO recommended a condition of project approval be incorporated regarding</p>

	Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation.	inadvertent discovery protocol. Ongoing conditions of approval are incorporated regarding the inadvertent discovery protocol to protect cultural resources.
Conservation and Open Space Chapter 10  Scenic Resources Section 10.7	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)  Related policies: SR-S4. Light and Glare	Mixed light cannabis cultivation will utilize artificial lighting. The CCLUO requires that mixed-light cultivation comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). International Dark Sky Association Standards exceed the requirements of Scenic Resources Standard SR-4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. Conditions of approval require the applicant cover greenhouses with lightproof covers during hours when supplemental lighting is applied. As conditioned, the project complies with International Dark Skies Association standards.
Water Resources Chapter 11  Stormwater Drainage	Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy. (WR-G1, WR-G2, WR-G7, WR-G8, WR-G9)  Related policies: WR-P10. Erosion and Sediment Discharge; WR-42 Erosion and Sediment Control Measures.	The applicant is required to enroll in the State Cannabis Discharge program. Conditions of approval require the applicant to submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Applicability and a Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.

<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution. (WR-G6, WR-G9, WR G10)</p> <p>Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P20. On-Site Sewage Disposal Requirements.</p>	<p>The site is developed with a single-family residence served by an unpermitted septic system. The applicant provided a receipt of portable toilets that will be used for cultivation staff on a continual basis. The project was referred to the County Division of Environmental Health which has recommended conditional approval of the project. As a condition of approval, the applicant must demonstrate that a properly functioning onsite wastewater treatment system serves the operation, and continue to furnish receipts showing the continual use of portable bathroom facilities until the OWTS is permitted.</p>
<p>Noise Chapter 13</p>	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards. (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.</p>	<p>The subject parcel is not located in an area that requires special noise attenuation measures due to proximity to known noise sources. Power is provided by PG&amp;E Northern Spotted Owl (NSO) activity center is 1.77 miles to the northwest of the project site. Marbled murrelet habitat is approximately 0.67 miles to the northeast of the project area. Potential impacts to habitat are minimized as power to the subject parcel is provided by grid power supplied by PG&amp;E. On-going conditions of approval require noise from the operation not to exceed 50 dB as measured 100 feet from the source.</p>
<p>Safety Element Chapter 14</p> <p>Geologic &amp; Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury. (S-G1, S-G2)</p>	<p>The parcel is mapped as having moderate geologic instability. The project site is not located in a mapped Alquist-Priolo fault zone or subject to liquefaction. The flat where cultivation occurs is in an area mapped with historic landslides. According to USGS data layer on Humboldt County WebGIS, the slopes where cultivation occur are variable from 15% to 30%. An R-2 Engineering Soil Stability Report has been prepared by Rinehart Engineering for the parcel (see Attachment 4). The report finds the existing as-built structures and grading will not contribute to substantial geologic hazards. As a condition of approval, the applicant will obtain all grading and building permits from the Building</p>

	Related policies: S-P11. Site Suitability, S-P7. Structural Hazards.	Inspection Division (BID). The existing uses, which are proposed to continue, are not expected to be affected by geologic instability. The project does not pose a threat to public safety related from exposure to natural or manmade hazards.
Safety Element Chapter 14  Flooding	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)  Related policies include: S-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.	The subject site is outside any mapped flood hazard areas. The project site is not within a mapped dam or levee inundation area and is outside the areas subject to tsunami run-up.
Safety Element Chapter 14  Fire Hazards	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.  Related policies: S-P15, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.	The subject parcel is located within an area with a high fire hazard severity. The subject property is located within the Honeydew Volunteer Fire Department response area and within the State Fire Responsibility Area for fire protection (CAL-FIRE). California Department of Forestry and Fire Protection comments recommended compliance with the requirements of the County's Fire Safe Regulations. The Humboldt County Fire Safe Ordinance (Section 3111-1 <i>et seq.</i> ) establishes development standards for minimizing wildfire danger in state responsibility designated areas.  With respect to the Fire Safe Ordinance (Section 3111-1 <i>et seq.</i> ), all existing and proposed improvements are setback at least 30 feet from all property lines. Applicant has a designated fire turn-around and pullout area for emergency vehicles and 2,500 gallons of water storage dedicated for fire suppression.
Community Infrastructure and Services Element Chapter 5	IS-S5 requires new industrial, commercial and residential development located outside of fire district boundaries to obtain written acknowledgment of available emergency response and fire suppression services from the	To implement this policy, conditions of approval for the proposed project required the applicant to contact the local fire service provider [Honeydew Volunteer Fire Company] and furnish written documentation from that agency of the available emergency response and fire suppression services and any



Implementation Action Plan	local fire agency, including any recommended mitigation.	recommended project mitigation measures. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division.
Air Quality Chapter 15	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements. (AQ-G3)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading Dust Control, AQ-P7. Interagency Coordination.</p>	Applications for grading and/or building permits shall be referred to the North Coast Unified Air Quality Management District (NCUAQMD) for review and consultation. Dust control practices during construction and grading shall achieve compliance with NCUAQMD fugitive dust emission standards.

**2. Zoning Compliance and 3. Conforms with applicable standards and requirements of these regulations:** The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section	Summary of Applicable Requirements	Evidence That Supports the Zoning Finding
§312-1.1.2  Legal Lot Requirement	Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	The parcel of land known as APN 107-300-011 is described as Parcel Map 2237, Book 19 of Parcel Maps, page 134. There is no evidence indicating there have been any subsequent acts to merge or divide this parcel. Therefore, the subject parcel was lawfully created in its current configuration and can be developed as proposed.
314-7.4 Timberland Production Zone	<b>TPZ:</b> This zone is intended to provide standards and restrictions for the preservation of timberlands for growing and harvesting timber.	The proposed project is a Special Permit for 10,000 square feet of existing cannabis cultivation on a parcel zoned TPZ. The proposed use is an agricultural use that is specifically allowed with a Special Permit in this zoning district under Section 314-55.4.5.1.3 of the Humboldt County Code.
Min. Lot Size	160 acres  40 acres of the provisions of Government Code Section 51119.5 are met.	65.47 acres
Min. Lot Width	None specified	2,650 feet
Max. Ground Coverage	None specified	<40%
Minimum Yard Setbacks:  (Through the SRA requirements)	Front: 20 feet Rear: 30 feet Side: 30 feet  SRA: 30 feet, all sides	>30 feet all sides
Max. Building Height	None specified	<35 feet
§314-61.1 Streamside Management Area (SMA)	Purpose: To provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.	The cultivation site is at the top of the Dry Creek drainage that is tributary to the Mattole River, in the Middle Mattole River subwatershed. Dry Creek, a Class II stream, runs through the northeast corner of the parcel. A Class III ephemeral watercourse is located in the southwest corner of the parcel. The cultivation area is setback more than 600 feet from watercourses. No project activities are proposed in the SMA. The irrigation water

		source is a well. The project was referred to the California Department of Fish and Wildlife (CDFW). CDFW commented on the project and did not have comments regarding the Streamside Management Area. The project will not impact any SMAs and therefore no Special Permit is required.
Off-Street Parking §314-109.1	<p>Off Street Parking: Multiple Use and Joint Use: whenever more than one use is proposed for a development site, the total off-street parking spaces required shall be the sum of the spaces required for each use.</p> <p>Agricultural use*: Parking space per employee at peak shift. A minimum of three parking spaces are required.</p> <p><i>*Use for this activity is not specified. Per Section 314-109.1.2.9, the Director may fix the required number of parking spaces based on standards for most comparable use.</i></p>	2 spaces
<b>314-55.4 Commercial Cultivation, Processing, Manufacturing and Distribution of Commercial Cannabis Inland Land Use Regulation (CCLUO)</b>		

§314-55.4.5.4  Permit Limits and Permit Counting	No more than eight acres of Commercial Cannabis permits may be issued to a single Person. No more than ten (10) Persons shall be granted permits authorizing three (3) or acres of cultivation pursuant to the provisions of 55.4.6.1.2(c).	According to records maintained by the Planning Department, Good Fields Agro, LLC submitted one application proposing 10,000 square feet of existing cultivation area and is entitled to eight acres. This application is one Special Permit for a 10,000-square-foot cultivation area.
§314-55.4.6.0  Conversion of Timberland	Cultivation sites may only be located within an Non-Forested area that was in existence prior to January 1, 2016.	A review of aerial imagery on the Humboldt County WebGIS, TerraServer® and Google Earth shows the parcel has a naturally open area that was initially developed between 2005 and 2009 and enlarged to its present condition by September 18, 2015. A Registered Professional Forester (RPF) prepared a timber conversion evaluation for the project. The RPF identified 1.1 acres of total conversion occurred in the cultivation flat. The report recommends all slash, woody debris and logs be treated. In addition, the RPF recommends avoiding storm-water runoff concentration on the slopes around the cultivation site. No further timber removal occurred on the parcel after January 1, 2016. No trees are proposed to be removed as part of the project. A condition of approval requires the implementation of the RPF's recommended remedial measures.
§314-55.4.6.4.4  Standard Setbacks	The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, 300 feet from any residence on an adjacent parcel or 270 feet from any undeveloped adjacent parcel, 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs) and 1,000 feet from all Tribal Ceremonial Sites.	The applicant's site plan shows that the cultivation area conforms to the 600-foot setback for schools, school bus stops, parks, or places of religious worship. The Cultural Resources Study performed by Roscoe and Associates, and the Tribal Historic Preservation Officer who reviewed the study, have indicated that there are not any nearby Tribal Cultural Resources or Tribal Ceremonial Sites.
§314-55.4.11 Application Requirements	Identifies the Information Required for All Applications	Attachment 4 identifies the information submitted with the application and shows all the required information was received.

§314-55.4.12 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities.	All the applicable performance standards are included as conditions of project approval. They are required to be met throughout the timeframe of the permit.
§314-55.4.12.1.8 Performance Standards–  Road Systems	Roads providing access to any parcel(s) or premises on which commercial cannabis activities occur must comply with standards regarding dead-end road length, functional capacity and private road systems.	<p>The subject parcel is accessed via a private driveway directly off Mattole Road, a paved County-maintained road which passes through the subject parcel. No Road Evaluation Report was provided because the driveway access off Mattole Road occurs within the subject parcel. In addition, the applicant provided a Road System Assessment and Improvement Plan prepared by Rinehart Engineering that assesses the private driveway that occurs on interior of the parcel.</p> <p>Public Works has commented and requested conditions of approval. The driveway intersection at Mattole Road shall be maintained in accordance with the County Site Visibility Ordinance and have a paved encroachment 20 feet wide and 50 feet long. All fences and gates shall be relocated out of the County right of way. These have been included as Conditions of Approval for the project.</p>



§314-55.4.12.1.10 Performance Standards–  Biological Resource Protection	Projects proposing new development activities shall provide the necessary information to implement Mitigation Measures 3.4-1a – 3.4-1l, 3.4-3a, 3.4-4, 3.4-5 and 3.4-6 from the Final Environmental Impact Report.	A Biological Report was prepared for the site by Natural Resources Management Corporation on December 13, 2018. A Supplemental Report was submitted on July 29, 2019. Northern Spotted Owl activity center is approximately 1.77 miles northwest of the cultivation area. There was no suitable nesting or foraging habitat on the parcel according to the Biological Report. The findings did not identify direct effects on any sensitive or rare plant or animal species due to project activities. Indirect effects from light and noise will be mitigated by adherence to performance standards for generator and mixed-light greenhouse use. The report recommended a protocol level survey for nesting golden eagles prior to project construction activities. Adherence to the management recommendations of the Biological Report is included as a condition of approval.
§314-55.4.12.2 Performance Standards–  Commercial Cannabis Cultivation	Identifies the Performance Standards for Cannabis Cultivation Activities.	The project as proposed and conditioned meets all of the requirements stipulated in the cited section. In Attachment 1, these performance standards have been incorporated into the On-going Conditions of Approval that must be satisfied for the life of the project.
§314-55.4.12.4 Performance Standards–  Light Pollution Control	<p>a) Structures used for Mixed Light Cultivation and Nurseries shall be shielded so that no light escapes between sunset and sunrise.</p> <p>b) Where located on a Parcel abutting a residential Zoning District or proposed within Resource Production or Rural Residential areas, any Security Lighting for Commercial Cannabis Activities shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses.</p>	The proposed project is for 10,000 square feet of existing mixed-light cannabis cultivation. Clones are sourced off site from a licensed nursery. Supplemental lighting is used to extend vegetative growth in the three greenhouses. Lighting will consist of five (5) 250 W CFL bulbs per greenhouse. Fully automated greenhouse controls will be applied to ensure that lights are only on when tarps are fully drawn. These settings will ensure that no light escapes the greenhouses between sunset and sunrise. A condition of approval requires that no mixed-light cultivation is authorized until these measures can be shown to be met.

§314-55.4.12.5 Performance Standards–  Energy Use	<p>All electricity utilized by Commercial Cannabis Cultivation, Manufacturing or Processing activities shall conform to one or more of the following standards:</p> <ul style="list-style-type: none"> <li>• Grid power supplied from 100% renewable source; and</li> <li>• On-site renewable energy system with twenty percent net non-renewable energy use</li> </ul> <p>Grid power supplied by partial or wholly non-renewable source with purchase of carbon offset credits.</p>	<p>The power source for the project will be conventional grid power supplied by Pacific Gas and Electric, with 100% renewable energy purchased through the Redwood Coast Energy Authority's RePower+ program. No generators will be used.</p>
§314-55.4.12.6 Performance Standards–  Noise	<p>Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site. Existing ambient noise levels shall be determined by take twenty-four measurements on three or more property lines when all cannabis related activities are not in operation.</p>	<p>Power is provided by P.G.&amp;E. No generator is used on site. According to the Noise Source Assessment provided in the application, additional cultivation related noise will be generated from the compost tea mixer motors, heavy equipment used during construction of greenhouses and maintenance, dehumidifiers, and fans used for air circulation in the greenhouses. Ambient noise was measured as 40 decibels on 12/4/2018. The nearest Northern Spotted Owl activity center is approximately 1.8 miles northwest of the cultivation area. The Biological Report recommended a protocol level survey for nesting golden eagles within 500 feet of the project site prior to the short-term noise impacts created by construction of greenhouses. Implementation of the biological management recommendations is included as a condition of approval. Ongoing operational conditions require the applicant to maintain noise levels no more than 50 decibels as measured 100 feet from the source.</p>

<p>§314-55.4.12.7 Performance Standards –</p> <p>Cannabis Irrigation</p>	<p>A Special Permit shall be required where Irrigation of Commercial Cannabis Cultivation Activities occurs wholly or in part using one or more Diversionary sources of water. All Cannabis Irrigation, regardless of cultivation area, shall be subject to documentation of water use, forbearance periods and storage requirements, metering and recordkeeping.</p>	<p>Water to the site is supplied by a permitted groundwater well (DEH 11/12-1306). The applicant provided a well hydrogeologic analysis by Rinehart Engineering. The analysis looked at the well completion report and geologic characteristics to conclude the well water is not hydrologically connected to surface water. The project was referred to the Division of Environmental Health. DEH commented that there was no record of the well. Staff corresponded by email with DEH and it was agreed that the well permit has the subject parcel number and shows the project location. The project was referred to the Department of Water Resources- Division of Water Rights. The referral response recommended approval and noted that no SIUR is needed for the groundwater well. The applicant provided a Notification of Lake or Streambed Alteration to California Department of Fish and Wildlife (CDFW) disclosing the well. CDFW commented on the project and requested the well be evaluated annually for drawdown. A condition of approval is included requiring the applicant provide the results of an annual pump test evaluating draw down.</p>
<p>314-55.4.12.10 Performance Standards –</p> <p>Soils Management</p>	<p>A soils management plan shall be provided detailing the use of imported and native soil on the Parcel(s) or Premises. The plan shall provide accounting for the annual and seasonal volume of soil that is imported and exported and documentation of the approved location of any Parcel(s) used for off-site disposal of spent soil if this occurs or is proposed.</p>	<p>The project has previously imported soil to be used in cultivation. All soil remains onsite and is reused. Soils piles are covered with secured traps and surround by straw waddles or equivalent when not in use. Spent soil will be disposed of at the Fortuna transfer station.</p>

314-55.4.12.11 Performance Standards –  Existing Site Reconfiguration	Where an existing site does not conform to one or more performance standards or eligibility criteria, or cannot comply with local, state, or federal regulatory requirements, reconfiguration of the cultivation site and associated infrastructure may be permitted, provided that the reconfiguration results in an improvement in the environmental resources of the site.	The project involves a Special Permit for an existing 10,000 square foot (SF) mixed-light cannabis cultivation. The cultivation area was in existence prior to January 1, 2016 and the cultivation configuration has not changed.
314-55.4.12.13 Performance Standards –  Remediation Activities	All remediation activities shall be conducted in accordance with the requirements for Mitigation and Monitoring Plans described within 314-61.1 of the Humboldt County Code, including the standards for documentation, reporting, and adaptive management.	All proposed cultivation will occur on existing graded flats that were previously used for cannabis cultivation. The cultivation infrastructure was removed in 2018 due to an abatement order from the Code Enforcement Unit. A restoration plan was provided, and the work was completed in 2018 as part of resolving this violation. No remediation is proposed as part of the project.
314-55.4.12.16 Performance Standards –  Invasive Species Control	It is the responsibility of a certificate or permit holder to work to eradicate invasive species.	Conditions of approval require the applicant to submit an invasive species control plan to the Planning Department for review and approval. The plan shall include, but not be limited to, identification of types of invasive plant species, where they are located, and a plan to control their spread.

**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
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§312-17.1.4	The proposed development will not be detrimental to the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.	The Department finds that the proposed project will not be detrimental to the public health, safety and welfare since all reviewing referral agencies have approved the proposed project design. The project as proposed and conditioned is consistent with the general plan and zoning ordinances; and the proposed project is not expected to cause any environmental damage. All commenting agencies have recommended approval or conditional approval of the project.
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**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.

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

As lead agency, the Department prepared an Addendum to the previously adopted Environmental Impact Report (EIR) (State Clearinghouse # 2017042022) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) and adopted by the County Board of Supervisors May 8, 2018. The EIR prepared for the CCLUO established that the environmental effects of existing cultivation operations would be reduced from the baseline impacts through the regulations applied by the CCLUO. The EIR prepared for the CCLUO also established local land use regulations to allow for continued commercial cannabis operations in the unincorporated area of the County that ensure the health and safety of residents, employees, County visitors, neighboring property owners and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all mitigation measures of the EIR. The project is for the approval of an existing cultivation operation with irrigation water provided by a groundwater well, on-site drying and off-site processing. The environmental document on file include detailed discussions of all the relevant environmental issues.



**ATTACHMENT 3**

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

*Commercial Cannabis Land Use Ordinance Final Environmental Impact Report (EIR)  
(State Clearinghouse # 2017042022), January 2018*

***APN 107-300-011, 51530 Mattole Road, Honeydew, County of Humboldt***

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

**December 2019**

## Background

**Project Description and Project History** – The Commercial Cannabis Land Use Ordinance (CCLUO) updated the County's existing Commercial Medical Marijuana Land Use Ordinance (Section 313-55.4 and 314-55.4 of Chapter 3 of Division 1 of Title III of the County Code) as well as repeal of the Medical Cannabis Testing and Research Laboratories provisions and on-site consumption prohibition found in Sections 313-55.3.15, 314-55.3.15, 313-55.3.11.7, and 314-55.3.11.7 of Division 1 of Title III of the County Code, respectively. These regulations establish land use regulations for the commercial cultivation, processing, manufacturing, distribution, testing, and sale of cannabis within the County. These regulations were developed in concert with the Final Environmental Impact Report (EIR) that was adopted for the ordinance in order to implement the mitigation measures of the EIR. The EIR addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The EIR specified that the regulations established in the CCLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. The EIR prepared for the CCLUO also established local land use regulations to allow for continued commercial cannabis operations in the unincorporated area of the County that ensure the health and safety of residents, employees, County visitors, neighboring property owners and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all mitigation measures of the EIR. Commercial cannabis cultivation in existence as of December 31, 2015, was included in the environmental baseline for the EIR. The current project was contemplated by the EIR and compliance with the provisions of the CCLUO will fully mitigate all environmental impacts of the project to a less than significant level.

The modified project involves a Special Permit for 10,000 square feet of mixed-light cannabis cultivation that existed on the parcel prior to January 1, 2016. The irrigation water source is a groundwater well. Estimated annual water use is 412,458 gallons. Nine (9) hard-sided water tanks store a total of 18,950 gallons. Two workers would be on-site for the operation. Drying and curing would occur on-site, and all additional processing would take place off-site at a licensed facility. Electricity is sourced from PG&E and the applicant would participate in the "Repower+" program to obtain renewable energy.

Supplemental lighting is used to extend vegetative growth in the three greenhouses. Fully automated greenhouse controls will be applied to ensure that lights are only on when tarps are fully drawn. These settings will ensure that no light escapes the greenhouses between sunset and sunrise. A condition of approval stipulates that no mixed-light cultivation is authorized until these measures can be shown to be met. Ongoing operational conditions require the applicant to maintain noise levels no more than 50 decibels as measured 100 feet from the source.

A Biological Report was prepared for the site by Natural Resources Management on December 13, 2018. No special status wildlife was observed on the site. A Supplemental Botanical Survey was provided by NRM in July 2019. The survey timing coincided with the bloom windows of the target species, and the survey did not identify any listed species at the project site. The management recommendations of the Biological Report include conducting a protocol level survey for nesting golden eagles within 500 feet of the project site prior to the short-term noise impacts created by construction of greenhouses. A condition of approval requires the biological management recommendations be met prior to ground-disturbing activities.

The modified project is consistent with the adopted EIR for the CCLUO because it complies with all standards of the CCLUO which were intended to mitigate for impacts of new and existing cannabis operations. These include complying with County Fire Safe regulations, noise and light

attenuation measures to limit disturbance to wildlife, limiting activities to daylight hours (8 am to 5 pm), supplying irrigation water from a Services District and electricity from PG&E, and utilizing a Category 4 equivalent road system.

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

1. Substantial changes are proposed in the project which require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous Final EIR; B) significant effect previously examined will be substantially more severe than shown in the Final EIR; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

### **Summary of Significant Project Effects and Mitigation Recommended**

No changes are proposed for the Final EIR recommended mitigations. The proposal to authorize 10,000 square feet of existing mixed-light cannabis cultivation is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

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

- Cultivation and Operation Plan received December 20, 2018.
- A Site Plan prepared by Rinehart Engineering received January 31, 2019.
- Registered Professional Forester (RPF) Timberland Conversion Report prepared by Timberland Resource Consultants December 9, 2018.
- Road System Assessment and Improvement Plan prepared by Rinehart Engineering December 10, 2018.
- Engineering Geologic Soils Report (R-2) prepared by Rinehart Engineering dated November 16, 2018 and date stamped received July 17, 2019.
- Division of Environmental Health Worksheet.

- Biological Survey Report and Supplemental Botanical Survey prepared by Natural Resources Management Corporation (NRM).
- Well Completion Report (Permit 11/12-1306).

#### **Other CEQA Considerations**

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

#### **FINDINGS**

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

#### **CONCLUSION**

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

## **ATTACHMENT 4**

### **APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS**

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (Not Applicable)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Site Plan prepared by Rinehart Engineering received January 31, 2019- Attached)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; water source; irrigation plan; projected water usage; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operation Plan prepared by Bret Rinehart, PE received December 20, 2018- Attached)
5. Registered Professional Forester (RPF) Timberland Conversion Report prepared by Timberland Resource Consultants December 9, 2018. (Attached)
6. Road System Assessment and Improvement Plan prepared by Rinehart Engineering December 10, 2018. (Attached)
7. Engineering Geologic Soils Report (R-2) prepared by Rinehart Engineering dated November 16, 2018 and date stamped received July 17, 2019 (Attached)
8. Division of Environmental Health Worksheet. (On-File)
9. Biological Report prepared by Natural Resources Management Corporation (NRM) dated December 13<sup>th</sup>, 2018. (On file)
10. Supplemental Botanical Survey Report prepared by Natural Resources Management Corporation (NRM) dated July 29, 2019. (On file).

11. Well Completion Report (Permit 11/12-1306). (Attached)
12. 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)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
14. Notification of Lake and Streambed Alteration for irrigation well submitted January 30, 2019 (On file).
15. 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 Senate Bill 18 (Burton) and Assembly Bill 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 (see Informational Note #3 for examples of resources). Examples of mitigation 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 (CHRS). (On file)



# **Cultivation and Operations Plan**

**Good Fields Agro, LLC  
51530 Mattole Road  
Honeydew, CA 95545  
APN 107-300-011  
12.17.2018**



**Primary Contact:  
Bret Rinehart, PE  
Rinehart Engineering  
[rinehartengineering@gmail.com](mailto:rinehartengineering@gmail.com)  
(707) 498-3414**

## **Purpose of Cultivation and Operations Plan**

Section 314-55.4.11 of the Humboldt County Code sets forth the required elements of a Commercial Cannabis Cultivation permit application, which includes a Cultivation and Operations Plan. The purpose of this plan is to describe the cultivation and processing activities and address the following elements of a commercial cannabis cultivation operation: Irrigation including sources and water budget; Watershed Protection including storm water management; a summary of measures employed to ensure compliance with the State Water Resources Control Board (SWRCB) General Order; Materials Management including proper storage of fertilizers, pesticides, and other products; Onsite Waste Treatment, and Employee Safety.

Additionally, the Cultivation and Operations Plan addresses applicable Performance Standards for Commercial Cannabis Activities as specified in Section 314-55.4.12. Plans developed to address these standards include: Road System Management, Biological Resource Protection, Waste and Hazardous Materials Management, Protection of Archaeological Resources, Light Pollution Control, Energy Use, Noise Pollution Control, Irrigation Metering and Record Keeping, Water Storage, Soils Management, and Invasive Species Control. Annual reporting requirements are included in Appendix A.

## **Cultivation Project Description**

The commercial cannabis cultivation operation (Project) is owned and operated by Good Fields Agro, LLC. The Project described herein will take place on a 61acre site located in Honeydew, California on APN 107-300-011. The Project site is within the combined Timber Production Zone (TPZ) and Agriculture Exclusive (AE) land use designations; the cultivation site is located in TPZ portion of the parcel. The site has been in use for mixed-light cannabis cultivation (~10,000ft<sup>2</sup>) on a year-round basis for over 10 years. The cultivation site is at least 270 feet from adjacent, separately owned property lines and over 900 feet away from nearby surface waters. The cultivation site is not near any sensitive receptors.

The Project will consist of 9,996ft<sup>2</sup> of existing mixed-light cultivation, permissible under Humboldt County Code 314-55.4.6.5 when in compliance with performance standards and accompanied by a CAL-FIRE less than 3acre conversion exemption. A registered professional forester from Timberland Resource Consultants (TRC) was retained to evaluate the previous timber conversion at this site. TRC has prepared the documentation required for the less than 3acre exemption as per the methodology laid out in Section 314-55.4.12.2.4. The field visit was conducted on 12.03.18 and 12.06.18 found that approximately 1.1acres of non-authorized conversion occurred at this site. Recommended remediation consists of properly treating the slash and woody debris that remain at the southern periphery of the site (as per 14 CCR 914.5b), and ensuring that adequate storm water control methods are incorporated to avoid concentrated runoff flows onto the nearby amphitheater slopes. This report is included with the application packet. No further TPZ conversions are planned in relation to the Project.

The Project will require a Tier II Special Use Permit for existing mixed-light cultivation in the TPZ land use designation. The mixed-light cultivation will take place only after fully automated greenhouses are in place, and will rely solely on natural light in the interim. Cultivation activities will take place in a total of three (3) 34'x98' hoop-structures. All processing will occur off-site.



All previous cultivation has been shut down and cleaned up including the removal of all cultivation materials. Pending permits, the new site will be improved to include a mulched bio-swale on the down-slope perimeter of the cultivation site and improved access roads. Existing grading will be utilized wherever possible, and a grading permit will be acquired for any new grading. Construction is expected to begin in September 2019, and be complete by October 15, 2019. Cultivation is anticipated to begin in the spring of 2020.

The property has a permitted well and soon-to-be resolved Notice of Violation (NOV). The property owner has been working with Pacific Watershed Associates and Rinehart Engineering to address the environmental issues associated with the NOV. The Restoration Plan was submitted to the County on 6.28.18, and all restoration work was complete on 8.14.18. The property owner is currently awaiting final inspection from the County to clear this violation.



Figure 1: Cleared historic cultivation site.

The Applicant is in the process of obtaining listed and sensitive species surveys as well as regional regulatory agency approvals. A site plan showing all cultivation infrastructure and facilities is included with this application packet.

### **Cultivation and Operations Plan**

The property owner and approximately one seasonal employee will conduct the cannabis cultivation operation. Cultivation will occur year-round, and will consist of two growing cycles lasting approximately four months in duration. Clones will be brought to the site from off-site nurseries. During the first month of each growing cycle (March / July), the young plants will be started in 4-inch pots with previously imported soil amended with organic nutrients including composted cow manure and compost tea. When the plants are large enough (April / August), they will be transplanted into larger pots with amended soil. The plants will mature over the final two months of each cycle (May & June / August & September). The plants will then be harvested and removed from the greenhouses for drying (July / November). The remaining months of the year (December – February) will be used for site and equipment maintenance.

Water for the cultivation operation will be supplied by one onsite well. All plants will be hand watered approximately every other day depending on need/weather conditions. Vertical posts with wire or natural fiber cord (e.g., jute, hemp etc.) running the length of the greenhouses will support the weight of the flowering plants. Organic and natural soil amendments (e.g., cow manure, compost tea, guano, kelp, molasses etc.) as well as a paraffinic oil based pesticide (approved for organic crop production) are the only added substances used in this operation. Mature plants will be hand harvested, bucked down, and dried in a drying barn in preparation for off-site processing. Spent soil will be recycled using cow manure and other amendments. Cultivation waste plant materials will be separated from the soil and composted onsite.

The cultivation operation will initially be conducted using natural light until professional, fully automated



greenhouses can be obtained. Fully automated lighting and light deprivation systems (consisting of large tarps enclosing the entire greenhouse) will be used to allow for multiple harvests per year. Good Fields Agro, LLC is seeking an existing mixed-light use permit upon condition that the operation will be conducted as a fully outdoor operation until automated greenhouses are installed and operational. At such time, Good Fields Agro, LLC will notify the County of its intent to activate the mixed-light provisions of the use permit.

Once mixed-light cultivation begins, the cultivation operation will consist of mostly natural light with some light supplementation at the early and late parts of the season (spring/winter). Lighting will consist of approximately five (5) 250W compact fluorescent (CFL) bulbs per 34' x 98' greenhouse. Greenhouse controls will ensure that lights are only on when tarps are fully drawn. Automated control settings will ensure that no light escapes the greenhouses between sunset and sunrise.

Pacific Gas and Electric Company (PG&E) will deliver power for the onsite residences, well pump, lights, fans, the compost tea mixing motor, dehumidifiers, and automated greenhouses. 100% renewable energy will be purchased through the Redwood Coast Energy Authority's RePower+ program (via PG&E). No generators will be used onsite for any reason.

A one-bedroom cabin will be available for temporary employee housing. This cabin is equipped with a septic tank and running water. A portable toilet will be provided until a septic system assessment can be conducted, and any necessary improvements are made. Employee safety trainings will be held once per year and will include hazardous material spill and emergency response protocols.

## Processing Plan

Processing will consist of "bucking" down the plants into individual branches, removing the fan leaves, and hanging the branches to dry in the drying barn. The drying barn is a fully enclosed structure with a wooden floor that is equipped with dehumidifiers, circulation fans, and a 12" diameter exhaust fan. The dry plants will then be loaded into clean containers for transfer to a licensed, off-site processing facility. Any remaining cannabis processing waste (root balls, leaves, and/or stems) will be composted onsite.



Figure 2: Drying barn.

Protocols to prevent contamination, mold, and mildew growth on cannabis include cleaning all harvesting equipment (i.e., loppers, finished product storage containers etc.) with alcohol or an equivalent sanitizer before use, and ensuring that the drying shed ventilation is adequate. Drying plants will be monitored regularly to ensure that ventilation systems are functioning and that sufficient airflow is present to discourage mold formation.

Access to portable toilets, water, and soap for hand washing will be provided at the cultivation area. Filtered drinking water will be supplied from the onsite well. Water will be available at all times in the employee cabin.



## Security Plan

The cultivation site is remotely located at the end of a private road and can only be accessed through two locked gates. The barn used for drying cannabis will be securely locked after business hours. Shielded, Dark Sky Association approved security lighting may be installed at the drying barn entrance if needed.

## Parking Plan

Employee parking consists of three gravel parking spots provided at the cultivation site.

## Irrigation Plan

All irrigation of cannabis is done by hand, ensuring that plants are not over-watered and that water is used judiciously. Water use varies throughout the year, with peak periods of use occurring in the summer months. Irrigation is provided year-round by an onsite well. This well is 5" in diameter, 180ft deep, with an estimated yield of 10gpm. Fisch Drilling completed the well on 10.24.13 (Permit # 11/12-1306). Water pumped from the well will be stored in nine (9) onsite storage tanks.



Figure 3: Well pump house and tanks.

Flow meters will be installed at the wellhead and weekly pumping records will be kept onsite and included in the annual report to the County. Non-cannabis water use consists of residential uses that are supplied by the same well. Trucked water will not be used as per 314-55.4.12.2.5.

Water storage consists of four (4) 2,500gallon tanks, two (2) 2,000gallon tanks, and three (3) 1,650gallon tanks providing a total water storage capacity of 18,950gallons. All tanks are located above the flood zone. Water will be pumped into the tanks at an approximate rate of 10gpm. Gravity will be used to transport the stored water to the greenhouses.

Estimated water supply and use is shown in Table 1 for the 9,996ft<sup>2</sup> cultivation operation. Water use is based on the Humboldt County estimate of 1,000,000gallons / acre / season or 1.5gallons/10ft<sup>2</sup>/day assuming a 5-month growing season. It should be noted that given the anticipated annual water use for cultivation, actual water pumping is expected to be a fraction the maximum potential water input to storage. Tanks will be filled on an as-needed basis and will be equipped with float valves and automatic shut-off capabilities. A flow meter will be installed on the main water line below the tee leading to the onsite residence to measure actual water use for the cultivation project. Weekly water use records will be kept onsite and included in the annual report to the County.



Figure 4: Water tanks.

Table 1: Annual estimated water use and potential supply.

Annual Water Use: 9,996ft^2 Cultivation												
Total Surface Water Diversion (gallons)												
Surface Diversion	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
	0	0	0	0	0	0	0	0	0	0	0	0
Potential Water Input to Storage (gallons)												
Input Source:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Well	446,400	403,200	446,400	432,000	446,400	432,000	446,400	446,400	432,000	446,400	432,000	446,400
										Total gallons / year	5,256,000	
Water Use (gallons)												
Source:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
All	11,249	11,249	45,933	45,933	45,933	45,933	45,933	45,933	45,933	45,933	11,249	11,249
										Total gallons / year	412,458	

## Watershed Protection

The cultivation site is located in the Mattole River watershed between Dry Creek (Class II) and Western Fork Dry Creek (Class II). Dry Creek crosses the northeast corner of the parcel away from all roads and cultivation activities. No drainage crossings occur on this parcel, and cultivation occurs at least 900' away from all aforementioned surface waters.

All cannabis cultivation occurs on a pad that is relatively flat - less than 2-5% average slope. The greenhouse pads are level (0% slope) and will be surrounded by a slightly out sloped 5' vegetated buffer that directs storm water in to a 3' x 3' mulched bio-swale on the downslope perimeter. The out sloping will be uniform to prevent formation of concentrated flows during an overflow event. The western perimeter of the greenhouse pad will be graded to direct water away from the nearby "amphitheater slopes"<sup>1</sup>. No tilling will occur in the greenhouses, and natural drainage will be maintained on all non-cultivation and undeveloped areas.

Watershed protection will be accomplished by employing the following best management practices to minimize the potential for erosion and sedimentation of the waterways during both construction and operation:

1. Runoff from the greenhouse structures will be contained by the mulched bio-swales. This feature will ensure all runoff from cultivation areas can be slowed down for infiltration avoiding the creation of new runoff, and/or the formation of gullies or other erosion features.
2. All exposed soil will be covered with straw and seeded with native grasses or graveled to prevent sediment transport during rain events.
3. All irrigation will be maintained inside the greenhouses and cannabis plants will be hand-watered so that nutrients do not leave the cultivation area.
4. All soil mixing will occur within the cultivation area / bio-swale perimeter.
5. Soil and compost piles will be covered and surrounded with straw wattles (or equivalent) during the rainy season (November 1 – April 15).
6. All garbage and recycling will be contained in bins with locking lids so that plastics and/or other light weight materials will not be able to be blown into the nearby waterways.

## Storm Water Management Plan

Currently, the cultivation site has been cleared of all equipment in preparation for re-grading and construction of the bio-swale perimeter. The main access road is a Category 3 rocked road with existing rolling dips, some of which are in need of repair. All Project access roads will be armored with imported aggregate and rolling dips will be re-shaped to improve or maintain out sloped drainage. Uniform out sloping will ensure that concentrated flows are not formed as the storm water enters the adjacent natural drainage. The surrounding vegetation is comprised of >900' of mixed forest providing a buffer between the property and the adjacent waterways.

Storm water runoff from greenhouses will be managed through the 5' vegetated buffer the 3' x 3' mulched bio-swale. Any sediment brought into suspension will be contained within the bio-swale and allowed to settle as the water infiltrates through the soil. The bio-swale will be checked after each major storm event to ensure that all runoff is contained, and no new storm water is created as a result of the

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<sup>1</sup> See the TRC Timber Conversion Evaluation report included with this application packet for details.



Project. All other natural drainages on the site will be maintained.

All site construction work will be conducted between April 16<sup>th</sup> and October 31<sup>st</sup> to avoid the rainy season. New work will not be initiated unless the National Weather Service seven-day forecast shows five (5) consecutive days of no precipitation. Straw waddles (or equivalent measures) will be in place around any work area prior to any precipitation that could cause run-off. Once work is complete, all bare soils associated with construction work will be seeded with native grasses to prevent erosion. The Project operators will conduct an annual perimeter inspection to look for any erosion features related to the cultivation operation. Seeding, covering, and/or armoring (where needed) will be used to remedy any erosion features found during the annual inspection. Inspection records will be included in the annual report to the County.

### **Water Source and Water Right Documentation**

The source of water for this operation is one well and nine water storage tanks. This source of water is considered to be non-diversionary as the well is 180' deep and is located 2.8 miles north of the Mattole River. No other sources of water will be used in this operation.

The Applicant filed a General Order enrollment application via the State Water Resources Control Board (SWRCB) online portal on December 16, 2018. The cultivation project will be enrolled as a Tier II, low risk site, and will not require a Small Irrigation Use Permit. The Applicant is preparing a Site Management Plan and a Nitrogen Management Plan as part of the SWRCB General Order application.

### **Summary of Measures for Project Compliance with SWRCB General Order**

In order to comply with the SWRCB General Order requirements, the Applicant will implement the following measures:

1. Obtain sensitive species surveys (scheduled for 2019).
2. Re-grade cultivation sites to include a 3' x 3' mulched bio-swale perimeter on the down slope side.
3. Conduct an archaeological / tribal records search before any new land disturbance activities.
4. Armor and re-grade roads, and re-shape rolling dips to maintain out sloped drainage.
5. Complete all construction before the winter season (November 1 – April 15).
6. Install metering devices at wellhead and water delivery pipe below the onsite residence.
7. Cover all soil and compost piles and surround them with waddles (or equivalent) before the winter season.
8. Re-vegetate all disturbed soil not used in cultivation using native grasses and/or natural fiber loose weave mesh materials.
9. Conduct erosion control efficacy monitoring during and after large storm events.
10. Develop an invasive species management plan.

### **Materials Management Plan**

Various natural fertilizer and pesticide products will be used in cultivation. All soil amendments meet organic standards and include: composted cow manure, molasses, worm castings, bat and seabird guano, bone meal, kelp and other naturally occurring ingredients. The only pesticide/fungicide employed consists of 97% paraffinic oil and is permitted for use in organic farming. These materials will be kept in an 8' x 20' watertight shipping container, and will be returned to storage immediately after use. A



Material Safety Data Sheet (MSDS) for the paraffinic oil is included as part of this packet.

Although the Project does not utilize chemical-based fertilizer and pesticide products, all persons applying pesticides will be provided access to full protective suits with gloves, face protection, and ventilation. Table 2 below contains a list of all fertilizers and pesticides that will be used in cultivation.

**Table 2: Fertilizers and pesticide used in cultivation.**

<b>Fertilizers and Pesticide Used / Stored Onsite</b>			
<b>Product Name</b>	<b>Use; Main ingredient(s)</b>	<b>Quantity Used / Application</b>	<b>Application Frequency</b>
Planet Natural Hi-Brix (0-0-3)	Fertilizer; molasses	1 tsp. - 2 tsp. / gallon	1-2 times per cycle
Roots Organics Big Worm	Fertilizer; worm castings	1/2 to 1 inch on top of container, or 10% of soil mix	At beginning of cycle
Planet Natural Rainbow Mix Pro Grow (8-6-3)	Fertilizer; organic fertilizer made from guanos, kelp, feather and bone meal and other naturally occurring ingredients.	1 Tbsp. / foot of plant height	Once per cycle
Sparetime Supply Mocha Bat Guano (4-6-1)	Fertilizer; bat guano	3-5 lbs. / 100ft <sup>2</sup>	Once per cycle
Age Old Organics Age Old Bloom (5-10-5)	Fertilizer; organic high phosphorus soil amendment	1-2 Oz per gallon	Once per cycle
Organic JMS Stylet Oil	Powdery mildew / fungus / pest / disease control; 97% Paraffinic oil	1-3 gallons / 100 gal. water	1-2 times per cycle

A universal drum spill kit will be kept in the drying barn for unforeseen spills from personal vehicles or heavy equipment periodically used onsite. Any spills will be immediately contained and cleaned up using absorbent materials and/or soil removal and disposal. All spills will be reported to the Humboldt County Department of Environmental Health and Human Services (800) 963-9241 and/or the State Office of Emergency Services (800) 852-7550. Employees will be trained on proper use of spill response equipment.

### **Onsite Waste Treatment System Information & Sewage Disposal Plan**

The primary onsite waste collection system will be portable toilets until the cabin septic system can be evaluated for capacity/functionality and upgraded as necessary. Portable toilets will be serviced weekly by Six Rivers Portable Toilets; the waste material will be disposed at the nearest permitted wastewater treatment facility. A will serve letter for portable toilet servicing is included as part of this application package.

## **Employee Safety**

Employees handling cannabis will have access to functioning facemasks and gloves for use at their discretion. Employees handling cannabis will be required to wash hands at the beginning of shifts, after eating, or using the restroom and may also use gloves.

Information specifying contact information for the owner, emergency responders, and poison control center will be posted at the cultivation site and in the employee cabin. Employee safety will include an annual training for all employees that includes:

1. Emergency action response plan (location of emergency phone numbers, evacuation route)
2. Employee accident reporting protocol
3. Fire prevention (locations of extinguishers, identification of fire hazards)
4. Materials handling policies (identification of hazardous materials, location and use of spill kit)
5. Personal protective equipment location

## **Compliance with Performance Standards**

### **Road System Assessment and Improvement Plan [55.4.12.1.8]**

The Project site is accessed via a private road that connects to the County-owned Mattole Road via a 16' wide locked gate. The private Category 3 road continues to the southeast where it is joined by a second Category 3 road accessed via a 12' wide locked gate. This access road leads to the Project cultivation site, meets all performance standards required by 55.4.12.1.8 including Dead End Road Length and Functional Capacity (with recommended upgrades). An additional Category 1 access road leads to a materials storage area. A few other unused historic jeep roads exist on the property that will be abandoned. The abandoned roads have already naturally re-vegetated with native grasses, and do not pose a threat to water quality.

A Road System Assessment and Improvement Plan is included with this package. This report provides documentation of the functional capacity for the Category 3 and Category 1 access roads. The access roads were evaluated for drainage features as well as their capacity to support increased volumes of traffic due to cultivation activities. Proposed improvements to all roads include armoring with imported aggregate (where needed) to improve drainage. The Category 3 road leading to the cultivation site will further require the re-shaping of rolling dips to maintain out sloped drainage. The Category 1 access road requires re-alignment, and will need to be widened to 16' in order to accommodate full-sized vehicles. Finally, the gate access to the cultivation property will be replaced with a 16' gate to meet Cal Fire standards.

Additional traffic on the access road is anticipated to be a maximum of 1-2 vehicles per day for both construction and operation periods. The additional traffic is not expected to exceed road design standards. Roads will be inspected annually to verify storm water control features are functioning, and that no signs of erosion exist. Periodic road maintenance will consist of re-grading. Road inspection reports will be included in the annual report to the County.

## Road Maintenance Association (RMA) Information

The Applicant will be the only permit holder on the access roads, and therefore the formation of a Road Maintenance Association is not required (per section 314-55.4.12.1.8). The Applicant will make arrangements with the neighboring easement holders to ensure regular maintenance of the private Category 3 road (starting at the turn-off from Mattole Rd.) is provided. The Applicant will be solely responsible for maintaining the access road past the second gate.

## Biological Resources and Sensitive Habitat Protection [55.4.12.1.10]

The Applicant has hired Natural Resources Management (NRM) Corporation to conduct a full Biological Resources and Sensitive Habitat survey beginning in 2019. A preliminary biological assessment site visit was conducted on 12.10.18. The Biological Report is included with the application packet. A preliminary California Department of Fish and Wildlife database search (conducted by NRM) shows that habitat for several special status species is potentially present in the vicinity. The listed species include: northern spotted owl, sharp-shinned hawk, Cooper's hawk, Humboldt marten, fisher, Townsend big-eared bat, and the Sonoma tree vole. At the time of the visit, no listed or special status species were detected. Additionally, no sensitive plant species were detected during the visit. However, potential habitat exists for Howell's montia and therefore seasonally appropriate botanical surveys will be required.

The NRM report also notes that the cultivation site is in the Middle Mattole River sub-watershed in an area declared by Humboldt County as "cannabis impacted" by low stream flows due to high concentrations of cannabis cultivation. It should be noted that the Applicant is reducing the cultivation impact in this watershed due to the abandonment and remediation of a 7,200ft<sup>2</sup> cultivation site on the adjacently owned property. Additionally, the Applicant commits to incorporate personal and cultivation related water conservation measures such as: installing sink aerators in residence and cabin, mulching, and use of tank float valves with automatic shut-off mechanisms.

Impacts to biological resources and sensitive habitat are expected to be "minimal to light" if all recommended management practices are followed. The NRM recommendations include<sup>2</sup>:

1. If ground-disturbing activities occur between February 1 and August 31, seasonally appropriate, protocol level surveys will need to be conducted to determine presence for golden eagles and other potentially nesting raptors. An area of 500 feet around the proposed project sites will need to be surveyed for active nests beginning February 1.
2. Preconstruction surveys will be required for ground-dwelling songbird species that may have potential to occur in and around the project sites if the cultivation area flat does not continue to be mowed on a continual basis after the rainy season. Surveys for nesting songbirds will be required within 7 days prior to construction start if construction occurs between March 1<sup>st</sup> and July 31<sup>st</sup> and need to encompass the area within 200 feet of the project area.
3. Seasonally appropriate botany surveys must be conducted within the project footprint and a surrounding buffer. These surveys must comply with the 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018d).

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<sup>2</sup> A recommendation regarding noise containment for generators has been omitted as there will be no generator use onsite.

4. Strict adherence to the Dark Sky Association standards will be required, as this cultivation area is potentially within habitat for sensitive or listed species. Any structure requiring lighting (mixed-light greenhouses or nurseries) before sunrise or after sunset MUST be covered to avoid any effects on nocturnal wildlife. It is recommended that professional, automated light-deprivation greenhouses be used to ensure adherence with these regulations.

The Applicant will implement all recommended mitigation measures in order to prevent impacts to sensitive plants and animals identified through the surveys. A record of mitigation measures implemented will be maintained onsite and included in the annual report to the County.

#### **Management of Waste and Hazardous Materials [55.4.12.1.13]**

Cultivation wastes generated onsite include harvested plant waste, empty plastic bottles, broken plastic pots, and plastic sheets / bags. Other related wastes include household trash, recycling, hazardous waste, electronic waste, and wastewater. Wastewater management is discussed above in the section titled Onsite Waste Treatment System Information & Sewage Disposal Plan.

Harvested plant material will be composted onsite in accordance with CCR Title 14 Division 7 Chapter 3.1 Article 6 Composting Operating Standards. The onsite composting operation falls under the agricultural materials exemption (CCR 14 § 17855) as all compost produced from harvested plant waste will be re-used onsite in the cultivation process as a soil amendment. Compost piles will be turned periodically to promote aerobic decomposition and minimize odors. Compost piles will be monitored to ensure that temperatures do not present any fire hazards, and all piles will be covered and surrounded with straw waddles during the wet season. No plant matter will be burned as per 314-55.4.12.1.9.

All plastic bottles will be collected in the onsite recycling bins and hauled on a monthly basis to the transfer station in Fortuna. Any unused plastic sheeting or used soil amendment bags will be collected and secured in a bin or bundle so as to eliminate the risk of plastics being blown off site. This material will be disposed at the Fortuna Transfer Station. Pots used during cultivation are reused each year; when not in use the pots will be stacked and stored inside the 8' x 20' storage container. All other garbage and recycling will be collected in separate bins with locking lids secured in the drying barn and self-hauled to the transfer station in Fortuna.

All soil used in the cultivation process will be amended and reused each year so as to avoid the production of spent plant growth medium. When not in use, soil will be covered with tarps/sandbags and surrounded with straw waddles or silt fencing during the wet season to ensure that nutrients in the soil will not migrate into surface waters. Once soil can no longer be recycled, it will be disposed at the Fortuna transfer station.

A hazardous materials assessment was conducted on November 12<sup>th</sup>, 2018. No generator or fuel tanks were present at the site. No heavy equipment is in use during normal operations, however a bobcat or other heavy equipment will be occasionally used for turning compost piles or maintaining roads. No lubricants or oil is stored onsite. Anticipated hazardous materials associated with cultivation operations include CFL bulbs (in future) and household cleaning products for sanitization. All non-functioning CFL bulbs will be properly disposed at the hazardous waste collection facility in Eureka. All cleaning product bottles will be periodically inspected for leaks and disposed or recycled as per manufacturers instructions. Electronic waste such as controllers or ballasts will be recycled at the transfer station in Eureka.



## **Archaeological, Tribal Cultural, and Historical Resources Protection [55.4.12.1.14 - 15]**

The Project site is not known to contain archaeological or tribal cultural resources and is not located on any mapped cultural sites. Further, no archaeological sites were observed during TRC's 12.03.18 and 12.06.18 field assessments. Chris Carroll, a certified archaeological surveyor, conducted the survey and notified the relevant tribal organizations of the project location requesting information regarding any archaeological/tribal cultural resources within or near the project area.

If needed, and in addition to the County's referral to the National Information Center, the Applicant will hire an archaeologist to conduct a records search before any new land disturbance activity is initiated. If any archaeological or cultural resource is found during any earthmoving activities, the Applicant agrees to cease all work in the immediate area and within a 50ft buffer of the discovery. The Project operator will then contact the County Planning and Building Department to identify the appropriate qualified specialist to evaluate the discovery and develop a treatment plan to address impacts that cannot be avoided. No structures over 45 years of age will be removed as part of the Project, and therefore there is no threat to historical resources.

## **Light Pollution Control Plan [55.4.12.4]**

Greenhouse lights for the 9,996ft<sup>2</sup> mixed-light cultivation will only be used in conjunction with fully automated greenhouses / blackout tarp systems. No light will be allowed to escape the greenhouses between sunset and sunrise at any point in time.

All outdoor lighting will be assessed for necessity, and replaced as needed with Dark-Sky Association approved lighting that is shielded and designed to ensure that no light escapes the property or shines outside of the area that requires illumination. Motion sensors may also be installed as needed to ensure that all outdoor lighting is used minimally.

## **Energy Plan [55.4.12.5]**

The energy budget for the mixed-light cultivation will not be known until the fully automated greenhouses are installed and operating. In general, energy for the cultivation process will be used to power the well pump, CFL bulbs (in future), a compost tea mixer, booster-pumps for hand watering, dehumidifiers, and fans. 100% renewable energy will be purchased through the Redwood Coast Energy Authority's RePower+ electricity service program. Power will be delivered via a 200A, 240V service drop from the PG&E power grid.

## **Noise Source Assessments and Mitigation Plan [55.4.12.6]**

Cultivation related noise will be generated from the compost tea mixer motors, heavy equipment used during construction and maintenance, dehumidifiers, and fans used for air circulation in the greenhouses. Noise due to construction and all use of heavy equipment for cultivation operations will be limited to the hours between 7:00am – 6:00pm Monday through Friday, and 9:am – 6:00 pm Saturday and Sunday (per 314-55.4.12.2.8). Construction scheduling will be coordinated to avoid the nesting and fledging periods for any sensitive species found to be in the vicinity of the cultivation site. Construction noise is considered to be a short-term impact that has "little to no" permanent effect on wildlife. Once construction is complete, noise levels will be limited to small motors and fans, both meeting the requirement for no more than three (3) continuous decibels above ambient noise levels at the property

lines (314-55.4.12.6). Generators will not be used at this site.

Ambient noise was assessed on 12.04.18 by taking measurements at three locations within the same 24-hour period. Ambient noise measurements were 40db at all parcel line locations selected. Due to the windy conditions present during the noise assessments, baseline measurements will be verified on a calm day before operations begin. Once the cultivation operations begin, follow-up measurements will be taken to verify that noise level limits are not exceeded. Measurement records will be maintained and included in the annual report to the County.

A biological assessment conducted by NRM indicates that the project site does not contain Marbled Murrelet habitat, and is >1mile away from the nearest northern spotted owl known activity center (1.8 miles). Regardless, the Project operators will ensure that normal operation noise levels do not exceed 50db at a distance of 100' away from sources.

#### **Irrigation Metering and Record Keeping [55.4.12.7]**

Flow meters will be installed at both the wellhead and main water line below the onsite residence water line tee (per 55.4.12.7.5 and 55.4.12.7.6). Records of water pumping and use will be collected on a weekly basis and maintained at the cultivation site per 55.4.12.7.7. The water collection and use records will be included in the annual report to the County. These records will be kept separately from any other records of non-cultivation water use.

#### **Water Storage Plan [55.4.12.8]**

The water tanks will be inspected annually for leaks. Water tanks are all above the 100yr flood zone.

#### **Soils Management Plan [55.4.12.10]**

The Project has a stockpile of previously imported soil to support the cultivation process. All soil remains onsite and is recycled with cow manure, compost tea, and other micronutrients for reuse each year. Soil piles will be covered with secured tarps and surrounded by straw waddles (or equivalent) when not in use. Spent soil that can no longer be recycled will eventually be disposed at the Fortuna transfer station.

#### **Invasive Species Control Plan [55.4.12.16]**

As part of the sensitive plant species survey work, a qualified biologist will conduct an invasive species investigation at the cultivation site. This study will identify invasive species and provide the location of any found specimens. Any invasive species found to be growing on the cultivation sites and associated equipment will be eradicated in accordance with the biologist recommendations. Annual inspections and additional eradication cycles will ensure that invasive plants are not allowed to proliferate at the cultivation site.

## Appendix A: Annual Reporting

Humboldt County Annual Report Contents	
<b>Records Required:</b>	
Water pumping from well (gal./week)	
Water use from tanks (gal./week)	
Noise measurements at property lines (db levels, dates taken, locations)	
Employee Safety training (date(s), content covered, # employees in attendance)	
Cultivation site perimeter erosion inspection (dates, notes, corrective measures taken)	
Road erosion inspection (dates, notes, corrective measures taken)	
Biological resources and sensitive habitat protection efficacy (mitigation measures implemented, dates of inspection, notes, corrective measures taken)	
Invasive species control measures implemented and results of annual inspection (dates, notes, corrective measures taken)	

Note: Annual report is due 30 days before annual permit review



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December 9, 2018

Good Fields Agro LLC Co  
PO Box 996  
Fortuna Ca 95540

Re: APN 107-300-011  
Application #14328

The following is an evaluation of potential timberland conversion on cannabis cultivation sites and associated areas included in the Humboldt County Cannabis Permit Application (Apps #14328) for APN 107-300-011. Please accept this letter as the RPF's written report required by Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.12.2.4 as cited below.

*"Where existing or proposed operations occupy sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall circulate the report to CAL-FIRE for review and comment."*

Timberland Resource Consultants (TRC) inspected and evaluated the cultivation sites and associated areas on December 3, 2018 and December 6, 2018. The RPF exercised due diligence in reviewing all sites and available resources to fully assess potential timberland conversion and consequential impacts. This report evaluates the cultivation sites and associated areas for timber operations only. The scope of this report does not include: all other land alteration (such as grading, construction, and other permit-regulated activities), all property features and sites unrelated to cultivation activities, or any proposed, planned, or absent cultivation-related project sites. All findings are summarized in the report below.

## Project Location

APN: 107-300-011

Acreage: 61 acres

Legal Description: NE 1/4 of Section 28

Township 2 South, Range 1 East,

Humboldt Base & Meridian, Humboldt County

Located on USGS 7.5' Quadrangle: Bull Creek

Humboldt County Zoning: TPZ & AE

Site Address: 51530 Mattole Road, Honeydew 95545

Landowner/Timber Owner: Good Fields Agro LLC Co



## Project Location (Cont.)

The project is located approximately one mile southwest of Panther Gap, on the south side of Mattole Road, on the property known as 51530 Mattole Road.

## Parcel Description & Timber Harvest History

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

The property consists of second growth tanoak, live oak, pepperwood, madrone, and Douglas-fir. Review of 1968 aerial imagery showed clear signs of recent harvesting (within approximately 10 +/- years ago) as evidenced by truck roads, skid roads, landings, and distinct timber/vegetation type changes. Field review revealed old growth Douglas-fir stumps and old skid roads which confirms that the stand was regenerated approximately 50-60 years ago following logging of the old growth Douglas-fir. Dense stands of semi-evenaged Douglas-fir occur along the trending ridge in the northern portions of the property. These stands appear to have encroached into former natural grasslands due to a lack of periodic wildfire. There have been no subsequent commercial harvests per Cal Fire's Watershed Mapper ([http://egis.fire.ca.gov/watershed\\_mapper/](http://egis.fire.ca.gov/watershed_mapper/)). The current landowner purchased the property from Mike Roberts on 3-27-2017

## Project Description

One existing cultivation site was inspected during the field assessment within APN 107-300-011. The following table lists the inspected site and its respective acreage; see detailed site descriptions below.

Cultivation Site/Associated Area	Total Acreage	Converted?	Converted Acreage
Cultivation Site	1.1	Yes	1.1
TOTAL	1.1		1.1

### Cultivation Site

The site formally contained three greenhouses of unknown dimensions, which have been removed. The site contains two structures, one of which resembles a small residence and the other a barn/shed. Review of historic aerial imagery reveals that this site was initially developed between 2005 and 2009 and incrementally expanded to 2016 to its present size and configuration. Proposed cultivation activities at this site will impede the use of this space for timber growth and harvesting thus resulting in timberland conversion.

### Timberland Conversion Summary

TRC observed approximately 1.1 acres of unauthorized timberland conversion. The cultivation site's fill-slopes and cut-slopes are beginning to regenerate with conifer and hardwoods and the footprint of the graded flat appears to be the only area that has been technically "converted". This total does not exceed the three-acre conversion exemption maximum.

## Limitations and Considerations for Timberland Conversion Activities

### Watercourses and Water Resources

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

No conversion areas exist within a Watercourse and Lake Protection Zones (WLPZ) or Equipment Exclusion Zone (EEZ) on the property. The RPF closely inspected all areas within 100+ feet of the conversion area and observed no Class I, II, or III watercourses, wet areas, or any surface water that would require protection under the Forest Practice Act and Rules.



## Limitations and Considerations for Timberland Conversion Activities (Cont.)

### Biological Resources and Forest Stand Health

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

A query of the California Natural Diversity Database (CNDDDB) on December 8, 2018 revealed no observations of sensitive, rare, threatened, or endangered species or species of special concern within a 0.7-mile radius biological assessment area (BAA) surrounding the property. No sensitive, rare, threatened, or endangered species or species of special concern were observed during the TRC field assessment of the project area, though potential habitat may exist on the property. The query of the CNDDDB revealed no known Northern Spotted Owl (NSO) Activity Centers within 0.7 miles of the project area.

No major forest health issues were observed during the field assessment. The property is located within Humboldt County, a Zone of Infestation (ZOI) for Sudden Oak Death (SOD), and symptoms, signs, and evidence of oak mortality were observed. No risk assessment was made at the property; however, the conversion activities do not appear to have impacted forest health. The conversion areas did not include late successional stands, late seral stage forests, or old growth trees. The conversion area did not include any trees that existed before 1800 A.D. and are greater than sixty (60) inches in diameter at stump height for Sierra or Coastal Redwoods, and forty-eight (48) inches in diameter at stump height for all other tree species.

### Slash, Woody Debris, and Refuse Treatment

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

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

- 1) Unless otherwise required, slash greater than one inch in diameter and greater than two feet long, and woody debris, except pine, shall receive full treatment no later than April 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.
- 2) All pine slash three inches and greater in diameter and longer than four feet must receive initial treatment if it is still on the parcel, within 7 days of its creation.
- 3) All pine woody debris longer than four feet must receive an initial treatment prior to full treatment.
- 4) Initial treatment shall include limbing woody debris and cutting slash and woody debris into lengths of less than four feet, and leaving the pieces exposed to solar radiation to aid in rapid drying.
- 5) Full treatment of all pine slash and woody debris must be completed by March 1 of the year following its creation, or within one year from the date of acceptance of the conversion exemption by the Director, whichever comes first.
- 6) Full slash and woody debris treatment may include any of the following:
  - a) Burying;
  - b) Chipping and spreading;
  - c) Piling and burning; or
  - d) Removing slash and woody debris from the site for treatment in compliance with (a)-(b). Slash and woody debris may not be burned by open outdoor fires except under permit from the appropriate fire protection agency, if required, the local air pollution control district or air quality management district. The burning must occur on the property where the slash and woody debris originated.
- 7) Slash and woody debris, except for pine, which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying by April 1 of the year following its creation. Pine slash and woody debris which is cut up for firewood shall be cut to lengths 24 inches or less and set aside for drying within seven days of its creation.
- 8) Any treatment which involves burning of slash or woody debris shall comply with all state and local fire and air quality rules.

Untreated slash, woody debris, and logs were observed along the southern periphery of the conversion site which requires treatment.

## Limitations and Considerations for Timberland Conversion Activities (Cont.)

### 923.2. Design and Location of Logging Roads and Landings.

While its recognized that the cultivation site is not a log landing; the design and location of the graded flat should (at a minimum) meet or exceed similar requirements stated in the Forest Practice Rules for log landings. Compliance with Humboldt County's grading ordinance, Regional Water Board Order No. 2015-0023, and other regulations will require even higher standards. Therefore, this report shall assess the Cultivation Site's graded flats to the standards of a log landing. The Cultivation Site is located upslope of amphitheater slopes and a distance of approximately 200-250 feet from an active debris slide. The debris slide is an "Unstable Area" per 14CCR 895.1. 14CCR 923.2(a)(2), paraphrased states:

*All logging roads and landings shall avoid unstable areas and connected headwall swales to the extent feasible and minimize activities that adversely affect them.*

Review of CGS-CDF's Geomorphic Features Map (North Coast Watersheds Mapping, DMG CD 99-002, 1999) shows amphitheater slopes but no unstable areas within the property. Per CGS Note 50, amphitheater slopes are defined as follows:

*Debris slide amphitheatres and slopes are characterized by generally well vegetated soils and colluvium above a shallow soil/bedrock interface. The slopes may contain areas of active debris sliding or bedrock exposed by former debris sliding. Slopes near the angle of repose may be relatively stable except where weak bedding planes and extensive bedrock joints and fractures parallel the slope angle. Although the slopes often are smooth, steep (generally greater than 65 percent), and unbroken by benches, they are characteristically dissected by closely-spaced incipient drainage depressions. In many places, perennial channels within the amphitheatres and slopes are deeply incised with steep walls of rock or colluvial debris. The presence of bedrock or impervious material at shallow depths may concentrate subsurface waterflow, and springs may be present where permeable zones above the restrictive layer are saturated.*

The amphitheater slopes adjacent to and surrounding the Cultivation Site are not "Unstable Areas" per 14CCR 895.1, and therefore the conversion of timberland and construction of the graded flats would have been permitted via the Forest Practice Act and Rules. Based upon the California Licensed Foresters Association's "Guidelines to Determining the Need for Input from a Licensed Geologist During THP Preparation", the RPF determined that the timberland conversion would not have necessarily required input from a licensed geologist. This RPF did not observe any conditions immediately downslope of the conversion area, which would have triggered the requirement to consult with CGS or an engineering geologist prior to plan submittal.

With regards to the unstable area located approximately 200-250 feet away; the RPF closely inspected the drainage and flow path of storm-water runoff emanating from the Cultivation Site to determine whether concentrated runoff could have a significant effect on slope stability through the displacement of soil, division or concentration of drainage, reduction in interception or transpiration and/or reduction in root strength. There were no signs/evidence that runoff from the Cultivation Site could have affected the slope stability of the unstable area. It appears improbable that any runoff could actually reach this feature given the topographic lay of the land. However, this conclusion is based upon observations made during a less than normal rainfall year and further monitoring, as required by Regional Water Board Order No. 2015-0023 and State Water Resources Control Board Order WQ 2017-0023-DWQ, is recommended.

Numerous sections of the Forest Practice Rules require "avoiding concentration of flows onto unstable areas". Given the proximity to amphitheater slopes, the Cultivation Site should be drained via out-sloping to the greatest extent feasible.



## **Limitations and Considerations for Timberland Conversion Activities (Cont.)**

### **14CCR 923.2 Design and Location of Logging Roads and Landings**

The cultivation site appears to have been constructed and maintained per 14CCR 923.2(a)(6), which states:

*Landings shall include adequate drainage structures and facilities necessary to avoid concentrating and diverting runoff, to minimize erosion of roadbeds, landing surfaces, drainage ditches, sidecast and fills, to minimize the potential for soil erosion and sediment transport, and to prevent significant sediment discharge.*

The RPF observed no conditions where significant erosion of the fill-slope from concentrated runoff was occurring. The excavated earthen fill material used to construct the cultivation site are very rocky and appear well drained. The fill-slope was not overly steep (2:1-1.5:1), and was planar in nature suggesting it was likely compacted to some degree. The base of the cut-slopes are dry suggesting no significant shallow ground water seepage and/or run-off occurring in the inside ditch that could discharge to an erodible slope. The RPF observed no areas of concentrated flows emanating from the Cultivation Site. However, this conclusion is based upon observations made during a less than normal rainfall year. Given the presence of moderately-steep to steep fill-slopes, the Cultivation Site should be drained via out-sloping to the greatest extent feasible.

### **Cultural Resources**

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

No archeological sites were observed during the TRC field assessment. The RPF conducted pre-field research for the project's geographic location and surveyed the converted sites and surrounding undisturbed areas for presence or evidence of prehistoric or historic sites. The archaeological survey was conducted by Chris Carroll, a certified archaeological surveyor with current CALFIRE Archeological Training (Archeological Training Course #575). The survey consisted of examining boot scrapes, rodent disturbances, natural and manmade areas of exposed soils, and road and cultivation site surfaces.

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

## Conclusion

In summary, a total of approximately 1.1 acres of unauthorized timberland conversion has occurred within APN 107-300-011. This total does not exceed the three-acre conversion exemption maximum. The conversion activities conducted on the property do not comply with the California Forest Practice Act and the California Forest Practice Rules. The following recommendations are required to bring the project into compliance:

### RPF Recommendations

1. Treat all slash, woody debris, and logs per requirements of 14 CCR 914.5(b) as listed on page 3.
2. Avoid concentration of storm-water runoff onto amphitheater slopes, which surround the Cultivation Site and onto Cultivation Site's fill-slope.

Sincerely,



Chris Carroll, RPF #2628  
Timberland Resource Consultants

## Pictures



Picture 1: Untreated slash located south of the Cultivation Site. Photo date 12-3-2018



## Pictures



Picture 2 Untreated slash located south of the Cultivation Site. Photo date 12-3-2018



## Pictures



Picture 3: Untreated slash located south of the Cultivation Site. Photo date 12-3-2018

## Pictures



Picture 4: Cultivation Site. Photo date 12-3-2018



## Pictures



Picture 5: Cultivation Site. Photo date 12-3-2018



## Pictures



Picture 6: Residence and storage structure. Photo date 12-6-2018

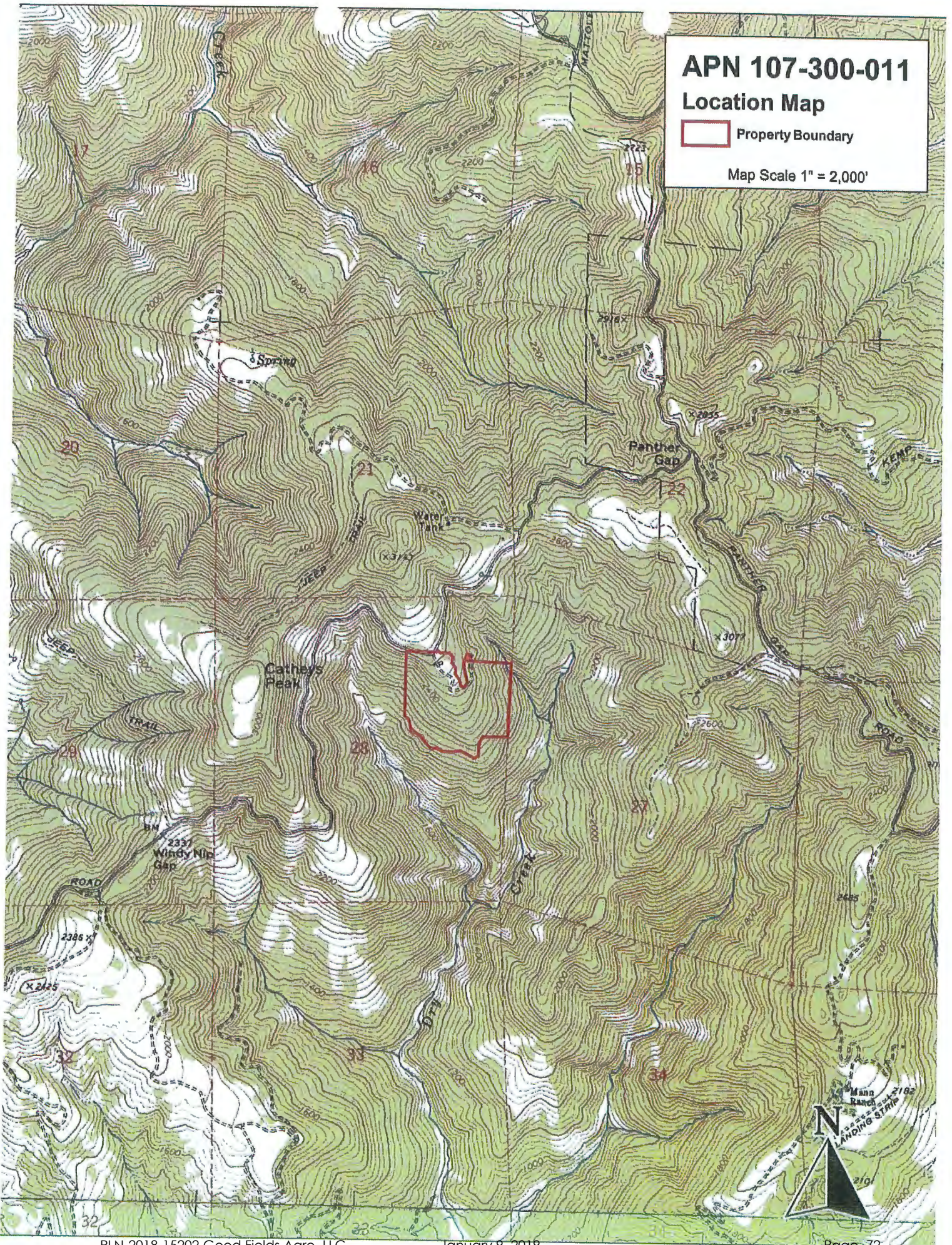


**APN 107-300-011**

**Location Map**

 Property Boundary

Map Scale 1" = 2,000'



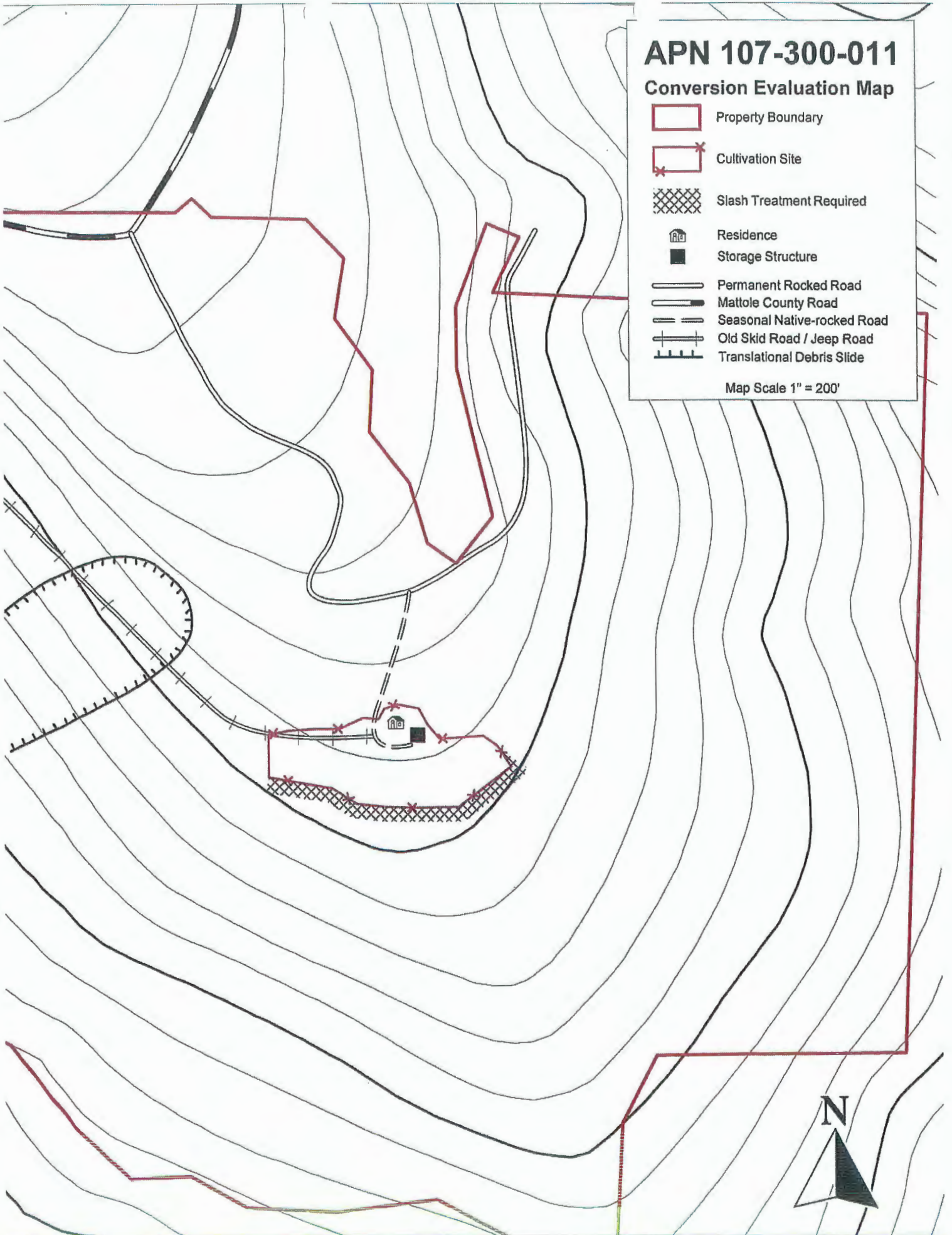


# APN 107-300-011

## Conversion Evaluation Map

-  Property Boundary
-  Cultivation Site
-  Slash Treatment Required
-  Residence
-  Storage Structure
-  Permanent Rocked Road
-  Mattole County Road
-  Seasonal Native-rocked Road
-  Old Skid Road / Jeep Road
-  Translational Debris Slide

Map Scale 1" = 200'





# APN 107-300-011

## Conversion Evaluation Map

-  Property Boundary
-  Cultivation Site
-  Slash Treatment Required
-  Residence
-  Storage Structure
-  Permanent Rocked Road
-  Mattole County Road
-  Seasonal Native-rocked Road
-  Old Skid Road / Jeep Road
-  Translational Debris Slide

Map Scale 1" = 200'





# APN 107-300-011

## Conversion Evaluation Map

-  Property Boundary
-  Cultivation Site
-  Slash Treatment Required
-  Residence
-  Storage Structure
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-  Seasonal Native-rocked Road
-  Old Skid Road / Jeep Road
-  Translational Debris Slide

Map Scale 1" = 200'






APN 107-300-011

CNDDDB Map

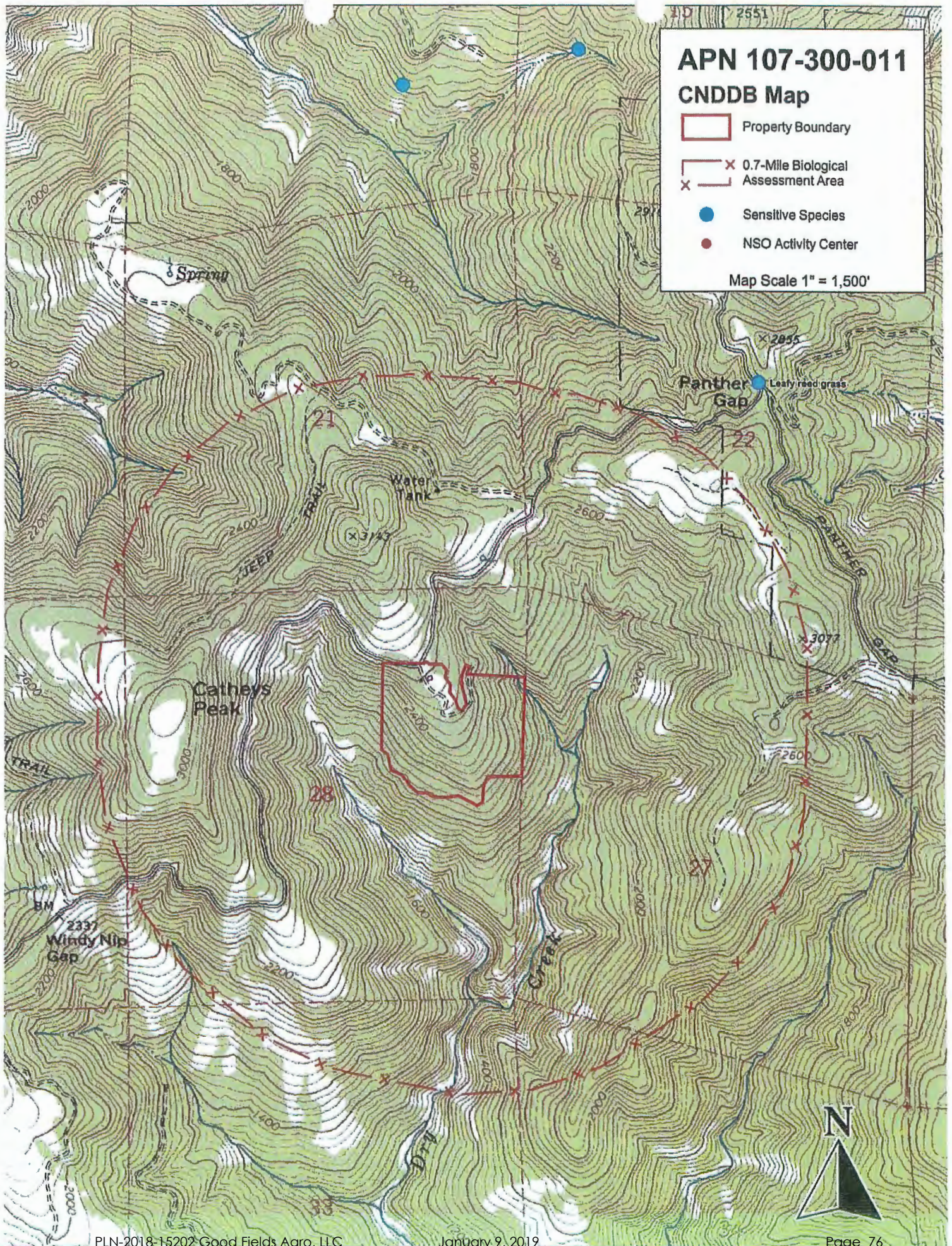
 Property Boundary

 0.7-Mile Biological Assessment Area

 Sensitive Species

 NSO Activity Center

Map Scale 1" = 1,500'





## Road System Assessment and Improvement Plan

51530 Mattole Road  
Honeydew, CA 95526  
APN 107-300-011  
Good Fields Agro, LLC  
12.10.2018



### Prepared By:

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Bret Rinehart, PE  
559 Howard Heights Rd  
Eureka, CA 95503  
707-498-3414  
rinehartengineering@gmail.com



## Overview

The purpose of this road assessment report is to summarize current road conditions leading to the Good Fields Agro, LLC cultivation project (Project) site, and identify corrective measures needed for compliance with the Humboldt County road systems performance standards as well as the General Order requirements of the State Water Resources Control Board Division of Water Quality (Water Board). All road segments were evaluated for their drainage features as well as their capacity to support expected volumes of 1 additional vehicle per day related to cultivation activities. Best management practices and standard designs presented in Appendix B of the Five Counties '*Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds*' (Five Counties Road Manual), will be employed to appropriately handle runoff and increase longevity of service.

## Road Maintenance Association (RMA) Information

The Applicant will be the only permit holder on the private drive, and therefore the formation of a Road Maintenance Association is not required (per section 314-55.4.12.1.8). The Applicant will be solely responsible for maintaining the roads on the subject parcel. Further, the applicant will make arrangements with the neighboring easement holders to ensure regular maintenance of the private drive up to their respective termini.

## Summary

The Project site is accessed via Mattole Road, approximately 16.5 miles from Highway 101 Exit 663. Access to the cultivation site is through a 16 ft wide gate onto a 16 ft wide, gravel road that meets Cal Fire standards and Category 3 standards as outlined in Appendix to Title III, Division II of the Humboldt County Code (Title III). At the gate, a private driveway to the residence turns toward the right; this driveway meets Category 1 standards of Title III. The main Category 3 access road continues to the left of the junction towards the cultivation site. The road continues downhill at a slope less than 15%. At the first junction, an existing Category 1 access road that leads to the material storage and staging area turns right, away from the main road. This access road appears to be primarily used by all terrain vehicles (ATVs) and is an overall short segment of road that is approximately 12 ft wide with slopes well below 15%. The next road junction is a large landing with gated access to the cultivation site via a driveway to the right of the junction. The main road continues left downhill to two adjacent parcels before terminating.

The cultivation site can be accessed through the existing 12 ft wide gate and onto a 12 ft wide gravel road with slopes that do not exceed 15%. No inboard ditches occur along the length of the road but multiple rolling dips are in place. Several rolling dips function properly while others appear to have been over topped causing localized erosion of the road surface. The entire road is out sloped. The access roads to the Project cultivation and processing sites meet all performance standards required by Humboldt County Code 314-55.4.12.1.8 including Dead End Road Length and Functional Capacity.

Upon initial inspection, the primary road leading to the cultivation site meets Category 3 standards of Title III. Several rolling dips occur along the road and are spaced appropriately. A portion of the road is reduced to the native subgrade that includes roots and rock.

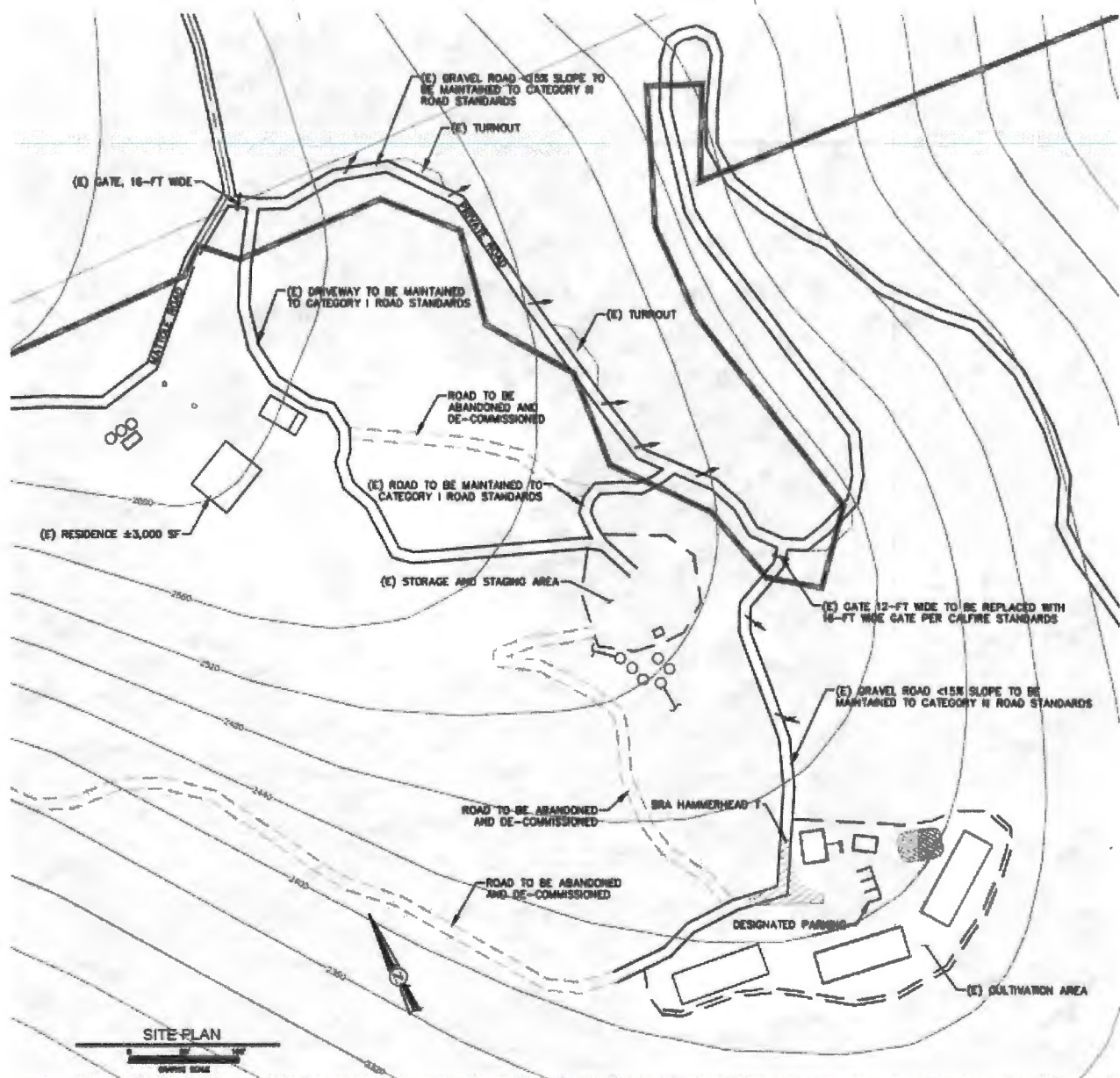


Figure 1: Good Fields Agro road overview indicating road segments, SRA features, existing use areas, and direction of road surface runoff.

### Recommendations

Additional aggregate rock should be imported and placed on the road surface and rolling dips should be reshaped to maintain the existing out sloped drainage. All rolling dips should meet the standard designs of Appendix B-8.6 of the Five Counties Road Manual.

The Category 1 road that leads to the existing storage and staging area should also be armored and the alignment should be adjusted as necessary to accommodate full-sized vehicles used in cultivation related activities. Two skid roads exist on the property that have been reduced down in size to accommodate ATVs. These roads are designated to be decommissioned and currently are not in use.

Lastly, the second gate accessing the cultivation site should be replaced with a minimum 16-ft wide gate to meet Cal Fire standards. All disturbed soils that occur as a result of the prescribed work should be stabilized using the standards outlined in Appendix B-4 in the Five Counties Road Manual as applicable.





*Figure 2: Existing condition of existing roads for APN 107-300-011*

# ENGINEERING GEOLOGIC SOILS REPORT

## Humboldt County R-2 Report

51530 Mattole Road

Honeydew, CA 95545

APN 107-300-011 and 107-300-013

November 16, 2018

Prepared for:

Good Fields Agro, LLC

51530 Mattole Road

Honeydew, CA 95545

Prepared by:

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## **R-2 ENGINEERING GEOLOGIC SOILS REPORT**

Good Fields Agro, LLC  
51530 Mattole Road, Honeydew, CA 95545

### **INTRODUCTION**

The following R-2 Engineering Geologic Soils Report was prepared for Good Fields Agro, LLC for specific application to the as-built grading and structures at 51530 Mattole Road, Honeydew, CA 95545. The Assessor's Parcel Numbers (APN) are 107-300-011 and 107-300-013. The location of the project, grading and structures are shown on the plot plan. The project consists of remediation grading, graded pads and existing structures on APN 107-300-013 and existing graded pads and existing structures on APN 107-300-011. This report addresses geologic and site soil conditions as they relate to the addition to the grading and existing structures. On November 12, 2018, I made a site visit to assess the site-specific soil profile and subsurface conditions. A site reconnaissance of the immediate area was conducted to ascertain existing and future geologic hazards with a potential to adversely affect the residence.

Included in this report are my assessments of the potential geologic hazards associated with the proposed addition and recommendations to mitigate potential effects of such hazards. My recommendations should reduce, but may not always eliminate completely, the risks to life and property associated with this proposed project. Also included in this report are recommendations for design professionals to utilize for planning and design of the proposed site addition.

### **PROJECT**

The project consists of remediation grading and existing structures on APN 107-300-013 and existing grading and existing structures on APN 107-300-011.

### **SCOPE OF THIS INVESTIGATION**

Rinehart Engineering was retained to prepare this R-2 Engineering Geologic Soils Report, as described in the Humboldt County General Plan, evaluating the suitability of the property for the grading and structures. Geologic hazards on the subject property include, but may not be limited to, potential differential and total settlement, strong earthquake ground shaking, slope stability and flooding.

## **FIELD INVESTIGATION**

A site investigation was conducted by Bret Rinehart, PE on November 16, 2018. The subject property, the surrounding areas, the existing graded pads and the building sites were examined. In addition, existing cut slopes were examined above the graded pads and the exposed soil profile was logged.

## ***IN-SITU* SOIL CONDITIONS**

The soil profiles at the existing cut slopes were observed to consist of a sequence composed of 12 inches of native topsoil consisting of brown, loose, organic-rich, gravelly loam. Underlying the topsoil I observed light brown, gravelly loam to 10-15 ft bgs. This remained consistent to a depth of 10-15 ft bgs where the cut slopes stopped. No evidence of groundwater or mottling was encountered in cut slopes.

A typical soil profile log is attached.

## **EXPANSIVE SOILS**

Subgrade expansion is not typically encountered in this area and is therefore not anticipated to be excessive or to create any structural problems. No evidence of expansive soils was found during backhoe test pit excavations near the building sites.

## **SLOPE STABILITY FEATURES AND CONDITIONS**

The graded pads and existing structures are situated on landings with relatively steep slopes (1:1) above and below. Cut slopes are partially vegetated with grass, trees and brush and do not exhibit signs of slope instability. Fill slopes are partially vegetated with grass, trees and brush and have some minor cracking and evidence of erosion that should be addressed by recompacting these areas and installing seed, straw and straw wattles. The potential for slope instability to affect this site is significant, so it's important that the nearby slopes remain vegetated and are not subject to new sources of concentrated surface runoff. Several small active landslides are known to exist or to have occurred on the property but not in the immediate vicinity of the existing graded pads and structures.

## **EXISTING FILLS**

Construction on non-engineered fill should be expected to result in detrimental differential settlement. Fill has been placed on the downhill side of each of the landings and building sites but the existing structures have not been constructed on the fill areas. In areas where the existing fills show evidence of cracking and evidence of erosion that should be addressed by recompacting these areas and installing seed, straw and straw wattles

## **GROUNDWATER CONDITIONS**

No free groundwater was visible in the exposed cut slopes. No soil mottling indicative of seasonal shallow groundwater was noted. Periods of shallow groundwater (above the 10-foot depth) are probably brief and should be expected to occur only occasionally and briefly in response to intervals of intense precipitation.

## **SURFACE DRAINAGE HAZARDS**

Some evidence of recent erosion by overland flow (i.e. rilling and gullyng) was observable during my site investigation or in areas immediately surrounding the site. The soil types at the site are prone to erosion. However, provided my recommendations are adhered to, surface drainage is not expected to pose a significant hazard to the proposed project. The design should ensure that no erosion hazards are created by concentrating uncontrolled runoff on the property.

## **FLOODING**

This project location is not in a FEMA flood zone and is not subject to flooding.

## **SEISMIC HAZARDS**

There are two primary areas of concern for evaluating seismic hazards for a site. These are (1) potential for ground rupture due to placement of the structure on or near an active fault, and (2) the anticipated magnitude and peak acceleration of the postulated seismic event. In response to the first area of concern, the proposed new building sites are not expected to experience fault surface rupture. In response to the second area of concern, the level of anticipated shaking at the site is a function of the following factors: (1) the magnitude of the postulated earthquake on a given fault system, and (2) the closest distance from that fault system to the site.



According to the Californian Department of Conservation, Division of Mines and Geology maps, the project is located within 5 km of the Garberville Fault, a type B fault. The slip rate of the Garberville-Briceland Fault is 9 mm/yr. The upper-bound earthquake considered likely to occur on the Garberville-Briceland Fault has an estimated maximum moment magnitude ( $M_o$ ) of 6.9 (ICBO-CDMG, 1998).

## LIQUEFACTION HAZARD

Liquefaction is the loss of soil strength, resulting in fluid mobility through the soil. Liquefaction typically occurs when uniformly sized, loose, saturated sands or silts are subjected to repeated shaking in areas where the groundwater is typically less than 30 feet bgs. In addition to the necessary soil and groundwater conditions, the ground acceleration must be high enough and the duration of the shaking must be sufficient for liquefaction to occur. I find that the type of soils, and depth to groundwater at this site indicates a low potential for liquefaction to occur.

## DISCUSSION

Based on my field and laboratory investigations, it is my opinion that this project is acceptable as proposed and as built. I find the remediation grading, existing grading, and existing structures will not contribute to, or be subject to, substantial geologic or soils engineering hazards, provided that my recommendations below are followed. The undisturbed native soils (exclusive of the topsoil) appear to be adequate to support the static loads imposed by the graded pads and one-story structures.

## RECOMMENDATIONS

### Seismic Recommendations

Seismic Design Criteria is presented in the table below. Values were determined using the USGS Seismic Hazard Curves, Response Parameters, Design Parameters seismic calculator.

Table 1: Seismic Design Criteria	
Latitude	40.27365
Longitude	-124.069
Site Class	D
$S_s$	1.856
$S_1$	0.760

$F_a$	1.00
$F_v$	1.50
$S_{MS}$	1.856
$S_{M1}$	1.140
$S_{DS}$	1.237
$S_{D1}$	0.760
Occupancy Category	II
Seismic Design Category	D

## General Recommendations

### Footings on or Adjacent to Slopes

Footings on or adjacent to slope surfaces shall be founded in firm material with an embedment and set back from the slope surface sufficient to provide vertical and lateral support for the footing without detrimental settlement. Per the California Building Code, the typical set back is  $H/3$ , where  $H$  is the height of the slope.

### Cut and Fill Slopes

Cut slopes should be limited to 1:1 (horizontal to vertical) unless they will be supported by retaining structures. But slopes to be supported by retaining walls may be cut to near-vertical and may be expected to be stable for the short term in dry weather, provided no free or perched groundwater, and no clean sands are encountered in the cut(s).

Fill slopes may be constructed at 1:1 provided they are promptly covered with straw and seeded or otherwise protected from erosion. Retaining walls may be used to retain soils with vertical cuts and/or fill slopes.

To limit the potential for erosion, bare soil in cut and fill slopes should be covered with straw and seeded or otherwise promptly replanted with erosion-controlling vegetation.

In areas where the existing fills show evidence of cracking and evidence of erosion that should be addressed by recompacting these areas and installing seed, straw and straw waddles

## **Structural Fills**

With the exception of landscaping fills, which should in general be select topsoil, and the structural fill recommended below slabs-on-grade, all fill materials are typically 6" minus, well graded, native gravelly loam soils. Structural fill should be placed on a suitably prepared subgrade surface and should be compacted mechanically so that little to no settlement will occur.

Structural fills should be compacted, as specified in Compaction Standard below, to at least 90 percent relative compaction (RC) under all foundation elements. For areas under driveways and parking areas, structural fill should be compacted to 95 percent RC within 12 inches of finished subgrade. For areas under, sidewalks, and other flatwork areas, structural fills should be compacted to 85 percent RC. Fills at graded pads should be compacted to 85 percent RC.

Approved fill material should be placed in loose lifts no more than 8 inches thick, at uniform moisture content at or near optimum, and compacted mechanically.

## **Compaction Standard**

Materials processed in-place and utilized as compacted fill under footings, foundations, driveways, sidewalks, and parking areas should be based on ASTM D-2922 *in-situ* measurement of dry unit weight. Maximum dry unit weight should be determined using ASTM Laboratory Test Method D-1557.

## **Utility Trench Backfill**

Backfill and compaction of utility trenches in and immediately adjacent to building pads, driveways, parking, and other flatwork areas should be such that no settlement will occur. Backfill materials for all trenches should be placed in loose lifts no exceeding 8 inches and should be compacted to at least 90 percent RC. Sand or other approved granular material used for backfill should be placed at near-optimum moisture content and compacted mechanically. Flooding of granular material should never be employed to consolidate backfill trenches.

Where (or if) trenches closely parallel a footing, and the trench bottom is within a 2 horizontal to 1 vertical plane projected outward and downward from any structural element, two-sack cement



slurry should be utilized to backfill that portion of the trench below this plane. The use of slurry backfill is not required where a narrow trench crosses a footing at or near a right angle.

## **Site-Specific Recommendations**

### **Building Pad Preparation**

Most areas of the property have approximately 12 inches of unsuitable load bearing material consisting of loose, brown, sandy loam topsoil. This unsuitable material should be excavated from beneath all foundation elements and disposed of, or stockpiled on the site for later use as landscape fill. Any non-engineered fill material or woody debris that might be encountered within the building footprints during grading should be excavated and replaced with engineered fill suitable compacted and tested as described above. Suitable dense, undisturbed, native gravelly loam soils, encountered below the topsoil appear to be adequate to support the loads that will be imposed by the existing structures.

### **Foundation Design Criteria**

In accordance with Table 1804.2 of the California Building Code, the allowable foundation pressure (soil bearing capacity) for the gravelly loam soil upon which the foundations are built is 1,500 psf. Allowable lateral bearing capacity is 100 psf/ft below natural grade. Lateral sliding resistance is 130 psf.

The foundation system for the buildings is pier and post. This type of foundation is acceptable for use on the site, provided that all foundation elements are founded on undisturbed native soils or compacted select engineered fill as recommended in this report. All footings should, at minimum, comply with California Building Code minimum width of 12 inches and thickness of 6 inches. Foundation units should bear in the undisturbed native bearing soil (exclusive of topsoil). The minimum depth of footings below the undisturbed ground surface shall be 12 inches but should be increased as necessary to reach the suitable native bearing gravelly loam and soils below the sandy clay loam topsoil.

Footings should be reinforced, and may also be placed on suitable dense native bearing soil or engineered fill, if such fill is prepared and tested as recommended above.

## **Settlement**

The amount of settlement which may occur is a function of foundation loading and bearing soils. If the subgrade is prepared as recommended, settlement is expected to be minimal for the existing structures. Settlement is not anticipated to have any detrimental effects on the structures.

## **Landscaping and Grading**

To the extent feasible, the grading at the site should be minimized, and the site should be graded to avoid concentrating runoff and to drain by sheet flow. The areas adjacent to the sidewalls of the existing structures should be graded with a gentle uniform slope of at least 2 percent so that surface runoff drains away from the structure. Upslope of all buildings, I recommend landscape grading to create a swale to direct surface runoff away from the uphill side of the structures. Graded pads should be outsloped at least 1 percent to allow sheet flow drainage of surface runoff. All exposed soils should be covered with straw and seed. Straw wattles should be placed on fill slopes as necessary to prevent erosion.

## **REFERENCES**

California Building Code, Title 24, Part 2, Volume 2 of 2, California Building Standards Commission.

International Conference of Building Officials, California Department of Conservation Division of Mines and Geology, 1998, Maps of Known Active Fault Near-Source Zones in California and Adjacent Portions of Nevada.

<b>RINEHART ENGINEERING</b> 559 HOWARD HEIGHTS RD EUREKA, CA 95503 (707) 498-3414								<b>SOIL PROFILE LOG</b>		
JOB NAME: GOOD FIELDS AGRO				JOB NO:				SAMPLE DATE: 11/12/18		
HOLE NUMBER: CS1			HOLE TYPE: CUT SLOPE			LOGGED BY: BRR		HOLE DEPTH: 10 FT		NOTES:
<b>LAB DATA</b>			<b>SOIL DESCRIPTION</b>							
% SAND	% CLAY	% SILT	PERCOLATION RATE(MPI)	PERCOLATION ZONE	SAMPLE	GROUNDWATER LEVEL	DEPTH (FEET)	SOIL THICKNESS, COLORING (MUNSELL), SOIL STRUCTURE AND TEXTURE ACCORDING TO USDA CLASSIFICATION.  SOIL MOTTLING, GROUNDWATER DEPTH, BEDROCK, AND OTHER PROMINENT SOIL FEATURES.		
							1	GRAVELLY LOAM, BROWN, LOOSE, ROOTS TO 12"		
							2	GRAVELLY LOAM, LIGHT BROWN, SUBANGULAR BLOCKY		
							3			
							4			
							5			
							6			
							7			
							8			
							9			
							10			
							11			
							12	BOTTOM OF CUT SLOPE NO GROUNDWATER OR MOTTLING		
							13			
							14			
							15			
							16			
							17			
							18			
							19			
							20			
							21			





# Design Maps Detailed Report

ASCE 7-10 Standard (40.27365°N, 124.069°W)

Site Class D – “Stiff Soil”, Risk Category I/II/III

## Section 11.4.1 — Mapped Acceleration Parameters

Note: Ground motion values provided below are for the direction of maximum horizontal spectral response acceleration. They have been converted from corresponding geometric mean ground motions computed by the USGS by applying factors of 1.1 (to obtain  $S_s$ ) and 1.3 (to obtain  $S_1$ ). Maps in the 2010 ASCE-7 Standard are provided for Site Class B. Adjustments for other Site Classes are made, as needed, in Section 11.4.3.

From [Figure 22-1](#) <sup>[1]</sup>

$S_s = 1.856 \text{ g}$

From [Figure 22-2](#) <sup>[2]</sup>

$S_1 = 0.760 \text{ g}$

## Section 11.4.2 — Site Class

The authority having jurisdiction (not the USGS), site-specific geotechnical data, and/or the default has classified the site as Site Class D, based on the site soil properties in accordance with Chapter 20.

Table 20.3–1 Site Classification

Site Class	$\bar{v}_s$	$\bar{N}$ or $\bar{N}_{ch}$	$\bar{s}_u$
A. Hard Rock	>5,000 ft/s	N/A	N/A
B. Rock	2,500 to 5,000 ft/s	N/A	N/A
C. Very dense soil and soft rock	1,200 to 2,500 ft/s	>50	>2,000 psf
D. Stiff Soil	600 to 1,200 ft/s	15 to 50	1,000 to 2,000 psf
E. Soft clay soil	<600 ft/s	<15	<1,000 psf
Any profile with more than 10 ft of soil having the characteristics:			
<ul style="list-style-type: none"> <li>• Plasticity index <math>PI &gt; 20</math>,</li> <li>• Moisture content <math>w \geq 40\%</math>, and</li> <li>• Undrained shear strength <math>\bar{s}_u &lt; 500 \text{ psf}</math></li> </ul>			
F. Soils requiring site response analysis in accordance with Section 21.1	See Section 20.3.1		

For SI: 1ft/s = 0.3048 m/s 1lb/ft<sup>2</sup> = 0.0479 kN/m<sup>2</sup>

### Section 11.4.3 — Site Coefficients and Risk-Targeted Maximum Considered Earthquake ( $MCE_R$ ) Spectral Response Acceleration Parameters

Table 11.4-1: Site Coefficient  $F_s$ 

Site Class	Mapped $MCE_R$ Spectral Response Acceleration Parameter at Short Period				
	$S_s \leq 0.25$	$S_s = 0.50$	$S_s = 0.75$	$S_s = 1.00$	$S_s \geq 1.25$
A	0.8	0.8	0.8	0.8	0.8
B	1.0	1.0	1.0	1.0	1.0
C	1.2	1.2	1.1	1.0	1.0
D	1.6	1.4	1.2	1.1	1.0
E	2.5	1.7	1.2	0.9	0.9
F	See Section 11.4.7 of ASCE 7				

Note: Use straight-line interpolation for intermediate values of  $S_s$

**For Site Class = D and  $S_s = 1.856$  g,  $F_s = 1.000$**

Table 11.4-2: Site Coefficient  $F_v$ 

Site Class	Mapped $MCE_R$ Spectral Response Acceleration Parameter at 1-s Period				
	$S_1 \leq 0.10$	$S_1 = 0.20$	$S_1 = 0.30$	$S_1 = 0.40$	$S_1 \geq 0.50$
A	0.8	0.8	0.8	0.8	0.8
B	1.0	1.0	1.0	1.0	1.0
C	1.7	1.6	1.5	1.4	1.3
D	2.4	2.0	1.8	1.6	1.5
E	3.5	3.2	2.8	2.4	2.4
F	See Section 11.4.7 of ASCE 7				

Note: Use straight-line interpolation for intermediate values of  $S_1$

**For Site Class = D and  $S_1 = 0.760$  g,  $F_v = 1.500$**

**Equation (11.4-1):**

$$S_{MS} = F_a S_s = 1.000 \times 1.856 = 1.856 \text{ g}$$

**Equation (11.4-2):**

$$S_{M1} = F_v S_1 = 1.500 \times 0.760 = 1.140 \text{ g}$$

## Section 11.4.4 — Design Spectral Acceleration Parameters

**Equation (11.4-3):**

$$S_{DS} = \frac{2}{3} S_{MS} = \frac{2}{3} \times 1.856 = 1.237 \text{ g}$$

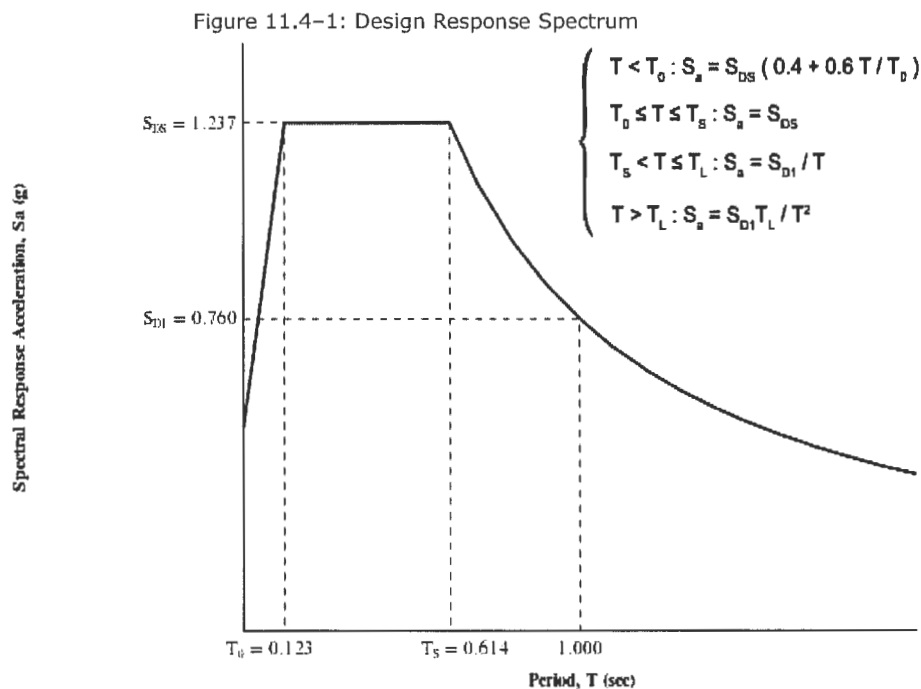
**Equation (11.4-4):**

$$S_{D1} = \frac{2}{3} S_{M1} = \frac{2}{3} \times 1.140 = 0.760 \text{ g}$$

## Section 11.4.5 — Design Response Spectrum

**From Figure 22-12<sup>[3]</sup>**

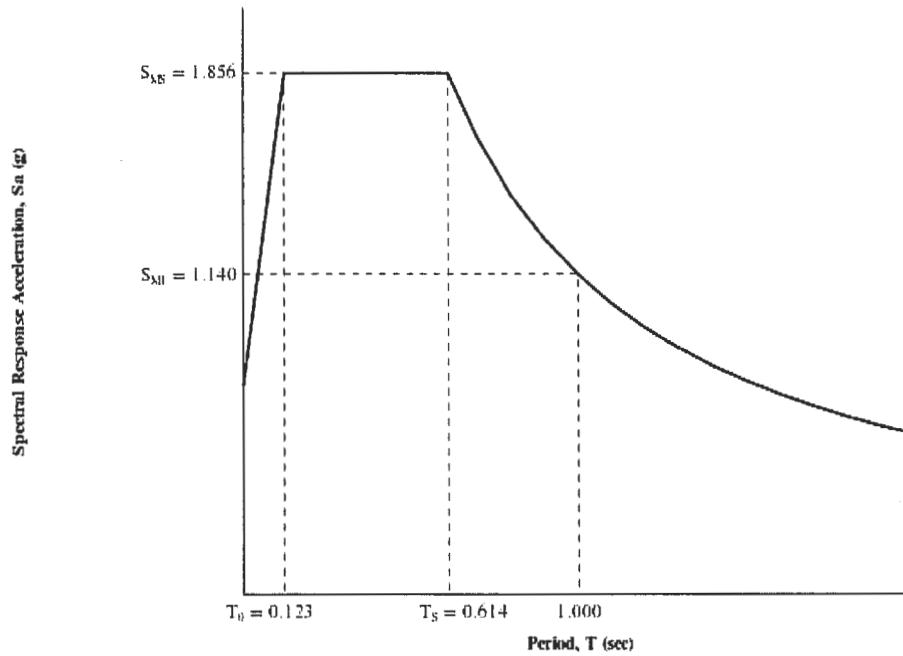
$$T_L = 12 \text{ seconds}$$





### Section 11.4.6 — Risk-Targeted Maximum Considered Earthquake ( $MCE_R$ ) Response Spectrum

The  $MCE_R$  Response Spectrum is determined by multiplying the design response spectrum above by 1.5.



### Section 11.8.3 — Additional Geotechnical Investigation Report Requirements for Seismic Design Categories D through F

From **Figure 22-7**<sup>[4]</sup>

$$PGA = 0.717$$

**Equation (11.8-1):**

$$PGA_M = F_{PGA} PGA = 1.000 \times 0.717 = 0.717 \text{ g}$$

Table 11.8-1: Site Coefficient  $F_{PGA}$

Site Class	Mapped MCE Geometric Mean Peak Ground Acceleration, PGA				
	PGA ≤ 0.10	PGA = 0.20	PGA = 0.30	PGA = 0.40	PGA ≥ 0.50
A	0.8	0.8	0.8	0.8	0.8
B	1.0	1.0	1.0	1.0	1.0
C	1.2	1.2	1.1	1.0	1.0
D	1.6	1.4	1.2	1.1	1.0
E	2.5	1.7	1.2	0.9	0.9
F	See Section 11.4.7 of ASCE 7				

Note: Use straight-line interpolation for intermediate values of PGA

**For Site Class = D and PGA = 0.717 g,  $F_{PGA} = 1.000$**

### Section 21.2.1.1 — Method 1 (from Chapter 21 – Site-Specific Ground Motion Procedures for Seismic Design)

From **Figure 22-17**<sup>[5]</sup>

$$C_{RS} = 0.997$$

From **Figure 22-18**<sup>[6]</sup>

$$C_{R1} = 0.943$$

## Section 11.6 — Seismic Design Category

Table 11.6-1 Seismic Design Category Based on Short Period Response Acceleration Parameter

VALUE OF $S_{DS}$	RISK CATEGORY		
	I or II	III	IV
$S_{DS} < 0.167g$	A	A	A
$0.167g \leq S_{DS} < 0.33g$	B	B	C
$0.33g \leq S_{DS} < 0.50g$	C	C	D
$0.50g \leq S_{DS}$	D	D	D

For Risk Category = I and  $S_{DS} = 1.237g$ , Seismic Design Category = D

Table 11.6-2 Seismic Design Category Based on 1-S Period Response Acceleration Parameter

VALUE OF $S_{D1}$	RISK CATEGORY		
	I or II	III	IV
$S_{D1} < 0.067g$	A	A	A
$0.067g \leq S_{D1} < 0.133g$	B	B	C
$0.133g \leq S_{D1} < 0.20g$	C	C	D
$0.20g \leq S_{D1}$	D	D	D

For Risk Category = I and  $S_{D1} = 0.760g$ , Seismic Design Category = D

Note: When  $S_1$  is greater than or equal to  $0.75g$ , the Seismic Design Category is **E** for buildings in Risk Categories I, II, and III, and **F** for those in Risk Category IV, irrespective of the above.

Seismic Design Category  $\equiv$  "the more severe design category in accordance with Table 11.6-1 or 11.6-2" = E

Note: See Section 11.6 for alternative approaches to calculating Seismic Design Category.

## References

1. Figure 22-1:  
[https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010\\_ASCE-7\\_Figure\\_22-1.pdf](https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010_ASCE-7_Figure_22-1.pdf)
2. Figure 22-2:  
[https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010\\_ASCE-7\\_Figure\\_22-2.pdf](https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010_ASCE-7_Figure_22-2.pdf)
3. Figure 22-12:  
[https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010\\_ASCE-7\\_Figure\\_22-12.pdf](https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010_ASCE-7_Figure_22-12.pdf)
4. Figure 22-7:  
[https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010\\_ASCE-7\\_Figure\\_22-7.pdf](https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010_ASCE-7_Figure_22-7.pdf)
5. Figure 22-17:  
[https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010\\_ASCE-7\\_Figure\\_22-17.pdf](https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010_ASCE-7_Figure_22-17.pdf)
6. Figure 22-18:  
[https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010\\_ASCE-7\\_Figure\\_22-18.pdf](https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010_ASCE-7_Figure_22-18.pdf)



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## ATTACHMENT 5

### Referral Agency Comments and Recommendations

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Conditional Approval	Attached
Public Works Land Use Division	✓	Conditional Approval	Attached
Division of Environmental Health	✓	Conditional Approval	Attached
State Water Resources Control Board- Department of Water Resources	✓	Approval	Attached
California Department of Fish & Wildlife	✓	Conditional Approval	Attached
CAL FIRE	✓	No comments	Attached
NWIC	✓	Comments	On file with Planning
Bear River Band	✓	Inadvertent discovery protocol	On file with Planning
Intertribal Sinkyone Wilderness Council		No Response	
Humboldt County Agricultural Commissioner		No Response	
RWQCB		No Response	
NCUAQMD		No Response	
Honeydew Volunteer Fire Department		No Response	
Mattole Union Unified School District		No Response	
District Attorney		No Response	
Humboldt County Sheriff		No Response	



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

3/28/2019

**Project Referred To The Following Agencies:**

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, **Building Inspections**,  
Honeydew VFC: FPD, RWQCB, NCUAQMD, Mattole Union Unified: School District, Cal Fish & Wildlife, CalFire, CA  
Division of Water Rights, Bear River Band, Intertribal Sinkyone Wilderness Council, NWIC

**Applicant Name** Good Fields Agro LLC **Key Parcel Number** 107-300-011-000

**Application (APPS#)** PLN-2018-15202 Planning Application **Assigned Planner** Stephen Luther

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

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

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

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

**Return Response No Later Than: 4/12/2019**

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: 5/2/19 PRINT NAME: Todd Sobolik

15202  
15202  
15202



5/2/19

Apps#: PLN-2018-15202

Comments: Attached site plan appears to be accurate. Greenhouses previously existed and were removed as part of a remediation project for being unpermitted, see Building Application #46913; at present time the greenhouses have not been reinstalled at the site. Structures shown as existing next to the proposed greenhouses were shown on the Building Application as being built in 2013 and are non-permitted. Sheds and barns would qualify for an Ag Exemption as long as the structures are not conditioned space. Soils report for the site is apart of Building Application #46913.

Greenhouse site -  
Gravel Area #4 A.P. = 107-300-010



Gravel Area #2 A.P.N. 107-300-011



11/7/18 / Nymco 07695 (H2) 101-500-701



Graded Area #2 Greenhouse site

②



Graded #2 Greenhouse site

③





ARCATA-EUREKA AIRPORT TERMINAL  
McONLEYVILLE  
FAX 838-3598

AVIATION 638-5401

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

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 267-9540  
PARKS 445-7851  
ROADS & EQUIPMENT MAINTENANCE 445-7421

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

LAND USE 445-7205

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

TO: Stephen Luther, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 03/29/2019

RE:

<b>Applicant Name</b>	<b>GOOD FIELDS AGRO LLC</b>
<b>APN</b>	<b>107-300-011</b>
<b>APPS#</b>	<b>PLN-2018-15202</b>

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"**

**Note:** Prior to requesting an applicant to submit a road evaluation report, verify if the project is exempt from meeting road system performance standards under CCLUO v2.0 sections 313-55.4.6.5.1 and 314-55.4.6.5.1, even if this box is checked.

**No re-refer is required.**

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a road system assessment, not stamped received by the Humboldt County Planning Division dated 12/10/2018. The road evaluation did not include the required Road Evaluation Report Form developed by the Department. Once the form is submitted the Department will require that all of the recommendations on the submitted report be completed.

// END //

## Exhibit "A"

### Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 15202

☒ **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: (AT END OF COUNTY MAINTAINED RD)**

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 //

Task	Due Date	Assigned Date
Environmental Health	05/10/2019	04/05/2019
Assigned to Department	Assigned to	Status
Environmental Health	LandUse1 DEH	Approved with Conditions
Action by Department	Action By	Status Date
Environmental Health	Ben Dolf	04/30/2019
Start Time	End Time	Hours Spent
		0.0
Billable	Overtime	Comments
No	No	Applicant must demonstrate that a properly functioning onsite wastewater treatment system serves the operation. This can be accomplished by either installing a new, permitted septic system, or by providing DEH with an assessment of the existing system performed by a qualified professional engineer, geologist, soil scientist, or REHS that certifies that the existing system complies with the State RWQCB definition of a Tier 0 system - not impairing groundwater or surface water resources.
		DEH has no record of the well proposed as the source of water. Owner shall either provide evidence of permit, destroy the well, legalize the well through installation of a new sanitary surface seal, or provide compelling evidence that the well was installed prior to February, 1973
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA	✓ Display Comment in ACA	Comment Display in ACA
No		✓ All ACA Users
		✓ Record Creator
		✓ Licensed Professional
		✓ Contact
		✓ Owner
Estimated Hours	Action	Workflow Calendar
0.0	Updated	

 Reply
  Reply All
  Forward  
 Mon 7/15/2019 8:50 AM  
 Dolf, Benjamin  
 RE: Apps **15202** Well Report  
 To: Luther, Stephen

I didn't look closely at the site plan for the well, I see even it says -011 and looks like the correct parcel. If they can show that the Ownership matches our well permit records at the time it was installed then that should be sufficient for us.

From: Luther, Stephen <[SLuther@co.humboldt.ca.us](mailto:SLuther@co.humboldt.ca.us)>  
 Sent: Monday, July 15, 2019 8:41 AM  
 To: Dolf, Benjamin <[BDolf@co.humboldt.ca.us](mailto:BDolf@co.humboldt.ca.us)>  
 Subject: RE: Apps **15202** Well Report

Thanks Ben. It is interesting that the address 51530 Mattole Road and the location map attachment appear to correspond with the subject parcel -011. But the APN on the well log clearly reads -012 and it sounds like the DEH permit is for -012. I will let the agent know and ask him to sort this out with your office.



Stephen Luther  
 Planner, Community Division  
 Planning and Building Department  
 707.268.2737

From: Dolf, Benjamin <[BDolf@co.humboldt.ca.us](mailto:BDolf@co.humboldt.ca.us)>  
 Sent: Monday, July 15, 2019 8:29 AM  
 To: Luther, Stephen <[SLuther@co.humboldt.ca.us](mailto:SLuther@co.humboldt.ca.us)>  
 Subject: RE: Apps **15202** Well Report

Hi Stephen,

The attached well completion report and referenced permit are for the neighboring parcel to the south, APN 107-300-012. Different ownership and no apparent reference to using a well on an adjacent parcel. The **15202** site plan shows the well on 107-300-011, and we have no permit record for a well on this parcel.

So no, unfortunately this doesn't resolve the well comment.

Thanks!



Benjamin W. Dolf, R.E.H.S.  
 Senior Environmental Health Specialist  
 DHHS Division of Environmental Health, Land Use Program :: [100 H St. Eureka, CA 95501](http://100.H.St.Eureka,CA.95501) :: (707) 268-2235





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

3/28/2019

**Project Referred To The Following Agencies:**

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, Honeydew VFC:FPD, RWQCB, NCUAQMD, Mattole Union Unified:School District, Cal Fish & Wildlife, CalFire, CA Division of Water Rights, Bear River Band, Intertribal Sinkyone Wilderness Council, NWIC

Applicant Name Good Fields Agro LLC Key Parcel Number 107-300-011-000

Application (APPS#) PLN-2018-15202 Planning Application Assigned Planner Stephen Luther

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

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

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

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

Return Response No Later Than: 4/12/2019

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:

Groundwater well water source and no SIUR needed.

DATE:

April 10, 2019

PRINT NAME:

Cheyene Keniston



California Department of Fish and Wildlife  
CEQA: Project Referral Comments

Applicant: Good Fields Agro		Date: 11/7/2019	
APPS No.: 15202	APN: 107-300-011	DFW CEQA No.: 2019-0164	
<input checked="" type="checkbox"/> New	<input checked="" type="checkbox"/> Existing	Proposed: <input checked="" type="checkbox"/> Mixed-light (SF): 10,000	

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.

**Please provide the following information prior to Project Approval:** *(All supplemental information requested shall be provided to the Department concurrently)*

- ☒ If the project proposes ground disturbing activities, include protocol level surveys, conducted by a qualified botanist, for any California Rare Plant Ranked Species that may be present within 200 feet of the proposed project site. Surveys should be conducted in order to identify and establish buffers for any sensitive natural communities, such as wetlands, springs, seeps, and riparian areas, or plants with a State Rare Plant Rank of 1 or 2. CDFW databases such as the California Natural Diversity Database (CNDDDB), and the Biogeographic Information and Observation System (BIOS), can be used as scoping tools for minimum baseline information regarding sensitive biological resources within the 7.5-minute quadrangle and all adjoining quadrangles. Biological, botanical, and/or wetland delineation surveys should be conducted by a qualified biologist with appropriate training. Botanical surveys should follow the protocol in CDFW's 2009 "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities" ( See: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline=1> )
- ☒ CDFW recommends the applicant follow the guidance provided in section V (Management Recommendations) of the project specific Biological Report.

**Please note the following information and/or requested conditions of Project approval:**

- ☒ Water for this Project is sourced from a groundwater well. CDFW requests that the groundwater well be inspected annually to evaluate drawdown, and the potential for the well to go dry. This evaluation should include a standard pump test to be conducted during the dry season. Evaluation of the pump test results should be conducted by a licensed professional with expertise. Since the County is the lead agency on land use and associated groundwater well use and management, planning staff should evaluate the location and water use of other proximal wells to this Project and require storage as necessary to avoid excessive aquifer drawdown. CDFW recommends additional water storage at this site in the event that the well does not produce in perpetuity.
- ☒ All artificial light used for cannabis cultivation, including indoor and mixed-light cultivation, shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include

but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.

- ☒ Human induced noise pollution may adversely affect wildlife species in several ways including abandonment of territory, loss of reproduction, auditory masking (inability to hear important cues and signals in the environment), hindrance to navigation, and physiological impacts such as stress, increased blood pressure, and respiration. To avoid disturbance, CDFW requests, as a condition of project approval, the construction of noise containment structures for all generators and greenhouse fans on parcel; noise released shall be no more than 50 decibels measured from 100ft.
- ☒ CDFW recommends the applicant be required to submit a Noise and Light Attenuation Plan for review and approval in consultation with CDFW prior to use of lights, generators, and fans as applicable to this project.
- ☒ Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
- ☒ The environmental impacts of improper waste disposal are significant and well documented. CDFW requests, as a condition of Project approval, that all refuse be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
- ☒ A Final Lake or Streambed Alteration Agreement (1600-2019-0047-R1) has been issued to the applicant.
- ☒ This project has the potential to affect sensitive fish and wildlife resources such as Howell's Montia (*Montia howellii*), Maple-leaved Checkerbloom (*Sidalcea malachroides*), Pale Yellow Stonecrop (*Sedum laxum ssp. flavidum*), Tracy's Sanicle (*Sanicula tracyi*), Gairdner's Yampah (*Perideridia gairdneri gairdneri*), Kneeland Prairie Pennycress (*Noccaea fendleri ssp. californica*), Golden Eagle (*Aquila chrysaetos*), Marbled Murrelet (*Brachyramphus marmoratus*), Northern Goshawk (*Accipiter gentilis*), Fisher - West Coast DPS (*Pekania pennanti*), Long-eared Myotis (*Myotis evotis*), North American Porcupine (*Erethizon dorsatum*), Northern Spotted Owl (*Strix occidentalis caurina*), Townsend Big-eared Bat (*Corynorhinus townsendi*), and amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

Thank you for the opportunity to comment on this Project.

Sincerely,

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



## Luther, Stephen

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**From:** Manthorne, David@Wildlife <David.Manthorne@wildlife.ca.gov>  
**Sent:** Thursday, December 19, 2019 2:13 PM  
**To:** Luther, Stephen  
**Cc:** Ryan, Meghan  
**Subject:** RE: CDFW Referral Comments: Good Fields Agro (APPS: 15202), CEQA 2019-0164, APN: 107-300-011

Stephen,  
I am in agreement with these conditions.  
Thank you

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**From:** Luther, Stephen <SLuther@co.humboldt.ca.us>  
**Sent:** Thursday, December 19, 2019 11:44 AM  
**To:** Manthorne, David@Wildlife <David.Manthorne@wildlife.ca.gov>  
**Cc:** Ryan, Meghan <mryan2@co.humboldt.ca.us>; Bauer, Scott@Wildlife <Scott.Bauer@wildlife.ca.gov>  
**Subject:** RE: CDFW Referral Comments: Good Fields Agro (APPS: 15202), CEQA 2019-0164, APN: 107-300-011

David,

In response to the comments for this project, which is scheduled for the January 9, 2020 ZA hearing, please see my comments below:

- 1) The applicant provided a Supplemental Botanical Survey Report prepared on July 29, 2019 that surveyed the project area for seasonal rare and sensitive plants. Although the Biological Report identified Howell's Montia may occur in the project vicinity, the seasonally appropriate supplemental survey did not find it. The survey did not find any special status plants species within the surveyed area, and concluded that the proposed project is unlikely to directly impact any special status plant species.
- 2) Adherence to the management recommendations of the Biological Report is included as a condition of project approval. Specifically, a protocol level survey for golden eagles will need to be conducted prior to greenhouse construction. Pre-construction surveys for songbirds will also be provided to the planning department prior to construction.
- 3) A condition of approval is incorporated requiring the well to be inspected annually to evaluate drawdown. The applicant shall provide the results of the well drawdown test to planning staff.
- 4) No mixed-light cultivation is authorized until the applicant can demonstrate the operation complies with International Dark Sky Standards. The operation will not use supplemental lighting until automated blackout greenhouse controls are applied such that no light escape.
- 5) The operation is on PG&E power. No generators are used in the cultivation operation.
- 6) Noise will be limited to 50 decibels or less. Lighting plan is in operation
- 7) Prohibition on use of synthetic netting and adherence to proper waste disposal are incorporated as ongoing operational conditions.

Thank you and please let me know if you have any additional concerns.

Best,

Stephen Luther  
Planner, Cannabis Division  
Planning and Building Department



707.268.3737

**From:** Manthorne, David@Wildlife <[David.Manthorne@wildlife.ca.gov](mailto:David.Manthorne@wildlife.ca.gov)>  
**Sent:** Thursday, November 07, 2019 4:32 PM  
**To:** Planning Clerk <[planningclerk@co.humboldt.ca.us](mailto:planningclerk@co.humboldt.ca.us)>  
**Cc:** Ryan, Meghan <[mryan2@co.humboldt.ca.us](mailto:mryan2@co.humboldt.ca.us)>; Luther, Stephen <[SLuther@co.humboldt.ca.us](mailto:SLuther@co.humboldt.ca.us)>; Bauer, Scott@Wildlife <[Scott.Bauer@wildlife.ca.gov](mailto:Scott.Bauer@wildlife.ca.gov)>  
**Subject:** CDFW Referral Comments: Good Fields Agro (APPS: 15202), CEQA 2019-0164, APN: 107-300-011

To Whom it May Concern:

Please see the attached comments regarding the subject application, Good Fields Agro (APPS: 15202), CEQA 2019-0164, APN: 107-300-011.

Thank you for the opportunity to comment on this project.

David Manthorne  
Senior Environmental Scientist Specialist  
Habitat Conservation and Planning (WET)  
California Department of Fish and Wildlife  
619 Second Street  
Eureka, CA 95501  
(707) 441-5900

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

- ☒ The Department has no comment at this time.
- ☐ Suggested conditions attached.
- ☐ Applicant needs to submit additional information. List of Items attached.
- ☐ Recommend denial.
- ☐ Other comments.

Forester Comments: 

Date: 4/1/19	Name: Tim Meyers
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APN 107-300-011 App 15202

Battalion Chief Comments: 

Date:	Name:
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Summary: