COUNTY OF HUMBOLDT

PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: May 7, 2020

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Unity Farm Holdings, LLC, Special Permit**
Record Number: PLN-2019-15665
Assessor's Parcel Number: 217-181-012
3149 Whitlow Road, Myers Flat area

Table of Contents **Page**

Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	5
Maps	
Zoning Map	7
Aerial Map	8
Topo Map	9
Site Plan	10
Attachments	
Attachment 1: Recommended Conditions of Approval	11
Attachment 2: Required Findings for Approval	18
Attachment 3 CEQA Addendum	36
Attachment 4: Applicant's Evidence in Support of the Required Findings	40
A. Biological Survey	separate
Attachment 5: Referral Agency Comments and Recommendations	74

Please contact Christopher Alberts, Planner, at (707) 268-3771, or by email calberts@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
May 7, 2020	Special Permit	Christopher Alberts

Project Description: A Special Permit for 43,560 square feet of new outdoor cannabis cultivation. There will be one 33,560-square-foot outdoor full-sun cultivation area and 10,000 square fet of cultivation within 5 greenhouses. There will be one harvest of full-sun outdoor and two harvests of the greenhouses annually. Cultivation activities extend from April to November. There will be 3,500 square feet of propagation occurring in a 2,000-square-foot open air area and a 1,500-square-foot enclosed barn. Annual water use is 151,300 gallons. Irrigation water for cultivation will be sourced from an existing permitted well. There is a total of 96,000 gallons of water storage in hard-sided tanks. Processing, such as drying and curing, will occur in the 1,500-square-foot barn and a proposed 1,000-square-foot commercial building. Further processing, such as trimming, will occur in the proposed 1,000-square-foot commercial building. There will be four employees required during peak operations. Power will be provided by Pacific Gas and Electric (P. G. & E.). The applicant proposes to utilize solar power in the future.

Project Location: The project is located in Humboldt County, in the Myers Flat area, on the east side of Whitlow, approximately 5,500 feet north from the intersection of Whitlow Road and Sequoia Road, on the property known to be in Section 2 of Township 02S, Range 03E, Humboldt Base & Meridian, on the property known as 3149 Whitlow Road, Myers Flat, CA.

Present Plan Land Use Designation: Residential Agriculture (RA20-160), 2017 General Plan, Density: 20 to 160 acres per unit, Slope Stability: Moderate Instability (2).

Present Zoning: Unclassified (U)

Record Number: PLN-2019-15665

Assessor Parcel Number: 217-181-012

Applicant	Owner	Agent
Unity Farm Holdings, LLC Dehran Duckworth 3330 Whitlow Rd Myers Flat, CA 95554	Unity Farm Holdings, LLC 3330 Whitlow Rd Myers Flat, CA 95554	Same as Applicant

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

Unity Farm Holdings, LLC, Special Permit
Record Number: PLN-2019-15665
Assessor's Parcel Number: (APN): 217-181-012

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 adopted for the Commercial Cannabis Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit based on the evidence in the staff report and adopt the Resolution approving the proposed Unity Farm Holdings, LLC, project subject to the recommended conditions.

Executive Summary

The proposed Special Permit would permit 43,560 square feet of new outdoor cannabis cultivation. The applicant is anticipating three cultivation cycles per year. There will be one 33,560-square-foot outdoor full-sun harvest in October and the two light deprivation cycles that will occur in five 20'x100' (2,000 square feet) greenhouses that will be harvested at the end of July and in October. Cultivation activities extend from April to November. Propagation will occur in a 2,000-square-foot open air area without the use of supplemental lighting. Propagation will also occur in a 1,500-square-foot enclosed barn. Artificial lighting used in the ancillary propagation nursery will adhere to shielding and International Dark Sky Association standards as set forth in the CCLUO. Processing such as drying and curing, will occur in the 1,500-square-foot barn and a proposed 1,000-square-foot commercial building. Further processing, such as trimming, will occur in the proposed 1,000-square-foot commercial building. The applicant anticipates on hiring a maximum of four employees during peak operations. According to the Operations Plan, the proposed commercial building will have a newly installed septic system to service ADA bathroom facilities in the building. The applicant will be utilizing portable ADA bathroom facilities until the proposed commercial building is constructed for employees engaged in cultivation activities. Processing will occur at an off-site, licensed processing facility until the structures are developed. The Department of Environmental Health has approved the project.

Irrigation for the project will be sourced from an onsite permitted groundwater well (18/19-1065). The applicant states dry farming techniques will also be utilized in order to conserve water as well as rainwater catchment. Water for irrigation will be stored in twenty (20) 4,800-gallon hard tanks, for a total of 96,000 gallons of water storage. The anticipated maximum yearly water usage is 151,300 gallons. Power is supplied by P. G. & E. via grid. As condition of approval, the applicant [RM1]has to purchase renewable energy or install solar prior to using power for cultivation. Proof of continued use (e.g. power bills) are applied for during the annual inspection. The parcel is accessed from Whitlow Road. Whitlow Road is constructed to Category 4 Roads standards and is approved for use of commercial cannabis operations by the Department of Public Works.

According to the California Natural Diversity Database (CNDDB) there are no mapped species of special concerns on the subject parcel. There is a Northern Spotted Owl (NSO) activity center approximately 0.4 miles southeast from the project site and one NSO observation approximately 0.2 miles from the project site. A Marbled murrelet habitat is mapped approximately 2.94 miles southwest from the project site. A condition of approval requires the applicant to develop and implement a Light Pollution Prevention Plan to prevent light impacts to wildlife. Also, as a condition

of approval, any project related noise shall be contained to the extent feasible (e.g. containment of fans, dehumidifiers etc.) and shall be no more than 50 decibels measured from 100 feet from the noise source or edge of habitat, whichever is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled murrelet. Planning staff thinks that use of supplemental lighting complying with dark-sky standards can adequately address any lighting impacts on NSO. There are three other commercial cannabis applications within 1 mile of the NSO activity center, and only one project is proposing to utilize generators as a power source. Therefore, there is no likelihood of cumulative impacts on this activity center from permitted commercial cannabis cultivation sites in the vicinity.

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-2019-15665
Assessor's Parcel Number: 217-181-012

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

WHEREAS, Unity Farm Holdings, LLC, submitted an application and evidence in support of approving the Special Permit to permit a new 43,560 square-foot outdoor cultivation area with on-site processing. There will be one 33,560-square-foot outdoor full-sun cultivation area and 10,000 square feet of cultivation within greenhouses. There will be one harvest of full-sun and two harvests from the greenhouses annually. Propagation will occur in a 2,000-square-foot open air area and 1,500-square-foot enclosed barn. Annual water usage is estimated at 151,300 gallons. Water for irrigation is sourced from an groundwater well. Annual water use is 151,300 gallons. There is a total of 96,000 gallons of water storage in hard-sided tanks. Processing will occur in the 1,500-square-foot barn and a proposed 1,000-square-foot commercial building. Four employees are required during peak operations. Power will be provided by Pacific Gas and Electric (P. G. & E.) and solar energy. Four employees are required during peak operations; 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 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 Environmental Impact Report. 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-2019-15665); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Zoning Administrator on May 7, 2020.

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

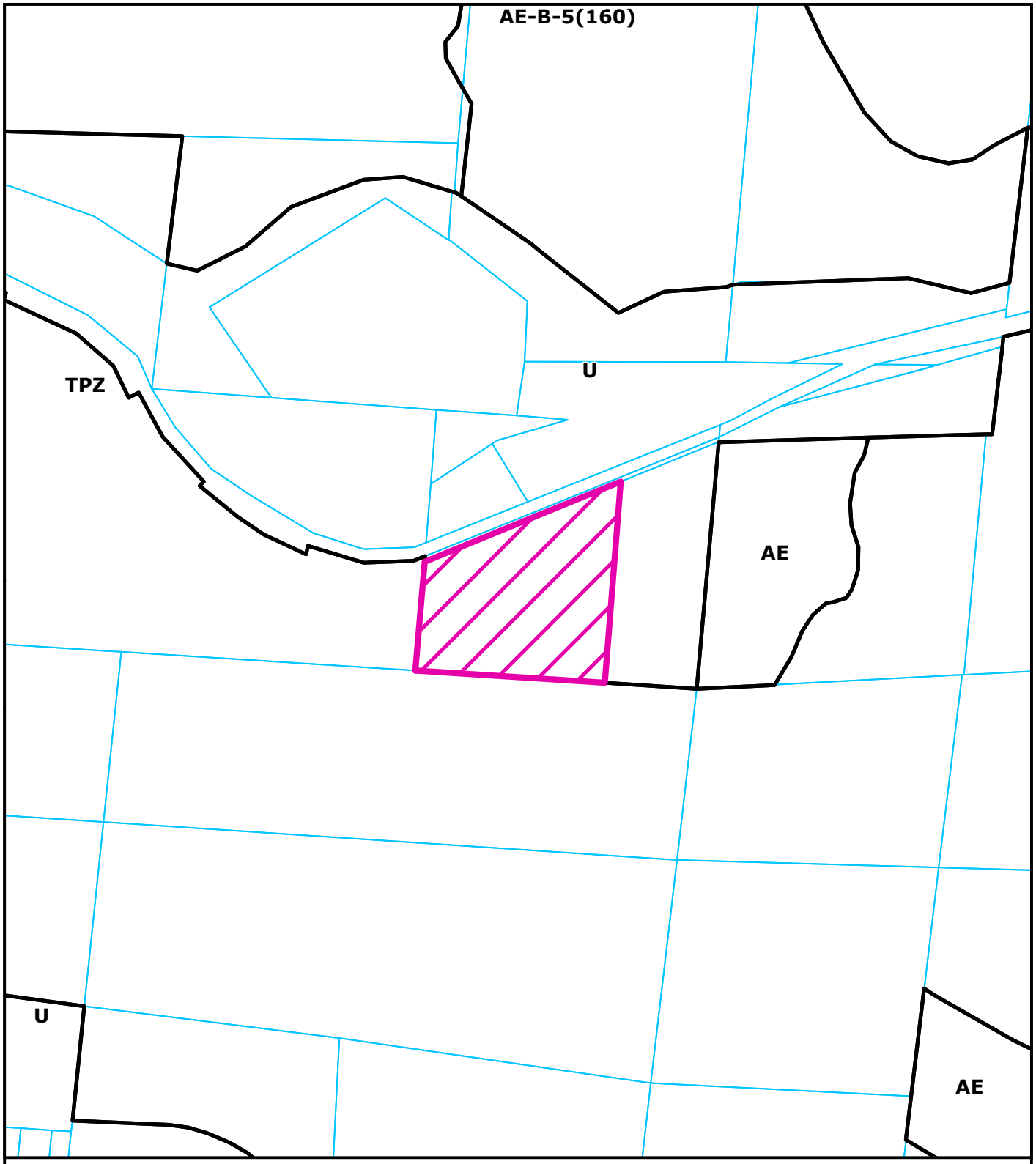
1. The Zoning Administrator considered the Addendum to the Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance; and
2. The Zoning Administrator makes the findings in Attachment 2 of the Zoning Administrator staff report for approval of Record Number: PLN-2019-15665 based on the submitted substantial evidence; and
3. Special Permit Record Number: PLN-2019-15665 is approved as recommended and conditioned in Attachment 1 for Record Number: PLN-2019-15665.

Adopted after review and consideration of all the evidence on May 7, 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.

_____

John H. Ford
Zoning Administrator
Planning and Building Department



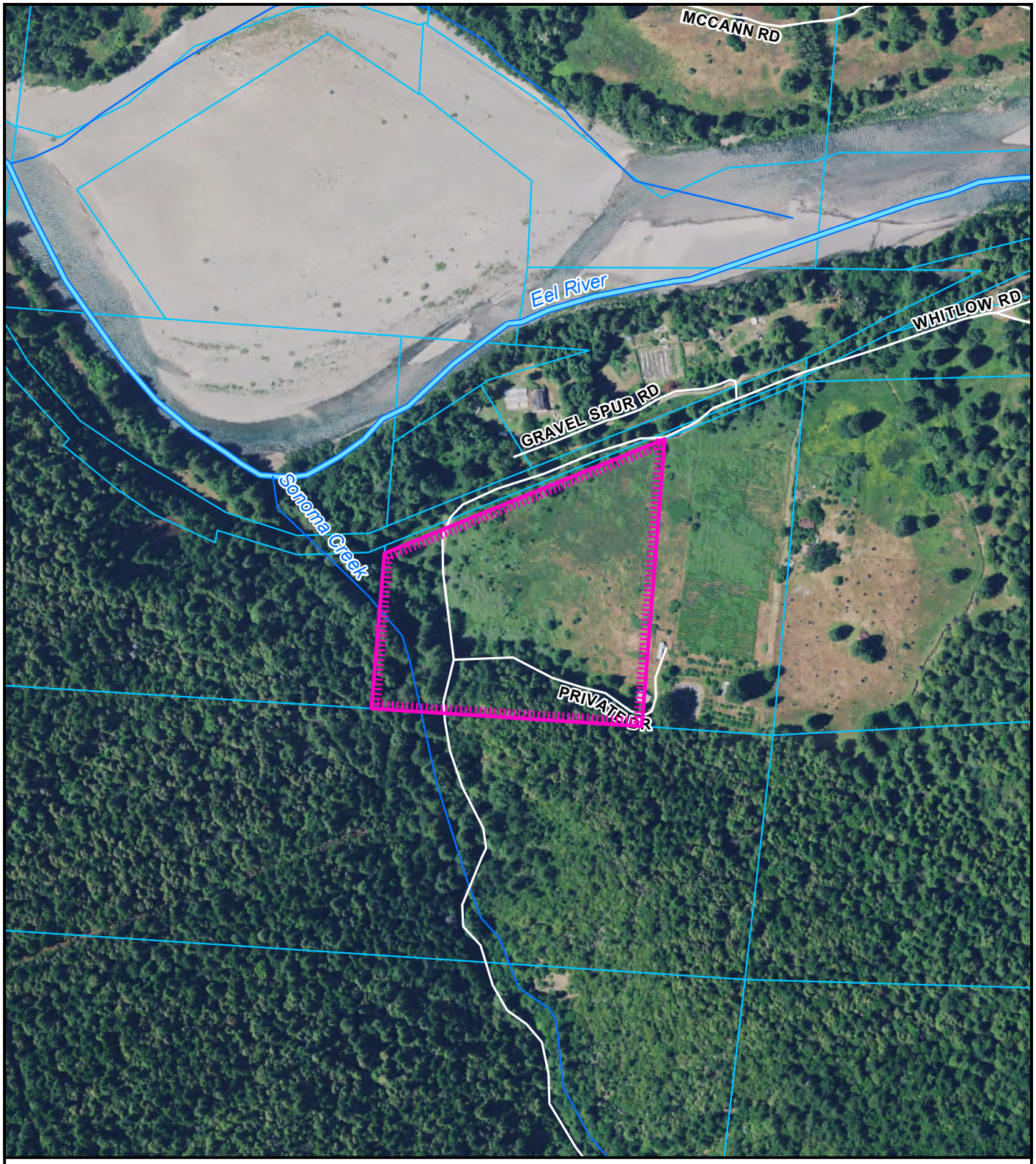
ZONING MAP
PROPOSED UNITY FARM HOLDINGS, LLC
MYERS FLAT AREA
PLN-2019-15665
APN: 217-181-012
T02S R03E S2 HB&M (MYERS FLAT)

Project Area =

N

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.

0 850 1,700 Feet



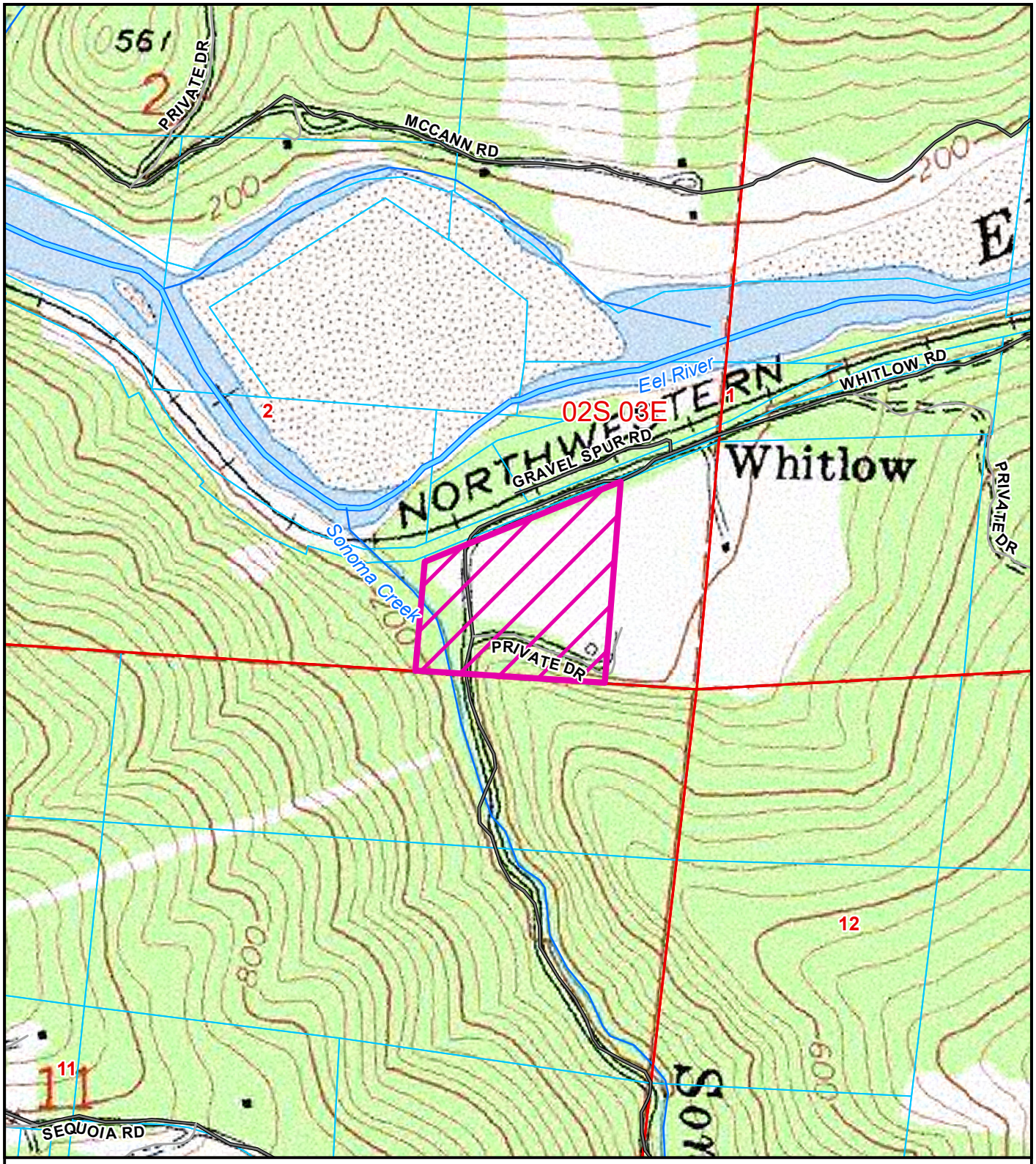
AERIAL MAP
PROPOSED UNITY FARM HOLDINGS, LLC
MYERS FLAT AREA
PLN-2019-15665
APN: 217-181-012
T02S R03E S2 HB&M (MYERS FLAT)

Project Area =

N

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.

0 600 1,200 Feet



TOPO MAP
PROPOSED UNITY FARM HOLDINGS, LLC
MYERS FLAT AREA
PLN-2019-15665
APN: 217-181-012
T02S R03E S2 HB&M (MYERS FLAT)

Project Area =

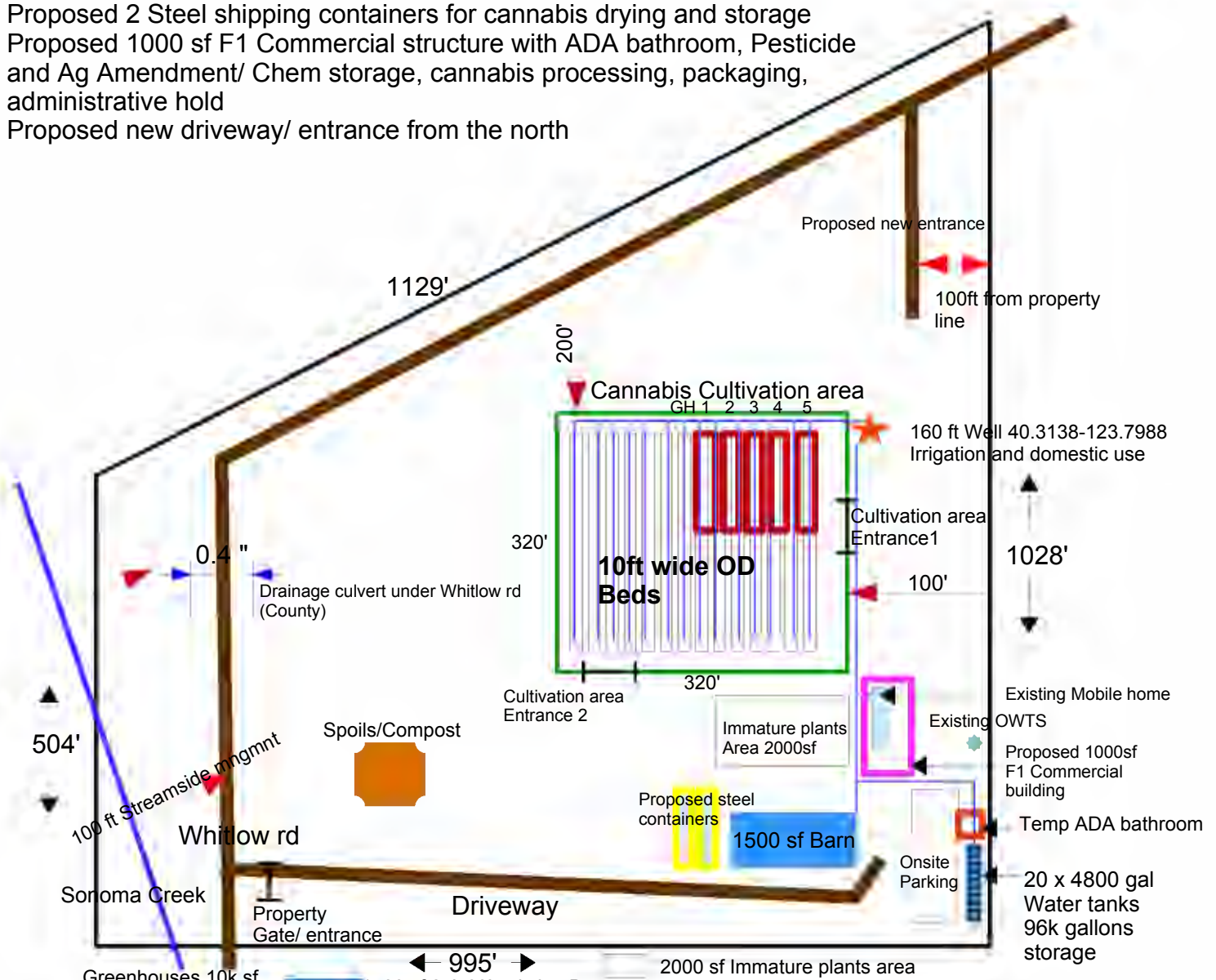
N

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.

0 850 1,700 Feet

Site Map for permit application No. 15665
Unity Farm Holdings, LLC
3149 Whitlow rd,
Myers Flat CA 95554
APN#217-181-012

Proposed 43,560 sf Medium Outdoor cultivation in 10ft x 300ft rows with 10 ft walkways in between rows
Light dep cultivation in five 20'x100'Ag Exempt temp Greenhouses = 10k sf
Proposed renovation existing 1500 sf barn Ag Exempt for cannabis drying, packaging, administrative hold, pesticide and Ag amendment/ Chem storage area
Proposed 2 Steel shipping containers for cannabis drying and storage
Proposed 1000 sf F1 Commercial structure with ADA bathroom, Pesticide and Ag Amendment/ Chem storage, cannabis processing, packaging, administrative hold
Proposed new driveway/ entrance from the north



Greenhouses 10k sf
GH1 20'x100' 2000sf
GH2 20'x100' 2000sf
GH3 20'x100' 2000sf
GH4 20'x100' 2000sf
GH5 20'x100' 2000sf

1500 sf 25'x60' existing Barn Ag Exempt restoration Cannabis drying, packaging, Storing. Pesticide and ag chem storage administrative hold,

2000 sf Immature plants area

50 x 50 Compost/ Spoils area

Well; Irrigation at Barn, tanks, and cultivation area; Domestic use At manufactured home/ proposed F1 Comm Build. Location 40.3138-123.7988

OD Beds 7-10'x300',7-10'x1750'

Whitlow rd

Sonoma Creek

Property Boundary (N/S1028'x504'x995'x1129')

Cultivation area boundary/fence (320x320ft)

Water/ irrigation lines

Existing unpermitted mobile home temp use (year 1) Pending permit For new F1 commercial Building construction.

Existing OWTS

Proposed 1000 sf 20'x50' F1 Commercial building with ADA Bathroom, cannabis processing, packaging, Pesticide and Ag Chem storage administrative hold

Temp ADA Bathroom

4800 gal Water tanks

Proposed 40'x9.6'x2 steel shipping containers for Harvest Storage CDFA App# LCA19-0005128

ATTACHMENT 1
Recommended Conditions of Approval

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

1. The applicant will not be authorized to use any power to support operations until such time the project complies with the CCLUO for energy use. The applicant shall supply an energy use plan that demonstrates how the project will comply with CCLUO requirements for energy use. The plan should include estimated energy use and what percentage of the use will be provided by each energy source. The applicant shall provide evidence of installation of a solar power system (e.g. photographs) and/or enrollment into a program to purchase renewable energy to the Planning Department for review and approval prior to use of power to support operations.

2. The applicant shall secure permits for all existing and proposed structures related to the cannabis cultivation and other commercial cannabis activity. A letter or similar communication from the Building Division verifying that all structures and grading related to cannabis cultivation are permitted will satisfy this condition.

3. The applicant shall 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. The applicant shall submit a comprehensive Light Pollution Prevention Plan for the project including all measures necessary to adhere to International Dark Sky Association standards as set forth in the CCLUO, demonstrating that the proposed project would not deliver or have the potential to deliver light pollution, during the hours of sunset to sunrise, affecting fish and/or wildlife directly or from a distance. The plan shall include information about any outdoor lighting utilized and measures to down-shield this lighting. The plan shall be submitted to the satisfaction of the Planning Division within six months of the effective date of this permit, or prior to use of lighting, whichever occurs first.

5. The applicant shall ensure all fences and gates be relocated out of the County right of way; the applicant shall ensure Whitlow Road is paved at the location of the driveway for a minimum width of 18 feet and length of 50 feet; the applicant shall ensure all driveways and private road intersections onto the County Road are maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

6. The applicant shall 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. Should the site qualify for an exemption, the applicant shall provide proof of a SWRCB exemption status.

7. The applicant shall cause to be formed a road maintenance association for Whitlow Road with a provision for maintenance of the entirety of the road to its intersection with Dyerville Loop Road. If less than 50% of the property owners on Whitlow Road do not enroll, then this

condition of approval is considered achieved. The applicant shall provide to the Planning Division for review as to form the letter inviting owners to join the Whitlow Road maintenance association. Documentation of delivery of the letter shall be by certified US Mail.

8. 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.

9. Prior to initiating commercial cannabis cultivation or associated activities 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.

10. Provide a portable toilet to meet the needs of the farm operators. Annual contracts or invoices confirming the use of a portable toilet is required and will be provided to Humboldt county Health and Human Services, Department of Environmental Health (DEH). The portable toilet must not occupy the property outside of the cultivation season.

11. 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. 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.

3. 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.

4. 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.

5. 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.

6. 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 10 feet from the side property lines and 20 feet from the front and rear property lines, 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 Section 55.4.6.4.4. The project is located within the Myers Flat Community area and the setbacks from property lines meet those of the underlying zone (FP). The allowance for a setback reduction of 600 feet from a Public Park is approved as part of this project. The adjacent property owned by Redwood State Park is managed for open space and/or wildlife habitat purposes, and no developed or designated recreational facilities are within 600 feet of the cultivation area.

7. 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.

8. 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).

9. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.

10. Pay all applicable application, review for conformance with conditions and annual inspection fees.

11. 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 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 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.

12. The recreational vehicle (RV) that is to be used as temporary housing during the cultivation season shall not occupy the site from December 1st to May 31st of any given year.

13. 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.

14. 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.

15. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of

at an authorized waste management facility.

16. Any project related noise shall be contained to the extent feasible (e.g. containment of fans, dehumidifiers etc.) and shall be no more than 50 decibels measured from 100ft or to the nearest tree line, whichever is closer.

17. 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.

18. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.

19. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Section 719-1 et seq.).

20. Participate in and bear costs for permittee's participation in the Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner.

<u>Performance Standards for Cultivation and Processing Operations</u>

21. 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."

22. 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).

23. 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.

24. 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:
1) Operation manager contacts;
2) Emergency responder contacts;
3) 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.

25. 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.

26. 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 Permits, 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.

27. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #26, above, is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and

may require the submittal of additional information to ensure that new standards are met.

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. 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.

2. The applicant is required to pay for permit processing on a time and material basis as set

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

3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions 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.

4. 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.

5. 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.

6. 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. General Plan Consistency. The following table documents the evidence that the proposed action is in conformance with all applicable policies and standards in the Humboldt County General Plan 2017, Open Space Plan, Open Space Action Program.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use Chapter 4 Land Use Designations Section 4.8	**Residential Agriculture (RA):** This designation applies to large lot residential uses that typically rely upon on-site water and wastewater systems. Varying densities are reflective of land capabilities and/or compatibility issues. RA5-20 and RA20 are rural residential designations for lands with slopes generally less than 30% and served by individual water and wastewater systems and good road access. RA40, RA60, and RA160 designations are applied to more remote, steep and high hazard areas or where appropriate to ensure compatibility with adjacent resource production and open space uses. Density range is 20 to 160 acres/unit	The proposed project includes 43,560 square feet of new outdoor cannabis cultivation. The subject is 15.53 acres in size. General agriculture is allowable use type for this designation.
Circulation Chapter 7	Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1, C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County. (C-G4, C-G5) Related policies: C-P3, Consideration of Transportation Impacts in Land Use Decision Making.	The parcel is accessed via Whitlow Road from Dyerville Loop Road. Per the Road Evaluation prepared by the applicant, the entire road segment is developed to Category 4 road standards (20 feet wide) or better. The Department of Public Works recommended conditional approval of the proposed project. The applicant shall improve the intersection of Whitlow Road at the location of the driveway; the applicant shall ensure all fences and gates be relocated out of the County right of way; and the applicant shall ensure all driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

Housing Chapter 8	Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing. Related policies: H-P3, Development of Parcels in the Residential Land Inventory.	The project does not involve residential development, nor is the project site part of the Housing Element Residential Land Inventory. However, the project will not preclude any future residential development. The project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.
Conservation and Open Space Chapter 10 Open Space Section 10.2	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) 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.	The proposed project is located within an Open Space Action Program because the project site has a mapped FEMA flood hazard zone overlay (see discussion below regarding flooding). The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.
Conservation and Open Space Chapter 10 Biological Resources Section 10.3	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) Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.	A preliminary Biological Scoping Study[RM2] was conducted by BeGreenLegal on May 30, 2019. The assessment area was surveyed on foot. The purpose of the site survey was to confirm presence or absence of species identified during the database search and their habitats, to better determine whether any biological impacts may occur as a result of the project. The following was concluded: the proposed cultivation site does not contain any critical resources that would be impacted by the proposed project. The report also concluded that there are no water resources, critical habitats, old growth forests, or special status plants or wildlife inhabiting the property that could be affected by the development of a cultivation operation within the Assessment area. Furthermore, eight-teen species were identified having the potential to occur through the pre-

		inspection database search out to a five-mile radius from the Assessment Area. According to the study, habitat requirements for these species were compared, none of the required habitats occur within the Assessment Area or on the property. There were no observations or special status wildlife, or plant species were discovered or observed. BeGreenLegal has determined that the Unity Farm Holdings, LLC cultivation project will have no significant impacts on environmental resources including federal or state listed species and their habitats. According to the California Natural Diversity Database (CNDDB) there are no mapped species of special concerns on the subject parcel. There is a Northern Spotted Owl (NSO) activity center approximately 0.4 miles southeast from the project site and one NSO observation located approximately 0.2 miles from the project site. A Marbled murrelet habitat is mapped approximately 2.94 miles southwest from the project site. A condition of approval requires the applicant to develop and implement a Light Pollution Prevention Plan to prevent light impacts to wildlife. Also, as a condition of approval, any project related noise shall be contained to the extent feasible (e.g. containment of fans, dehumidifiers etc.) and shall be no more than 50 decibels measured from 100 feet from property lines and the nearest tree line. The project was referred to the California Department of Fish and Wildlife (CDFW) on August 28, 2019. No response was received. Staff contacted CDFW on April 3, 2020, to request project comments (see Attachment 5). Staff has not received a response from CDFW.
Conservation and Open Space	Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing	The project was referred to the Bear River Band of the Rohnerville Rancheria and Intertribal Sinkyone Wilderness Council. The Bear Band

Chapter 10 Cultural Resources Section 10.6	heritage, historic, scientific, educational, social and economic values to benefit present and future generations. (CU-G1, Protection and Enhancement of Significant Cultural Resources) Related policies: CU-P1, Identification and Protection; and CU-P2, Native American Tribal Consultation.	THPO recommended a Cultural Resource Survey to be conducted on the subject project site. A Cultural Resource Survey was conducted on APN 217-181-012 by the Archaeological Research and Supply Company in October of 2019. The report concluded there were no resources located on the project site during the survey. 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.	The subject application is for 43,560 square feet of new outdoor cannabis cultivation. Cultivation does not involve any lighting. Supplemental lighting will be used in the proposed 2,000 square foot nursery; however, the proposed nursery will be in an enclosed structure. The CCLUO requires 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-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. These standards are included in the conditions of approval for the project.
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-G, WR-G7,	The applicant has enrolled into the State Cannabis Discharge program as a Tier 2 Low Risk (WDID:1-12CC417005). The project s conditioned to follow and implement the site-specific requirements found in the Notice of Applicability by the North Coast Regional Water Quality Control Board (NCRWQCB). 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

	WR-G8, WR-G9) Related policies: WR-P10, Erosion and Sediment Discharge; WR-P42, Erosion and Sediment Control Measures.	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. Should the site qualify for an exemption, the applicant shall provide proof of a SWRCB exemption status.
Water Resources Chapter 11 Onsite Wastewater Systems	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) Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P17, On-Site Sewage Disposal Requirements.	The parcel will be serviced by a portable toilet that will be serviced once a month. The applicant proposes to build a 1,000-square-foot commercial building that will be equipped with an ADA bathroom. As a condition of approval, the applicant will be required to provide an invoice, or equivalent documentation to the Department of Environmental Health to confirm the continual use of the portable toilet to serve the needs of the farm operators and no processing on-site is authorized by this permit until the commercial facilities are constructed.
Noise Chapter 13	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) Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; and N-P4, Protection from Excessive Noise.	The CNDDB indicates that nearest Northern Spotted Owl (NSO) activity center is approximately 0.4 miles southeast from the project site and Marbled murrelet habitat is mapped approximately 2.94 miles southwest from the project site. There will be no generators used onsite. Power is supplied by P.G.&E. The applicant will be transitioning to solar and enrolling into a renewable energy program with the Redwood Coast Energy Authority in the future. The applicant will not be authorized to use any power to support operations until such time the project complies with the CCLUO for energy use. Any fans or dehumidifies used in the cultivation operation will be conditioned to operate at less than 50 dB at 100-foot from the noise source or edge of habitat, whichever is closer.
Safety Element Chapter 14 Geologic &	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	The project site is not located in a mapped Alquist-Priolo fault zone nor is subject to liquefaction. The site is seismically classified as moderate instability. The cultivation area is

Seismic	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) Related policies: S-P11, Site Suitability; and S-P7, Structural Hazards.	located on slopes of less than 15%. The project also 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 project is located within a FEMA mapped 100-year flood zone. The applicant is proposing to develop a 1,000 square foot commercial building and five (2,000 square foot) greenhouses. The temporary greenhouses will be removed from the site between October 16th and April 14th. Efficient and safe irrigation techniques will be used as well as secondary containment for nutrients, fertilizers & pesticides, etc. Domestic solid waste and recycling will be stored in the proposed commercial building, which will be equipped with a non-permeable, concrete floor and kept in secondary containment. According to the Soils Management Plan submitted by the applicant, cultivated vegetation will be composted in bins and reused to amend soils. the proposed project will not store hazardous or acutely hazardous materials on site that could be cause environmental harm during a flooding event. Lastly, the project site is not within a mapped dam or levee inundation area. The project site is approximately 28 miles east of the coast, and approximately 187 feet above mean sea level, thus, 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-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.	The subject parcel is located within an area with high fire hazard severity. The subject project is located in within the Fruitland Ridge Fire Protection District and the State Responsibility Area (SRA). where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. All existing structures and proposed structures meet the 30-foot SRA setback from property lines. A maximum of four employees are required during peak of operations. The water source for this project is a groundwater well and 96,000 gallons of water storage is proposed The applicant will set aside 2,500 gallons of water labeled as "SRA" for fire suppression. All applicable referral agencies were referred and did not identify any issues relating to fire hazards.
Community Infrastructure and Services Element, Chapter 5 Implementation Action Plan	IS-S5 requires new industrial, commercial and residential development located outside of fire district boundaries to obtain written acknowledgment of available emergency response and fire suppression services from the local fire agency, including any recommended mitigation.	The project is located within the Fruitland Ridge Fire Protection District boundary per the 2016 County Fire Plan.
Air Quality Chapter 15	Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G4) Related policies: AQ-P4, Construction and Grading Dust Control; AQ-S1, Construction and Grading Dust Control; AQ-P7, Interagency Coordination.	If grading is required for any future development on the site, the applicant will be required to obtain a permit from the Building Inspection Division and the North Coast Air Quality Management District (NCAQMD) as a condition of project approval. Dust control practices during construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.

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

Zoning Section	Summary of Applicable Requirements	Evidence that Supports the Required 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 subject parcel has been determined to be one legal parcel as described in Creation Deed 1928-005134. Therefore, the subject parcel was lawfully created in its current configuration and can be developed as proposed.
§314-8.1 Unclassified (U)	Unclassified (U): The principal permitted uses in Unclassified zoning designation are general agriculture, one-family dwellings, rooming, and boarding of not more two persons, and manufactured home.	The applicant is seeking a Special Permit to cultivate 43,560 square feet of new outdoor cannabis cultivation. The subject parcel is 15.53 acres in area and is zoned U. The proposed use is specifically allowed in this zoning district under Section 314-55.4.6 of the CCLUO.
Minimum Lot Area:	6,000 square feet	15.53 acres
Minimum Lot Width:	50 feet	906 feet[RM3]
Max. Lot Coverage:	Forty Percent (40%)	<40%
Min. Yard Setbacks (Through the SRA requirements):	Front: 20 feet Rear: 10 feet Side: 5 feet SRA: 30 feet, all sides	Front: 20 feet Rear: 200 feet Sides: 100 feet
Max. Building Height:	None specified	<35 feet
§314-61.1 Streamside Management Area (SMA)	Placement of soil within SMAs shall be prohibited, except where specifically authorized by the SMA ordinance. Development within SMAs may include wildlife enhancement and restoration projects. The SMA of perennial streams outside of urban development and expansion areas is defined as 100 feet from the stream transition line.	According to the Humboldt County WebGIS, the proposed cultivation is not located within the Streamside Management Area (SMA) buffer. The Biological Scoping Study submitted by BeGreenLegal states there are no water resources, critical habitats, old growth forests, or special status plants or wildlife inhabiting the area.
314-55.4 Commercial Cultivation, Processing, Manufacturing and Distribution of Commercial Cannabis Inland Land Use Regulation (CCLUO)		

§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 the records maintained by the Department, the applicant, Unity Farm Holdings, LLC, applied for one cannabis activity permit. If approved, the applicant will hold one permit.
§314-55.4.6.0 Conversion of Timberland	Cultivation sites may only be located within a Non-Forested area that was in existence prior to January 1, 2016.	A review of aerial imagery on the Humboldt County WebGIS shows the parcel has a naturally open area where domestic activities have occurred. No tree removal that could constitute a timber conversion has occurred on the property, either prior to or subsequent to the adoption of the CCLUO. No trees considered as timber are proposed to be removed as part of the project.
§314-55.4.6.4.3 Limitation on Use of Prime Soils	The cumulative area of any Cannabis Cultivation Site(s) located in areas identified as having Prime Agricultural Soil shall not exceed 20 percent of the area of Prime Agricultural Soil on the Parcel. Where occurring in areas with Prime Agricultural Soil, Cultivation shall only occur within the native soil. Removal of native soil and replacement with manufactured soil is prohibited. Exceptions to the in native soil planting requirement may be considered with a Use Permit. Where an exception is sought, the Use Permit application shall include evidence demonstrating that in the circumstances of the particular cultivation site, it is better to not plant within the native soils. An exception shall only be approved if it can be demonstrated that the native soil will not be impaired or damaged.	There are no Prime Agricultural Sols located on the subject parcel.

§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 proposed project conforms to the 600-foot setback for schools, school bus stops, parks, places of religious worship. No nearby Tribal Cultural Resources or Tribal Ceremonial Sites were identified by the Bear River Band THPO. The project complies with these standards.
§55.4.5.1.4 Community Planning Areas	A Conditional Use Permit shall be required for any Commercial Cannabis Activity where located within the Sphere of Influence (SOI) of any incorporated city or within any of the following mapped Community Planning Areas (CPA's): Blue Lake, Fieldbrook-Glendale, Fortuna, Hydesville-Carlotta, McKinleyville, Rio Dell-Scotia, Shelter Cove, Trinidad-Westhaven, and Willow Creek. A Conditional Use Permit shall also be required for any Commercial Cannabis Activity where located within one thousand feet (1,000') of any incorporated city, Tribal Lands, or any of the Community Planning Areas (CPA's) identified herein. For purposes of determining the Trinidad Planning Area, the Trinidad General Plan shall be utilized.	The subject project is not located in a Community Planning Area.
§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.	The property is accessed via Whitlow Road from Dyerville Loop Road. Per the Road Evaluation prepared by the applicant, the entire road segment is developed to Category 4 road standards (20 feet wide) or better. The Department of Public Works commented on this project and stated the applicant shall ensure all fences and gates be relocated out of the County right of way; the applicant shall ensure Whitlow Road is paved at the location of the driveway for a minimum width of 18 feet and length of 50 feet; the applicant shall ensure all driveways and private road intersections onto the County Road are maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). The project is conditioned to implement the referral comments made by the Department of Public Works into the project.
§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.	The subject parcel is located in an area that requires special noise attenuation measures. The project is within 0.4 miles of a known Northern Spotted Owl Activity Center and an NSO sighting was mapped approximately 0.21 miles south from the project site in 1999. Marbled murrelet habitat is mapped approximately 2.94 miles southwest from the project site. Power is supplied by P. G. & E. The applicant will be transitioning to solar energy in the future. Conditions of approval require the applicant to submit an energy use plan for review and approval by the Planning Department prior to utilizing power at the subject parcel. There will be no generators used for this project. Processing such as drying, and curing will occur in the 1,500-square-foot barn and the proposed 1,000-square-foot commercial structure while trimming will occur in the proposed 1,000-square-foot commercial structure only. No processing is authorized by this permit until the commercial structures are constructed. The project is conditioned to comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and that any project related noise shall be contained to the extent feasible

		(e.g. containment of fans, dehumidifiers etc.) and shall be no more than 50 decibels measured from 100ft from the noise source or to the edge of habitat, whichever is closer. Upon a site visit on March 5, 2020, and an onsite Biological Assessment conducted by BeGreenLegal on May 30, 2019, there are no streams or water courses located on the parcel (see Attachment 4). The closest wetland and water course are the South Fork Eel River which is approximately 537 feet away from the cultivation site.[RM4] The project was referred to CDFW on August 28, 2019. No response was received by the Department. Staff sent out an additional email to CDFW reaching out for comments on April 3, 2020. No response has been received.
§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	a) Structures used for Mixed Light Cultivation and Nurseries shall be shielded so that no light escapes between sunset and sunrise. 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.	The proposed project is for 43,560 square feet of outdoor cannabis cultivation. Propagation will occur in a 2,000-square-foot open air area without the use of supplemental lighting. Propagation will also occur in a 1,500-square-foot enclosed barn. The applicant will be utilizing light deprivation and full-sun techniques and supplemental lighting used in the enclosed nursery will adhere to shielding and International Dark Sky Association standards as set forth in the CCLUO.

§314-55.4.12.5 Performance Standards– Energy Use	All electricity utilized by Commercial Cannabis Cultivation, Manufacturing or Processing activities shall conform to one or more of the following standards: • Grid power supplied from 100% renewable source; and • On-site renewable energy system with twenty percent net non-renewable energy use Grid power supplied by partial or wholly non-renewable source with purchase of carbon offset credits.	The proposed project is for 43,560 square feet of commercial outdoor cannabis cultivation. Power is supplied by P. G. & E. Supplemental lighting is proposed in a 2,000-square-foot open air area and a 1,500-square-foot-barn. The applicant will be transitioning to solar and enrolling into a renewable energy program with the Redwood Coast Energy Authority in the future. This permit does not authorize any use of power until such time that the applicant demonstrates energy use requirements are met. Any fans or dehumidifies use in the cultivation operation will be conditioned to operate at less than 50 dB at 100-foot from the noise source or the edge of habitat, whichever is closer, once operational.
§314-55.4.12.6 Performance Standards– Noise	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.	A Northern Spotted Owl (NSO) activity center is mapped approximately 0.4 miles southeast from the project site and Marbled murrelet habitat is mapped approximately 2.94 miles southwest from the project site. There will be no generators used onsite. Power for the project will be supplied by P. G. & E. The applicant proposes to transition to solar energy. Conditions of approval require the applicant to submit an energy use plan that meets the CCLUO requirements to the Planning Department for review and approval prior to using any power for operations. Any fans or dehumidifies used in the cultivation operation will be conditioned to operate at less than 50 dB at 100-foot distance from the noise source or edge of habitat, whichever is closer.
§314-55.4.12.7 Performance Standards – Cannabis Irrigation	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.	The anticipated maximum water usage is 151,300 gallons annually. Irrigation for the project will be sourced from an onsite permitted groundwater well (18/19-1065). According to aerial analysis using Google Earth Pro, the well is approximately 845 feet south from the Eel River and 194 feet in elevation. The Eel River is approximately 148 feet in elevation. According to the Well Completion Report, the depth of the well is 150 feet and depth to first water was 37 feet below the surface. The screen casing is located 80-150 feet in depth which is approximately 2 feet above the Eel River.

		Staff does not believe the well is hydrologically connected due to the distance from the well to the nearest surface water and the geological log shows the well casing infiltrate through blue clay which has low permeability (see Attachment 4 – Well Completion Log). According to the *Well Connectivity Report* prepared by LACO Associates, dated February 18, 2020, a pumping test was performed in August 2019, using the well on the subject APN and on the adjacent APN 217-181-013. The report concluded that the results were equivocal, with no conclusive evidence either for or against the well being used for irrigation is connected with the Eel River (see Attachment 4). The applicant states dry farming techniques will also be utilized in order to conserve water as well as rainwater catchment. Water for irrigation will be stored in twenty (20) 4,800-gallon hard tanks, for a total of 96,000 gallons of water storage. The subject project was referred to the State Water Resources Control Board – Division of Water Rights (SWRCB). The SWRCB recommended approval for this project and did not require water rights for use of the well.
314-55.4.12.10 Performance Standards – Soils Management	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.	The applicant provided a soils management plan stating soil amendment will be stored in the barn and building located on-site, which is equipped with an elevated floor and non-permeable concrete floor to prevent leaching and transport to surface waters. The soils management plan also states all soil amendments will be kept I secondary containment. Spent soil will be taken to the nearest transfer station for disposal. Conditions of approval require the applicant to adhere to the soils management plan for the life of the project.
314-55.4.12.16 Performance Standards –	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

Invasive Species Control		include, but not be limited to, identification of types of invasive plant species, where they are located, and a plan to control their spread. The plan shall also include monitoring and reporting requirements that must be submitted during the annual inspection. Upon approval of the invasive species plan by the Planning Department, the applicant is required to adhere to the invasive species plan for the life of the project.

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

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1.4 Required Findings for all Projects	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 reviewed the proposed project and none have any comments that the project would be detrimental to the public health, safety and welfare, or injurious to other properties. The project as proposed and conditioned is consistent with the general plan and zoning ordinance; and the proposed project is not expected to cause significant environmental damage.

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

Code Section	Summary of Applicable Requirements	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 midpoint of the density range specified in the plan designation), except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.	The project does not involve residential development, nor is the project site part of the Housing Element Residential Land Inventory. The proposed project will not preclude any future residential development. The project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

6. Environmental Impact: The following paragraph describes 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 43,560-square-foot new outdoor cannabis cultivation operation. The environmental document on file include detailed discussions of all the relevant environmental issues.

ATTACHMENT 3

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

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

APN 217-181-012, 3149 Whitlow Road, Myers Flat, ***County of Humboldt***

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

May 2020

Background

Modified Project Description and Project History - The original project reviewed under the Environmental Impact Report (EIR) for the Commercial Cannabis Land Use Ordinance (CCLUO) 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 states that "Bringing existing operations into compliance will help to attenuate potential environmental effects from existing cultivation activities, including aesthetic impacts resulting from improper operation or poor siting." The current project was contemplated by the 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 operation involves 43,560 square feet of cannabis cultivation. There will be three cultivation cycles per year. Cultivation activities extend from April to November. Propagation will occur in a 2,000 square foot open air area without the use of supplemental lighting. Propagation will also occur in a 1,500-square-foot enclosed barn. Processing such as drying and curing, will occur in the 1,500-square-foot barn and a proposed 1,000-square-foot commercial building. Further processing, such as trimming will occur in the proposed 1,000-square-foot commercial building. The applicant anticipates on hiring a maximum of four employees during peak operations.

Irrigation for the project will be sourced from an onsite permitted groundwater well (18/19-1065). The applicant states dry farming techniques will also be utilized in order to conserve water as well as rainwater catchment. Water for irrigation will be stored in twenty (20) 4,800-gallon hard tanks, for a total of 96,000 gallons of water storage. The anticipated maximum yearly water usage is 151,300 gallons per year. Power is supplied by P.G.&E. via grid. The applicant will be transitioning to solar and enrolling into a renewable energy program with the Redwood Coast Energy Authority in the future. The parcel is accessed from Whitlow Road.

According to the California Natural Diversity Database (CNDDB) there are no mapped species of special concerns on the subject parcel. There is a Northern Spotted Owl (NSO) activity center approximately 0.4 miles southeast from the project site and one NSO observation located approximately 0.2 miles from the project site. A Marbled murrelet habitat is mapped approximately 2.94 miles southwest from the project site. The 2,000-square-foot propagation area will be open air with no supplemental light and the 1,500-square-foot barn also used for propagation will be completely enclosed. No generators are used as a part of the project. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled murrelet. Planning staff thinks that use of supplemental lighting complying with dark-sky standards can adequately address any lighting impacts on NSO.

A Cultural Resource Survey was conducted on APN 217-181-012 by the Archaeological Research and Supply Company in October of 2019. The report concluded there are no resources located on the project site during the survey.

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 existing cultivation. These include compliance with noise and light standards to limit disturbance to wildlife, increased water storage to allow for complete forbearance from water diversion during the dry season, and proper storage of fertilizers and soil amendments.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Mitigated Negative Declaration (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; or

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

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous 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 EIR; B) significant effect previously examined will be substantially more severe than shown in the previous 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 previous 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 original EIR recommended mitigations. The proposal to authorize the project and minor improvements necessary to bring the operation into compliance with the CCLUO is fully consistent with the impacts identified and adequately mitigated in the original EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the EIR. Compliance with the CCLUO ensures consistency with the adopted EIR and provides for mitigation of all project related impacts to a less than significant level.

In reviewing the application for consistency with the adopted EIR, the County considered the following information and studies, among other documents (see Attachment 4 for complete listing of technical documents):

- Operations Plan for Unity Farm Holdings, LLC; APN 217-181-012 prepared by the applicant, March 2020.
- Site Plan for Unity Farm Holdings, LLC; APN 217-181-012 prepared by the applicant, February 2020.
- Biological Scoping Study for Unity Farm Holdings, LLC; APN 217-181-012 prepared by BeGreenLegal, June 2019.
- Well Connectivity Report for Unity Farm Holdings, LLC; APN 217-181-012 prepared by LACO Associates, February 2020.
- Archaeological Study for Unity Farm Holdings, LLC; APN 217-181-012 prepared by Archaeological Research and Supply Company, October 2019.

Other CEQA Considerations

Staff suggest no changes to 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 certified 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 ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet (Attached).

4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Attached)

5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (On file)

6. Description of water source, storage, irrigation plan, and projected water usage. (On file)

7. Evidence of enrollment into the State Cannabis Cultivation Discharge Program, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (On file)

8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (Not Applicable)

9. If the source of water is a well, a copy of the County well permit, if available. (Attached)

10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre

conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE. (Not Applicable)

11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)

12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in section 55.4.8.2.3, and plan for compliance with applicable Building Codes. (Not Applicable)

13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed will not support diversions for irrigation. (On file)

14. Acknowledge that the County reserves the right to engage with local Tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the Tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to Tribal Cultural Resources, as defined herein. Examples include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)

15. Biological Scoping Study prepared by BeGreenLegal received June 21, 2019. (Attached Separately)

16. Cultural Resource Study prepared by Archaeological Research and Supply Company dated October 2019. (On file)

17. Well Completion Report by Fisch Drilling dated December 19, 2017. (Attached)

18. Well Connectivity Study prepared by LACO Associates dated February 18, 2020. (Attached)

UNITY FARM HOLDINGS, LLC Application No. 15665
APN#217-181-012
OPERATIONS PLAN

1. Description of Water Source, Storage, Irrigation Plan, and Projected Water Usage

WATER SOURCE AND STORAGE: The primary source of irrigation water comes from groundwater. Applicant has one permitted well located on the parcel, installed by Fisch Drilling 160 feet deep with 100 feet of unperforated steel casing in order to draw water from the lower aquifer. This site is situated in a potentially ideal zone for at least partial dry farming, allowing for less water usage than a typical crop once strong tap roots have been established by the plants later in the season.

Dry farming seems possible but as of yet unproven at this location. For crop security, applicant plans to install up to twenty 4800 gallon water storage tanks in the south west corner of the parcel for a total storage capacity of 96000 gallons, depending on forbearance period if any.

IRRIGATION PLAN: Irrigation water is applied at agronomic rates to minimize over watering cannabis plants and reducing the risk of irrigation runoff. Irrigation is applied through traditional drip line irrigation and hand-watering for feeding applications. Applicant will be watering an average of every other day during propagation, and feeding plants at the same rate during the growing season. Applicant waters in the morning/early evening hours to reduce evaporative loss. Ground cover and weed barrier is used to minimize weed growth, which reduces water loss during watering. Applicant uses natural soil amendments to aid in soil moisture retention as part of the irrigation plan.

PROJECTED WATER USAGE: Applicant will cultivate 43,560 sf of new cultivation using greenhouse light deprivation on 10,000 sq ft in greenhouses, and 33,560 sf of outdoor cultivation with approximately 2000 sq ft of outdoor nursery area and 2000 sf of indoor nursery in a proposed 2000 sf F1 commercial building.

Applicant is anticipating one outdoor full season cycle/ harvest and two light dep cycles/ harvests per year. First is of greenhouse/ light dep cultivation, beginning April 1st (vegetative) and ending July 31st (harvest) and the second cycle beginning June 1st (vegetative in the nursery area) and ending October 31st.

Regular greenhouse irrigation for the first cycle begins on April 1st and the second cycle on May 1st. Regular irrigation of the full season plants begins as plants are acquired in May to be planted and watering to commence in June.

Applicant anticipates irrigation lasting approximately 180 days for all cycles with a total of @90 days of actual irrigation from first vegetative cycle until the harvest of the second cycle and full season plants. Anticipated usage for irrigation only is as follows:

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Month	300	300	300	13500	20250	28250	28250	28250	20250	11250	200	200
Day				900 gal every 2nd day	1350 gal every 2nd day	1883 gal every 2nd day	1883 gal every 2nd day	1883 gal every 2nd day	1350 gal every 2nd day	750 gal every 2nd day		151300

The above figures are weather dependent and are only estimated water usage totals. Applicant will install flow meters at all critical points to measure actual yearly water usage upon implementation of the project. Applicant's property will include a permitted F1 commercial building with ADA compliant bathrooms which accommodate up to 5 people on average, as well as extensive flower and vegetable gardens throughout the property.

Total water usage for cannabis cultivation and associated activities on this property is estimated at;

151,300 gallons per year

2. Description of Site Drainage, including Runoff and Erosion Control Measures

STORMWATER MANAGEMENT: There is a stormwater runoff culvert servicing the property which was installed and maintained by the county, under Whitlow rd. on the western side of the property.

EROSION CONTROL MEASURES: There is no evidence of erosion or concentrated storm water flows from the roads, pads, and cultivation areas. The site roads are in excellent condition. Applicant will work with licensed engineers as needed to address any erosion or potential erosion issues.

RUNOFF CONTROL MEASURES: There is no runoff from Applicant's cultivation activities onto fill slopes or unstable slopes. Storm water that runs into the cultivation area is broadly dispersed and directed to flat ground. There are no signs of surface erosion outside the cultivation area. Applicant will work with licensed engineers as needed to address any runoff or potential runoff issues.

3. Details of Measures Taken to Ensure Protection of Watershed and Nearby Habitat

PROTECTION OF WATERSHED AND HABITAT: Cultivation areas are all setback at least 400 feet from the nearest watercourse. Project does not disturb any existing protected habitat.

INVASIVE SPECIES CONTROL PLAN: Applicant will work with a licensed biologist/ botanist to identify and mitigate the proliferation of any invasive species in the project.

CULTIVATION RELATED WASTE PROTOCOLS: Applicant is implementing measures to reduce and/or eliminate cultivation related waste. All plant related material will be composted in bins to prevent nutrient transport and will be reused as part of Applicant's soils management plan. Pots containing starts and clones will be washed, rinsed, and reused between seasons and recycled at the end of their useful life. Applicant will recycle pesticide and fertilizer containers per California pesticide regulations. All other associated waste will be placed in garbage cans with lids and stored in the commercial building, which will be equipped with a non-permeable, concrete floor to prevent nutrients from being leached to groundwater or transported to watercourses. Applicant will determine frequency of disposal to permitted disposal sites that prevents rodent infestation and other nuisances on the property. This will likely be done on a bi-weekly schedule during the growing season.

REFUSE DISPOSAL: The site generates little human refuse. However, Applicant has garbage cans equipped with lids in secondary containment to prevent leaching and transport of foreign materials to receiving waters. The cans are stored in the building, which is equipped with a non-permeable, concrete floor. Applicant will determine the frequency of pickup and delivery to disposal facilities that prevents rodent infestation and other nuisances on the property. This will likely be done on a bi-weekly schedule during the growing season.

HUMAN WASTE: Applicant proposes to use a portable temporary ADA bathroom until permitting is secured for Applicant's proposed ADA compliant F1 commercial building . Bathrooms will utilize an on-site wastewater treatment system of sufficient size to handle both human activity and cultivation activities. On-site bathroom facilities will be located inside the commercial building. Applicant shall ensure that human waste disposal systems do not pose a threat to surface or ground water quality or create nuisance. Onsite treatment systems shall follow all applicable County ordinances of human waste disposal requirements, consistent with the applicable tier under the State Water Resources Control Board Onsite Waste Treatment System Policy.

4. Protocols for Proper Storage and Use of Fertilizers, Pesticides, and Other Regulated Products

PESTICIDES: Pesticides will be stored on-site in the barn and proposed F1 commercial building, which will be equipped with a non-permeable concrete floor to prevent leaching of pesticides into groundwater or transport to surface waters. Pesticides will be kept in original containers with labels affixed and kept in secondary containment totes to further minimize spills from transportation to groundwater or receiving surface waters. Approved spill proof containers with appropriate warning and information labels will be used to transport pesticides to and from site.

Applicant will maintain and keep personal protective equipment required by the pesticide label in good working order. Coveralls will be washed after use when required.

All required warning signs will be posted and material safety data sheets (MSDS) will be kept in the area where pesticides are stored. Emergency contact information in the event of pesticide poisoning shall also be posted at the work site including the name, address and telephone number of emergency medical care facilities. Change areas and decontamination rooms will be available off-site.

Before making a pesticide application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard.

FERTILIZERS: Fertilizers will be stored in the barn and building located on-site, which is equipped with a elevated floor or non-permeable concrete floor to prevent leaching and transport to surface waters. Applicant will store and use fertilizers according to the protocols it uses for pesticide storage and use. Fertilizers will be kept in secondary containment totes to further prevent leaching. Applicant will use all fertilizers according to the label and use personal protective equipment as required by the label.

Before making a fertilizer application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard.

SOIL AMENDMENTS: Soil amendments will be stored in the barn and building located on-site, which is equipped with an elevated floor and non-permeable concrete floor to prevent leaching and transport to surface waters. Amendments are kept in original containers with labels affixed and in secondary containment totes to further minimize spills from being transported to groundwater or receiving surface waters.

Applicant will use all soil amendments according to the label and use personal protective equipment as required by the label. Applicant will seek out and use soil amendments that are advertised as naturally based.

Applicant will follow appropriate application rates of soil amendments. Before making a soil amendment application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard.

PETROLEUM PRODUCTS AND STORAGE: Applicant has on-site a 240-gallon propane tank for building heating/ hot water use. Backup gasoline and diesel fuel will be stored in small cans in the commercial building. Combustible materials shall be stored separately from petroleum products.

5. Description of Cultivation Activities

CULTIVATION ACTIVITIES: Applicant is proposing to permit a new outdoor cultivation site of 43,560 sf. One cultivation area of 10,000 sq. ft of light deprivation greenhouses which will provide two harvests per season with ancillary outdoor nursery area of @2000 sq ft, and 33,560 sf of outdoor cultivation, with Indoor nursery propagation area for vegetation of mother plants, clones, and teenagers for farm use of 2000 sq ft in total. Vegetative propagation using low wattage LED and Florescent lights. Applicant will be using well water to irrigate cannabis, distributed by irrigation lines connected directly to the well, and onsite storage tanks. Greenhouse cultivation will be directly in ground in amended beds with groundcover to prevent excess irrigation runoff and promote soil moisture retention. Outdoor cultivation will be directly in native soils in developed 10 foot wide amended beds, separated by 10 foot wide walkways in order to access plants for spraying and maintenance, and sun exposure.

Power is supplied via grid connect PG&E and eventually solar power, with eventual grid tied emergency backup generator onsite.

Applicant is anticipating two cycles in greenhouses (one dep one full season), the first cycle with teenaged plants supplied from the indoor propagation area in the building over the winter, and the second supplied with teenaged plants which were cut from the first cycle plants and propagated from may to July in the outside Nursery area. Indoor propagation starts in December with Mother plants in the building, from which clones are taken and rooted in cloning rooms. When the clones are rooted they are moved into a veg room in soil in pots. From veg room plants are cycled into the greenhouses and ancillary outdoor nursery areas.

Applicant anticipates hiring four employees to assist with cultivation activities. Applicant anticipates a slight increase in road activity. Employees will live off site and ADA parking will be provided on-site next to the building. Applicant's parcel is located directly off Whitlow Road, a County maintained road. Peak road usage will be between 8:00 AM to 9:00 AM and 5:00 PM to 6:00 PM.

Applicant will comply with all applicable federal, state, and local laws and regulations governing California agricultural employers. Applicant will execute a statement declaring it is an agricultural employer as defined in the California Labor Code.

Applicant will follow all performance standards outlined in Humboldt County's Commercial Medical Marijuana Land Use Ordinance ("CMMLUO") with respect to cultivation activities, including developing employee safety protocols which include: 1) an emergency action response plan and spill prevention protocols; 2) employee accident reporting and investigation policies; 3) fire prevention policies; 4) maintenance of Material Safety Data Sheets (MSDS); 5) materials handling policies; 6) job hazard analyses; and 7) personal protective equipment policies. Applicant will ensure that all safety equipment is in good and operable condition, and provide employees with training on the proper use of safety equipment.

Applicant will post and maintain an emergency contact list which includes: 1) operation manager contacts; 2) emergency responder contacts; and 3) poison control contacts. All cultivation activities will be charted and calendared and visibly posted in the cultivation facilities.

6. Schedule of Activities During Each Month of the Growing and Harvesting Season

December through March

Grow mother plants indoors, make clones/cuttings
Plant cover crops on beds
Amend beds

April

Construct greenhouses
- Plant Greenhouses with first run plants
Make cuttings/ sprout seeds for outdoor cultivation
Begin watering plants every 2nd day

Construct trellis system for plants

Take cuttings from plants in vegetative cycle for 2nd cycle of planting

May

Apply METRC tags GH plants and record planting
Water greenhouses every 2 days GH
Put cuttings from 1st cycle plants into outside nursery area to veg for 2nd cycle

June

Transplant cuttings and seedings to final outdoor locations
Apply METRC tags and report planting
Water every 2 days GH and OD
Begin de-leafing plants
Pull tarps for light deprivation crop
Construct OD trellis

July

Water every 2 days GH and OD
Pull tarps for light deprivation

August

Water every 2 days OD
Harvest and replant greenhouses, drying, processing
Retire MERTC tags
Buck and package flower for processing
Replant greenhouses from ancillary nursery areas

September

Water every 2 days OD
Begin harvesting full season crop (greenhouse and outdoor)
Dry, Trim and manicure harvested plants

October

Water every 2 days OD
Harvest full season plants
Retire METRC tags
Dry, buck, and package flower for processing
Break down greenhouses Oct 15th

November

Dry, buck, and package flower for processing
Prepare end of year reporting
Clean and landscape cultivation areaPlant cover crops

December

Work on end of year reporting
Continue to clean and landscape cultivation areas

6. PROCESSING PLAN AND ACTIVITIES

PLAN: Processing and drying will occur in the barn, and in the proposed onsite commercial building equipped with ADA compliant restrooms and hand washing facilities to support a maximum of five employees, supplies for cleanliness and sanitation, and will meet commercial food grade handling standards. Potable water is supplied from the on-site well. Until new construction is complete, trimming will NOT be conducted onsite but rather sent out to either distributors or trimming services.

Applicant proposes to construct a 1000 sf fully compliant F1 Commercial building on the south eastern portion of the property where the current existing mobile home sits (indicated on site plan) as a processing facility.

Applicant will implement the following safety practices as a part of the processing plan:

1) Functioning safety equipment, including masks, gloves, and respiratory equipment will be provided to employees in good and operable condition;
2) Sanitized protective overcoats will be provided to prevent cross contamination and skin irritation;
3) Poison control and emergency services contacts will be posted in processing areas; 4) safety signage will be posted and spillage prevention policies will be developed; 5) safety training on proper use of trimming equipment; and 6) development and implementation of a workplace health and safety survey.

The drying and processing rooms will be sanitized after every use using organic cleaning products to prevent mold growth and other contaminants. A daily cleaning routine for all work rooms and surface areas is prepared and carried out by employees. Employees are required to wash their hands prior to handling the product and after using the restroom. Sanitary equipment and products such as hand sanitizing liquids, paper towels, gloves, water and face masks are provided on-site and kept in good and operable condition. Emergency contact numbers are posted in working areas, including local poison control center.

PROCESSING ACTIVITIES: During harvest months, the climate is warm and dry. Therefore, harvested plants can be air-dried. Humidity and temperature in drying rooms will be monitored to ensure proper conditions for curing. Cut flowers will be de-leafed and inspected for mold and then brought to the dry room. Flowers will remain on stalk and hung on for approximately 4-7 days. The dry room is thermostatically controlled to regulate temperature and humidity levels.

The Applicant will use a moisture meter to determine dryness. If the moisture content is below 50%, mold development is prevented. Upon reaching sufficiently safe moisture content, flowers will be bucked, placed into sealed plastic bins, and moved into the curing room. The cure room is also thermostatically controlled to regulate temperature and humidity and to ensure an even, slow cure. Bins will be regularly opened and closed to enhance flavor and aroma and to ensure a fully dried product for packaging and storage in the cultivation facility.

Flowers will then be bagged, barreled, and moved to storage rooms where they will remain until ready to be trimmed. Flowers will be hand or machine trimmed and

finished. They will be separated and packaged in one-pound increments, bagged, sealed, and moved back into storage for transport. Trim will be gathered for secondary manufacturing markets.

7. SECURITY FEATURES

Applicant will implement security measures to safeguard the product and prevent nuisance from occurring on the property. All doors and windows will have locks. Finished product is stored in a safe and away from processing activities. Security gates are installed along all main roads with combination-type locks. “No Trespassing” and “Private Property” signs are posted on the property.

Applicant will install security cameras around the exterior of the processing building, the cultivation sites, and at the entrances to the parcel.

To ensure the non-diversion of product, Applicant will enroll and participate in a track and trace program at the state and local level. Applicant will comply with SB 420 and the Attorney General Guidelines for the Security and Non-Diversion of Medical Cannabis (2007).

8. FACILITIES PLAN

1500 sf Barn; Applicant proposes to permit and renovate existing barn, built in 1965, Ag Exempt. Barn will be used for cannabis propagation, drying, packaging, and storage.

Existing manufactured/ mobile home (on wheels); Functioning kitchen, toilet connected to an existing unpermitted OWTS, and grid power. Applicant plans to use existing mobile home as a cooling/ lunch station for employees including bathroom and kitchen pending construction of proposed F1 commercial building and/ or portable ADA compliant bathroom. No cannabis related activities are planned for the mobile home other than the above described.

F1 Commercial building; Applicant proposes to construct a 1000sf F1 commercial building at the site of the existing mobile home and install a new septic system to service ADA bathroom facilities in the building. Building will also serve as drying, processing, packaging, storage and admin facilities.

Pending ADA facilities in a commercial building, a temporary ADA bathroom will be onsite seasonally.

9. SOIL AMENDMENTS

PRODUCT	AMOUNT STORED ON-SITE
Phos and Nit Bat Guano	0-10 50 lb bags
Azomite	0-10 50 lb bags
Kelp	0-10 50 lb bags
Worm Castings	0-10 50 lb bags
Blood meal	0-10 50 lb bags
Bone meal	0-10 50 lb bags
Ag Lime	0-10 50 lb bags
Fish meal	0-10 50 lb bags
Feather meal	0-10 50 lb bags
Gypsum	0-10 50 lb bags
Volcanic Ash	0-10 50 lb bags
Composted soil	N/A

10. PESTICIDES

PRODUCT	ACTIVE INGREDIENT(S)
Garlic Barrier AG+	Garlic Juice
Essentria IC3	Rosemary Oil Geraniol Wintergreen Oil White Mineral Oil
Plant Therapy	Soybean Oil Peppermint Oil Citric Acid
Doctor Zymes Eliminator	Citric Acid
Neem Oil	Neem Oil
Sulphur powder	Sulphur
H2o2	Hydrogen Peroxide

State of California

Well Completion Report

Form DWR 188 Submitted 6/5/2019
WCR2019-007751

Owner's Well Number: | Date Work Began: 05/30/2019 | Date Work Ended: 06/03/2019

Local Permit Agency: Humboldt County Department of Health & Human Services - Land Use Program

Secondary Permit Agency: | Permit Number: 18/19-1065 | Permit Date: 05/14/2019

Well Owner (must remain confidential pursuant to Water Code 13752)

Name: UNITY FARM HOLDINGS, LLC,

Mailing Address: 3149 Whitow Road

City: Myers Flat | State: CA | Zip: 95554

Planned Use and Activity

Activity: New Well

Planned Use: Water Supply Irrigation - Agriculture

Well Location

Address: 3149 Whitlow RD

City: Myers Flat | Zip: 95554 | County: Humboldt

Latitude: 40 Deg. 18 Min. 48.8231 Sec. N | Longitude: -123 Deg. 47 Min. 54.5172 Sec. W

Dec. Lat.: 40.313562 | Dec. Long.: -123.798477

Vertical Datum: | Horizontal Datum: WGS84

Location Accuracy: | Location Determination Method:

APN: 217-181-012

Township: 02 S

Range: 03 E

Section: 02

Baseline Meridian: Humboldt

Ground Surface Elevation:

Elevation Accuracy:

Elevation Determination Method:

Borehole Information

Orientation: Vertical | Specify:

Drilling Method: Other - Under-Ream Down-Hole Hammer | Drilling Fluid: Air

Total Depth of Boring: 160 Feet

Total Depth of Completed Well: 150 Feet

Water Level and Yield of Completed Well

Depth to first water: 37 (Feet below surface)

Depth to Static Water Level: 42 (Feet) | Date Measured: 06/04/2019

Estimated Yield*: 20 (GPM) | Test Type: Air Lift

Test Length: 4 (Hours) | Total Drawdown: 108 (feet)

*May not be representative of a well's long term yield.

Geologic Log - Free Form

Depth from Surface Feet to Feet		Description
0	2	top soil
2	11	brown silty clay
11	19	brown gravel
19	32	brown clay
32	48	brown sandstone fractured
48	66	blue sandstone fractured
66	81	blue clay
81	143	blue sandstone & shale mix
143	160	melange clay shale

Casings

Casing #	Depth from Surface Feet to Feet		Casing Type	Material	Casings Specificatons	Wall Thickness (inches)	Outside Diameter (inches)	Screen Type	Slot Size if any (inches)	Description
1	0	80	Blank	Low Carbon Steel	Grade: ASTM A53	0.188	6			
2	0	80	Blank	PVC	OD: 4.500 in. | SDR: 21 | Thickness: 0.214 in.	0.214	4.5			
1	80	150	Screen	Low Carbon Steel	Grade: ASTM A53	0.188	6	Milled Slots	0.05	
2	80	150	Screen	PVC	OD: 4.500 in. | SDR: 21 | Thickness: 0.214 in.	0.214	4.5	Milled Slots	0.032	

Annular Material

Depth from Surface Feet to Feet		Fill	Fill Type Details	Filter Pack Size	Description
0	20	Bentonite	Other Bentonite		Sanitary Seal
20	150	Filter Pack	Other Gravel Pack	3/8 Inch	Pea Gravel

Other Observations:

Borehole Specifications

Depth from Surface Feet to Feet		Borehole Diameter (inches)
0	160	10

Certification Statement

I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief

Name: FISCH DRILLING
Person, Firm or Corporation

3150 JOHNSON ROAD | HYDESVILLE | CA | 95547
Address | City | State | Zip

Signed: *electronic signature received* | 06/05/2019 | 683865
C-57 Licensed Water Well Contractor | Date Signed | C-57 License Number

Attachments

Scan.pdf - Location Map

DWR Use Only

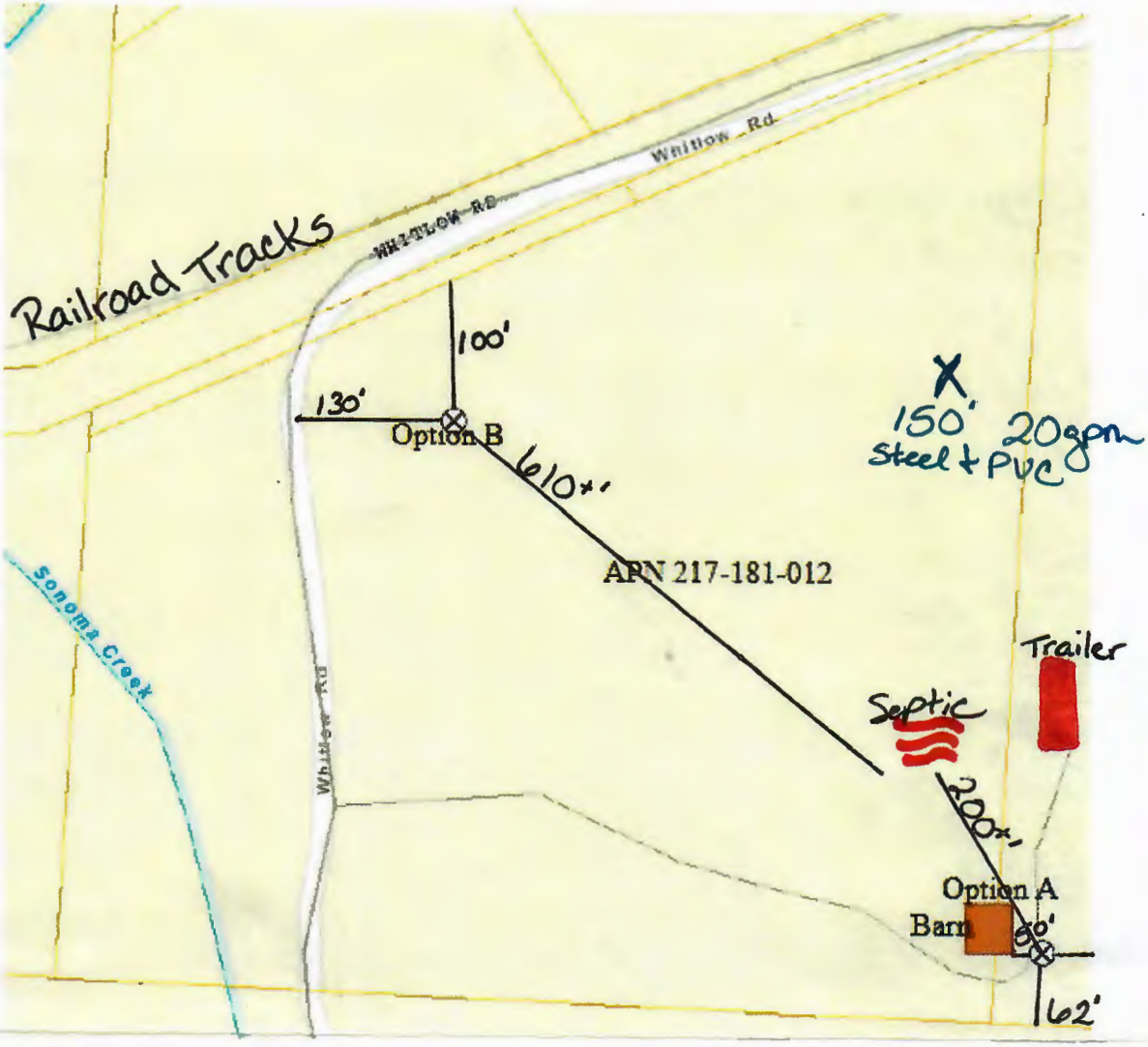
CSG #	State Well Number	Site Code	Local Well Number

				N						W

Latitude Deg/Min/Sec **Longitude Deg/Min/Sec**

TRS:

APN:



3149 Whitlow Rd
Myers Flat, CA 95554
APN# 217-181-012

lacy@fischdrilling.com

From: Fisch Drilling <chris@fischdrilling.com>
Sent: Wednesday, June 5, 2019 3:58 PM
To: lacy@fischdrilling.com
Subject: FW: OSWCR: Thank you for submitting Well Completion Report WCR2019-007751

From: OSWCR-NoReply@water.ca.gov <OSWCR-NoReply@water.ca.gov>
Sent: Wednesday, June 5, 2019 3:57 PM
To: chris@fischdrilling.com
Subject: OSWCR: Thank you for submitting Well Completion Report WCR2019-007751

*******Please do not reply to this e-mail message*******

Thank you for submitting your Well Completion Report - A New Production or Monitoring Well, **WCR2019-007751**, using the Online System for Well Completion Reports (OSWCR). The Department of Water Resources will review it for completeness. You will be notified if additional information is required. If you have any questions, please call your local DWR Region Office WCR contact.

DWR Northern Region Office
April Scholzen
(530)529-7368
April.Scholzen@water.ca.gov

To view this record, log in to OSWCR, or use the following link:
https://civicnet.resources.ca.gov/DWR_WELLS/urlrouting.ashx?type=1000&Module=WellCompletion&capID1=19CAP&capID2=00000&capID3=006DS&agencyCode=DWR_WELLS

Licensed Contractor: FISCH DRILLING License Number: 683865
Well Owner: Unity Farm Holdings, LLC
Well Owner Address: 3149 Whitow Road Myers Flat CA 95554

Well Address: 3149 Whitlow RD, Myers Flat, CA 95554 County: Humboldt Parcel: 217-181-012
Latitude/Longitude: 40.313562°N, -123.798477°W
Submitted: 06/05/2019
Record Status: Submitted

LACO

February 18, 2020 9457.00
Unity Farms Holdings, LLC
3330 Whitlow Road
Myers Flat, CA 95554

Attention: Mr. Dehran Duckworth

Subject: Well Connectivity Study, 3149 Whitlow Road, Myers Flat, CA

Dear Mr. Duckworth:

In order to comply with California Department of Fish and Wildlife requirements relative to groundwater management in commercial cannabis permitting LACO Associates (LACO) was retained to conduct limited aquifer testing in a service agreement dated July 25, 2019 at the above-referenced address (Unity Site) The goal of determining whether a newly installed irrigation well is hydraulically connected to the nearby Eel River.

LACO performed a pumping test in August 2019, using the well on the Unity Site as the pumping well and a well on the adjacent site (Lynn Site) as the observation well. The Lynn Site is located at 3309 Whitlow Road. However, results were equivocal, with no conclusive evidence either for or against the well on the Unity Site's connection with the Eel River and with some indication that the aquifer in which the Unity well was installed was a leaky confined unit. As the Lynn Site also needed a well-connection study, LACO proposed a second pumping test using the Lynn well as the pumping well, the Unity well as an observation well, and the installation of two shallow piezometers in order to determine the connection of the deeper wells with the shallow aquifer. This work was completed in January 2020. The locations of each of the well is presented in Figure 1.

Geologic Description and Hydrogeologic Conceptual Model

The two wells are located at the confluence of the Middle Mainstem of the Eel River and Sonoma Creek (McLaughlin *et al*, 2000), approximately 10 miles east of where the South Fork of the Eel splits from the mainstem. Steep ridges comprising Yager formation surrounds the river valley and through which numerous creeks are incised. The Yager formation is described as thin to medium bedded sandstones and conglomerates (Ogle, 1953). Central belt mélange unit of the Franciscan formation was thrust beneath this unit in a fault mapped east of the Site. The Site is on the northeast limb of a syncline within the Coastal Belt thrust, part of the network of northwest – southeast trending faults and folds that make up the Coastal Belt of the Coast Range.

The stratigraphy logged by the well driller and included in the WCR include 32 feet of topsoil and alluvial deposits (brown silty clay and gravel) that likely represent modern meanders of the river and creek beds. This is followed by 16 feet of fractured sandstone that we interpret as Yager formation followed by 112 feet of blue units described as fractured sandstone, clay, sandstone and shale mix, and mélange clay shale. The blue coloration is notable and indicative of the glaucophane that is present in the Franciscan formation.

The water-bearing potential of the Yager and Franciscan units was described in Evanson (1959) and as poor and occurring along fault zones and fractures and was further noted in Johnson (1978) that "These rocks, however, do not yield appreciable amounts of water and are not tapped by wells except where fractured and weathered.

The groundwater-bearing potential of the Eel River Basin has been extensively studied as part of the State of California's Sustainable Groundwater Management Act. The Site is upgradient of the border of mapped Eel River groundwater basin, which was delineated within the Quaternary Carlotta and Hookton formations in the Groundwater Sustainability Plan Alternative prepared for the Eel River Basin (SHN, 2016). The Yager and Franciscan formations, form the basement rock for the basin, and are not themselves significant store significant quantities of groundwater. Therefore, groundwater flowing to wells screened within these formations is likely to result from the highly folded, faulted, and fractured nature of the stratigraphy.

East of the Site to its headwaters, the Eel River channel is relatively narrow and incised in bedrock with minimal development of sand and gravel bars that decrease to the east. The river is fed by numerous mountain streams and seeps are mapped on the hillsides south of the Site and across the river (McLaughlin *et al.*) 2000). These seeps and streams indicate that the water table is above the elevation of the river, which implies that the Eel River in this reach is a gaining stream.

The nature of the formations into which Well A was installed, along with the description provided in the WCR indicate that the well is screened within fractured bedrock likely comprising the Central Mélange Belt. The 15-foot thick clay unit logged between 66 and 81 feet bgs is in faulted contact with the overlying Yager formation and alluvial deposits. It is unclear whether that unit is of sufficient regional extent to act as an aquitard. Therefore, groundwater discharged from this well may be stored in a semiconfined aquifer where the clay unit acts as a leaky aquitard or an unconfined aquifer if the clay unit is insufficient to restrict the flow of water from the surficial alluvial unit.

Data Collection

LACO initiated a 4-hour pumping test on August 8, 2019. The test used a previously installed pump, which discharged at a consistent rate of 14 gallons per minute(gpm) as measured using a graduated 5-gallon bucket and stopwatch, with Onset HOBO pressure transducers with integrated data loggers installed at approximately 90 feet bgs to record changes in water level over the duration of the test. A data logger was installed at approximately 50 feet bgs in the observation well (Lynn well). The data loggers recorded the pressure of the water column at the elevation of the transducer, which were transformed into water levels by the Onset's accompanying software. Pressure readings were recorded at 10-second intervals in both wells.

Forty-five minutes following test initiation, the test well ran dry and the test was suspended. After approximately 30 minutes, the water level recovered to static conditions and the test resumed. Those time periods are referred to below as "pre-test" and "test." After restart, the well maintained a consistent discharge rate of 14 gpm. Pumping continued for approximately 4.75 hours. The data logger was retrieved from the test well the following day, after logging for approximately 27 hours. The data logger in the observation well fouled on pump cables and remained in the well collecting data for approximately 58 hours.

Data Evaluation and Analysis

Water level changes over time were first modeled using the Theis equation for transient flow in a confined aquifer (1935). Solving this equation for the aquifer parameters transmissivity and storativity, includes plotting the observed drawdown (the lowering of the elevation of the water surface caused by discharging water from the well) over time. In addition, the shape of the curve generated by the observed data when compared to the modeled "ideal" curve can be used to determine the "type" of aquifer that is present, i.e. unconfined, confined, or semiconfined. In this case, the observed data indicated that this aquifer was a semiconfined, or a confined aquifer in which water entered the aquifer through a "leaky" confining bed, or aquitard.

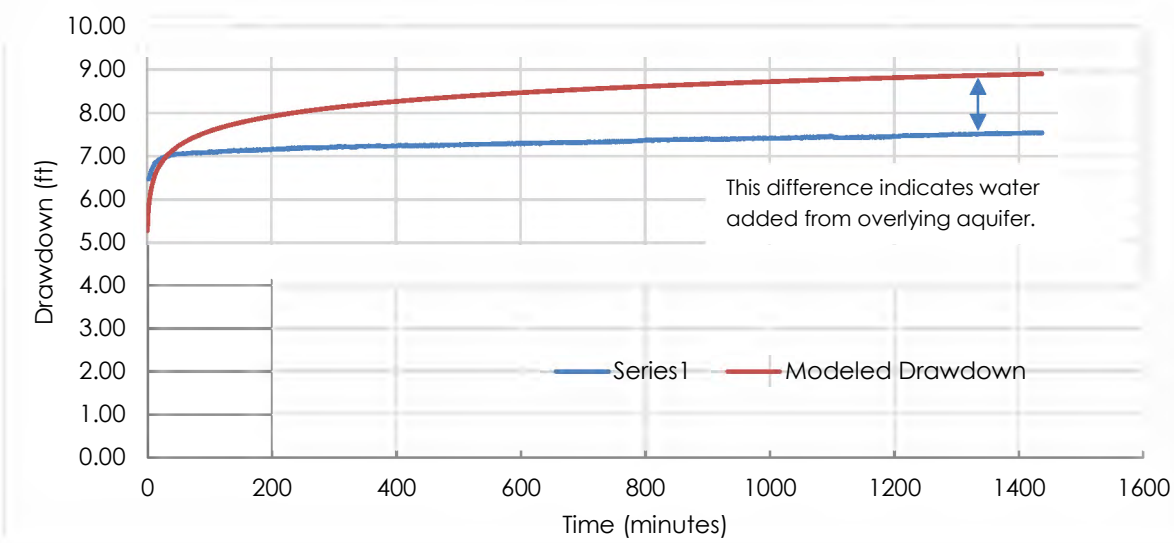


Chart 1: Observed drawdown v. time against modeled drawdown

The difference in the modeled line and the observed line indicates water that was being contributed by the overlying, unconfined, aquifer during the test.

Leaky aquitards can either contribute water from storage directly to the underlying aquifer or allow water to flow through the aquitard from overlying units without directly contributing water from storage. An analogy would be the aquitard acting as a sponge from which discharges from the underlying aquifer pulls water or the aquitard acting as a cracked plate, where water flows through the cracks from above but from which water is not contributed directly. To determine which situation is present, we compared the curve produced from the observation well with those prepared by Walton (1962) for nonequilibrium leaky confined aquifers with no water released from storage and Hantush (1960) for nonequilibrium leaky aquifer with storage in the aquitard. In this case, the shape of the curve best matched the no storage in the aquitard curves.

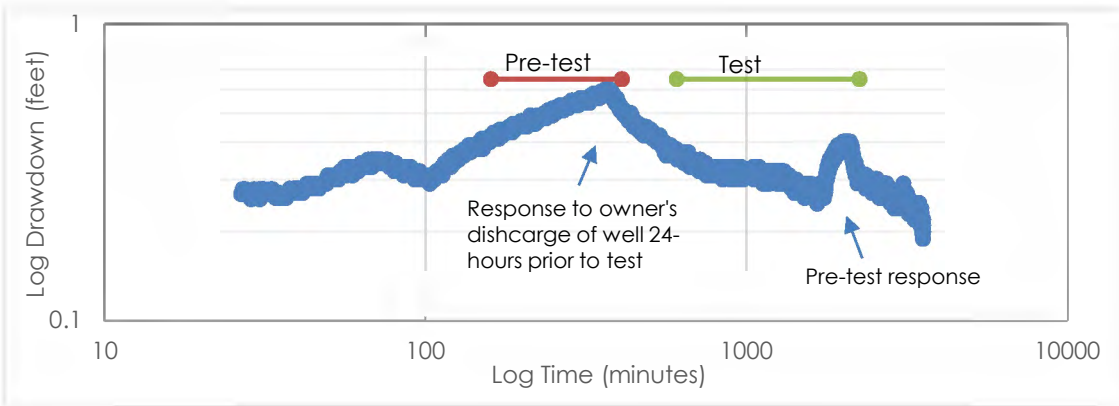


Chart 2: Drawdown over Time in Observation Well

The time periods of the pre-test and test in the observation well are indicated on Chart 2 by the horizontal lines. The data logger was installed approximately one hour prior to the start of the pumping test. Drawdown was already increasing in that well at the start of logging and peaked approximately 3.5 hours after the start of the pumping test. After discussion with Client, we determined that the initial peak recorded was due to test discharges of the pump during connection to a power source on August 7. The second peak recorded represents the response by the well to the pre-test and the, four-hour pumping test was not recorded at the observation well. The data logger memory filled before the signal from the pumping test reached the observation well.

The shape of the curve from the observation well's pre-test data best fits the curves developed by Walton for the aquitard with no storage. In that analysis, the observed data are fit to one of a "family" of curves from which values for the functions W(u, r/B) and 1/u are read from the x- and y-axes for use in the following equations:

$$T = \frac{Q}{4\pi(h0 - h)} W(u, r/B)$$

And

$$K' = \frac{Tb'(r/B)^2}{r^2}$$

And

$$S = \left(\frac{4KDt}{r^2}\right) u$$

Where:
T = Transmissivity (ft^2/day) = $1.06E^3$ ft^2/day
K' = Vertical hydraulic conductivity of the aquitard (ft/day) = $1.47E^{-2}$ ft/day
D' = Saturated thickness of the aquitard (feet) = 15 feet
Q = Discharge (ft^3/day) = 2689 ft^3/day
h_0-h = drawdown (feet) = 0.402 feet
W(u, r/B) was obtained graphically = 2
S = Storativity (unitless) = $1.02E^{-2}$
t = Time since pumping began (day) = 1.3 day
r = Distance between pumping and observation well (feet) = 520 feet
u was obtained graphically = 0.5

As a check on the assumption that the aquifer is leaky confined and that no water is released from storage within the aquitard, Neuman and Witherspoon (1969) developed the following check:

$$t < \frac{S'(b')^2}{10bK'}$$

This condition is true as t for the testing period of 0-.19 day is less than the function under comparison, which equaled 0.25 day; therefore, the assumption is valid.

In order to describe the permeability of the aquitard and its relationship with the overlying unconfined aquifer, we calculate the "leakage factor," B, which is an empirical value that describes the capacity of the aquitard to transmit water and from which the water flow through the aquitard is calculated.

$$B = (\frac{Tb'}{K'})^{\frac{1}{2}}$$

And

$$q_s = Q\exp\,(\frac{-Tt}{SB^2})$$

Where:
r/B was obtained graphically = 0.5
B = leakage factor
b' = the saturated thickness of the aquitard = 15 feet
q_s = Rate at which water is being drawn from elastic storage within the confined aquifer

These calculations result in a leakage factor of 850. Taken together, they result in a 0.86 ft^3/day of water being removed from elastic storage from within the confined aquifer for the 4.7 hours of discharge during the pumping test. This equates to approximately 4 ft^3/day for 24-hours of pumping. The total fraction of the 235-hour discharge flowing across the aquitard is:

$$q_L = Q - q_s$$

Given the discharge rate of 2,689 ft^3/day during the pumping test, 2,685 ft^3/day came from flow across the aquitard from the overlying unconfined aquifer. In order to confirm the connectivity of the unconfined aquifer, LACO performed a second pumping test, reversing the pumping and observation wells and installing two temporary piezometers in the unconfined aquifer.

Aquifer Re-test
On January 20, 2020, temporary piezometers PZ-1 and PZ-2 were installed on the Unity Farm property to depths of 30 feet and 25 feet bgs, respectively, by Fisch Drilling, Co under permit by Humboldt County Department of Environmental Health. Piezometers had a 5-foot screened interval of 0.010 factory slotted PVC with blank well casing to the surface. Piezometers were developed by surging and purging until the discharge water ran clear on January 21, 2020.

On January 22, 2020, LACO conducted a short-duration pumping test using the well located on the Lynn property as pumping well. Discharge was a constant 3.3 gpm, the maximum discharge of which the pump was capable. Data loggers were deployed in the Unity well and the two piezometers as observation wells. Procedures we followed as described above. Field forms and well logs are included

as Attachment 1. The piezometers were destroyed on January 24, 2020 by Fisch Drilling Co by pressure grouting in accordance with standard procedures.

Discharge from the pumping well started on January 22, 2020, at 1135. As this test was restricted to the discharge capacity of the Lynn well of 3.3 gpm. This rate was significantly less than the 14 gpm obtained using the Unity well and observation well results overall show very little overall drawdown.

Both piezometers recorded changes in water level associated with pumping relatively quickly, with PZ-2 responding sooner and to a greater extent than PZ-1, which was located 250 feet closer. All three of the observations wells were in different directions, however, leading to the conclusion that aquiifer properties such as hydraulic conductivity and transmissivity are heterogenous.

The short duration of this test was generally insufficient to obtain stabilized test conditions during pumping. In addition, we were limited in the time we could record recovery data by the drilling contractor's schedule to destroy the piezometers. Neither a stabilized test period nor a record of the well recovery were obtained in piezometer PZ-1. The Unity observation well appeared to have a equivocal data from the testing periord but had sufficient recovery data to calcluate transmissivity using Jacob's method of solving the Theis equation using a time-drawdown curve. This soluting uses the following relationship and data read from plots of drawdown versus the log of elapsed time in days.

$$T = \frac{35Q}{\Delta s}$$

where:
T = Transmissivity (ft^2 per day)
Q = discharge (gallons per minute) = 3.3 gpm
Δs = drawdown (feet) over one log cycle = 0.273 feet

Using a straight line drawn through the recovery data (Chart 3) and reading drawdown at the points where the line crosses the 0.10- and 1.0-day axes, the value of T calculated in the direction of the observation well is 423 ft^2 per day. From the Lynn well, this direction is approximately north-northwest, obliquely toward the Eel River.

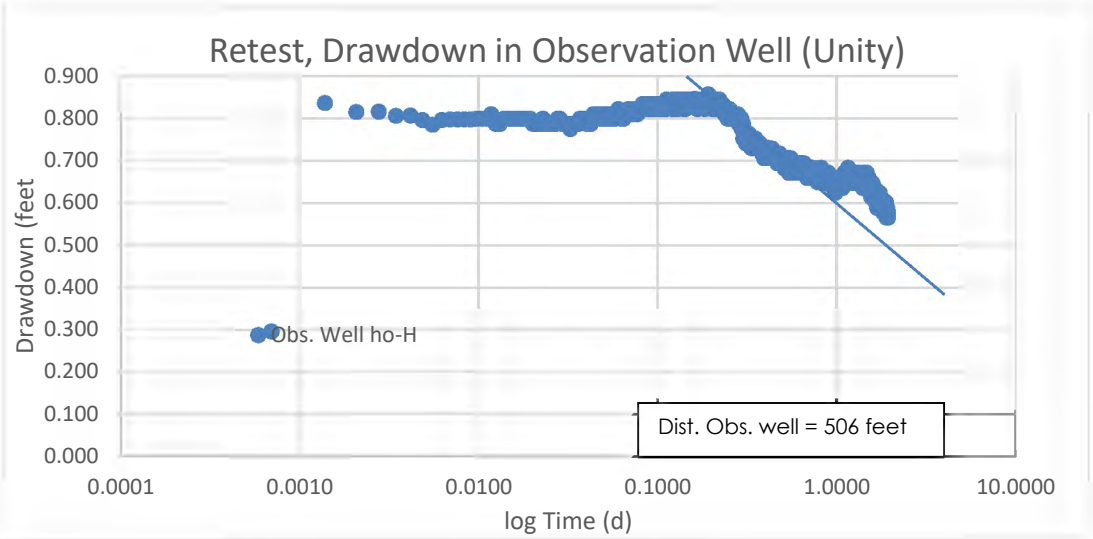


Chart 3: Retest, Drawdown over Time in Observation Well

The end of the dataset for piezometer PZ-2 (Chart 4)can be interpreted as indicating the end of the testing period as it appears that drawdown had ceased increasing with well discharge and, if data recording had continued, drawdown would have continued to decrease until stabilizing at static conditions. Using Jacob's method, transmissivity was calculated at 132 ft2/day using 0.876 for Δs and the same discharge rate. This transmissivity is applicable in an approximately east-west direction, roughly parallel to the river in the vicinity of the Site.

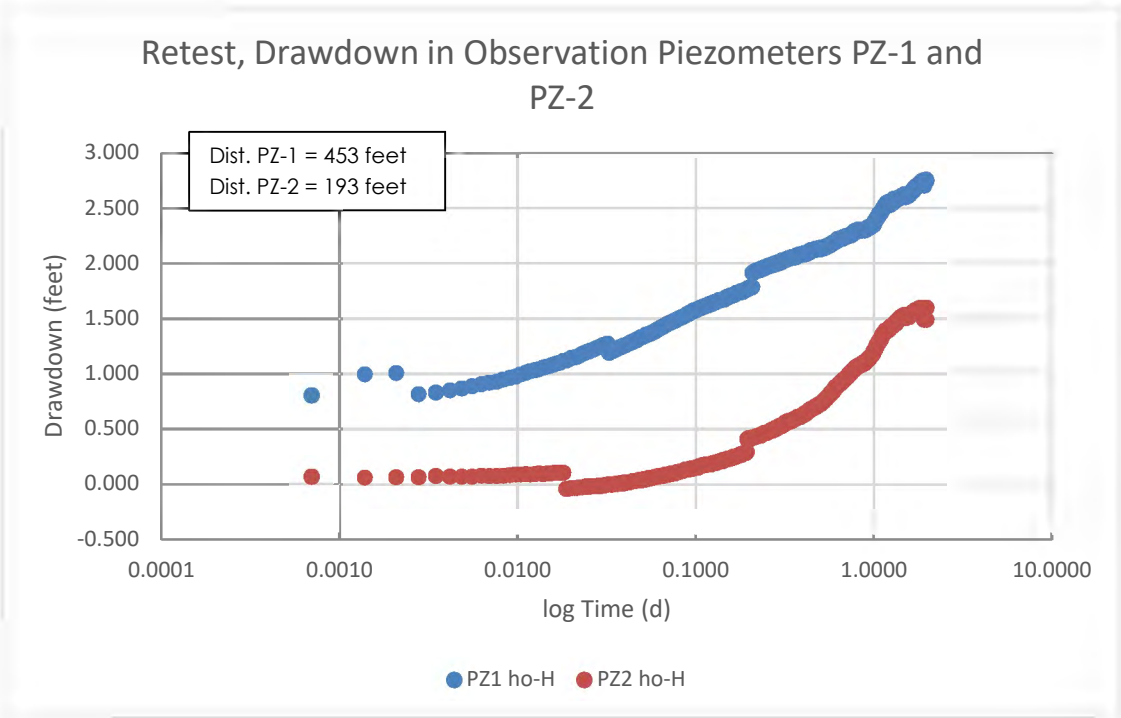


Chart 4: Retest, Drawdown over Time in Shallow Piezometers

Conclusions

We calculated two values for transmissivity in the lower water-bearing unit, which we interpreted as a leaky confined aquifer. Those values represented transmissivity of the unit from the Unity well to the Lynn well and from the Lynn well to the Unity well. While the physical properties of the unit are the same from the perspective of each well, transmissivity is a function of the discharge rate and, therefore, the difference in transmissivity would be expected given the order of magnitude difference in discharge.

Unity to Lynn at discharge = 14 gpm	T = 1,000 ft^2 per day
Lynn to Unity at discharge = 3.3 gpm	T = 432 ft^2 per day

Transmissivity between the Lynn well and the shallow piezometer PZ-2, which includes a vertical component as well as a horizontal one, was 132 ft^2 per day.

While these data are insufficient to conclusively prove a connection between either the Unity and the Lynn wells and the Eel River, the connection between the deeper water-bearing unit and the shallow unconfined unit has been demonstrated.

LACO Associates

Christine S. Manhart
CHG No. 1080, Exp. 3/31/21

CERTIFIED HYDROGEOLOGIST
CHRISTINE SHIVELLE MANHART
No. 1080
EXP. 3/31/21
STATE OF CALIFORNIA

CSM:

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References:

Fetter, CW. 2001. Applied Hydrogeology. Prentice Hall, Inc. 598 pp.

Freeze, R.A. and J.A. Cherry. Groundwater. 1979. Prentice Hall, Inc. 604 pp.

Hantush, M.S., 1960. Modification of the theory of leaky aquifers, Jour. of Geophys. Res., vol. 65, no. 11, pp. 3713-3725.,

Jacob, C . E ., 1950, Flow of ground water, in Rouse, Hunter, Engineering hydraulics: New York, John Wiley, chapter 5, p . 321-386 .

Neuman, S.P. and P.A. Witherspoon, 1969. Theory of flow in a confined two aquifer system, Water Resources Research, vol. 5, no. 4, pp. 803-816.

Ogle, B.A. 1953. Geology of the Eel River Valley Area, Humboldt County, CA. California Division of Mines and Geology Bulletin No. 164. 128 p.

Walton, William C. 1962. Selected Analytical Methods for Well and Aquifer Evaluation. State of Illinois Department of Registration and Education, Illinois State Water Survey. Bulletin 49.

Figure 1

Site map with locations of Duckworth and Lynn wells and temporary piezometers PZ-1 and PZ-2

BORING NUMBER PZ-1

LACO

CLIENT Dehran Duckworth
PROJECT NAME Well Connectivity Study
PROJECT NUMBER 9457.00
PROJECT LOCATION Myers Flat, CA
DATE STARTED 1/20/20 **COMPLETED** 1/20/20
GROUND ELEVATION **HOLE SIZE** 8 inches
DRILLING CONTRACTOR Fisch Drilling
GROUND WATER LEVELS:
DRILLING METHOD Hollow Stem Auger
AT TIME OF DRILLING ---
LOGGED BY AAA **CHECKED BY** CSM
AT END OF DRILLING 7.44 feet
NOTES

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	TESTS AND REMARKS	Pocket Penetrometer (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS (%) LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	FINES CONTENT (%)
0		Grass/topsoil.											
		(CL) Clay with sand and gravel; dark yellowish brown, moist, firm, low plasticity fines, fine to medium sand, fine gravel.											
5		(CL) Clay; dark brown, moist, firm, low plasticity fines, sparse fine gravel.											
10													
		(CL) Clay; dark brown, wet, firm, low plasticity fines, sparse fine gravel. Gravel lens from approximately 15.0' to 16.0'.											
15													
20		(CL) Clay; dark brown, moist to wet, low plasticity fines, no gravel, sparse fine to medium sand.											
25													
30													

Bottom of borehole at 30.0 feet.

GEOTECH BORING NEW - GINT STD US LAB.GDT - 2/24/20 10:18 - P:\9400\9457 DEHRAN DUCKWORTH\9457.00 WELL CONNECTIVTY STUDY\08 GEOLOGY\FIELD DATA\GINT LOG.GPJ

BORING NUMBER PZ-2

LACO

CLIENT Dehran Duckworth
PROJECT NAME Well Connectivity Study
PROJECT NUMBER 9457.00
PROJECT LOCATION Myers Flat, CA
DATE STARTED 1/20/20 **COMPLETED** 1/20/20
GROUND ELEVATION **HOLE SIZE** 8 inches
DRILLING CONTRACTOR Fisch Drilling
GROUND WATER LEVELS:
DRILLING METHOD Hollow Stem Auger
AT TIME OF DRILLING ---
LOGGED BY AAA **CHECKED BY** CSM
AT END OF DRILLING 7.72 feet
NOTES

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	TESTS AND REMARKS	Pocket Penetrometer (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS (%) LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	FINES CONTENT (%)
0		Grass/topsoil.											
		(CL) Clay with sand and gravel; dark yellowish brown, moist, firm, low plasticity fines, fine to medium sand, fine gravel.											
		(CL) Clay; dark brown, moist, firm, low plasticity fines, sparse gravel.											
5		(CL) Clay with sand; dark brown, moist, firm, low plasticity fines, fine sand, no gravel.											
10													
		(CL) Clay with sand; dark brown, moist, firm, low plasticity fines, medium to coarse sand, no gravel.											
15													
20													
25													

Bottom of borehole at 25.0 feet.

GEOTECH BORING NEW - GINT STD US LAB.GDT - 2/24/20 10:18 - P:\9400\9457 DEHRAN DUCKWORTH\9457.00 WELL CONNECTIVTY STUDY\08 GEOLOGY\FIELD DATA\GINT LOG.GPJ

R PW → PZ 2 = 193'
R PW → PZ 1 = 453'

LACO

Project Name:	DUCKWORTH	Technician:	AAA
Project No.:	9457.60	Time Onsite:	10:15
Date:	01/22/2020	Time Offsite:	16:25

FIELD WORK REPORT

Laco Equipment Used Onsite: N/A

Map Attached: Yes: _____ No: ✓

FIRST STATIC

WELL	TIME	DTW
PZ1	10:22	7.09
PZ2	10:24	3.42
OBS	10:20	32.73
PUMP	10:29	51.45

Work Performed:

* UNCAP ALL 4 WELLS ON ARRIVAL + CHECK DTW
* CHECKED DTW ON OBS WELL + INSTALLED DATA LOGGER AFTER STABLE DTW
" " " PZ2 " " "
" " " PZ1 " " "
" " " PUMP WELL " " "
* CONNECTED WELL PUMP BOX TO EXISTING EXTENSION CORD NEAR WELL.
* OPENED BALL VALVE AT 11:35a, WATER BEGINS DUMPING IMMEDIATELY
→ INITIAL H_2O COLOR: RUST RED, CLEAR AFTER ~2 SECONDS
→ H_2O ODOR: SULFUR, NO ODOR @ 12:15
* FLOW RATE TEST @ 11:45: 1.5 MIN TO FILL 5gal BUCKET = 3.3 GPM
" " @ 12:15: 3.3 GPM
" " @ 12:55: 3.3 GPM
" " @ 13:30: 3.3 GPM
" " @ 13:57: 3.3 GPM
" " @ 15:15: 3.3 GPM

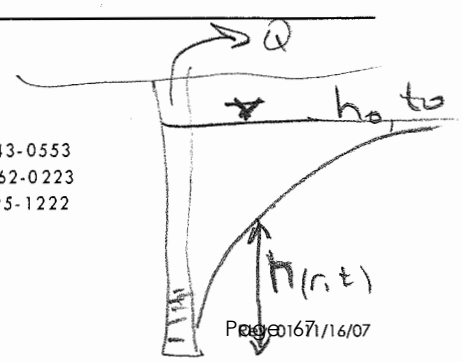
CONTINUOUS FLOW? Y

* CLOSED BALL VALVE AND SHUT OFF/UNPLUGGED PUMP @ 16:05

Signed: AAA

Checked By: _____

Page 1 of 1



21 W. 4th Street, Eureka, California 95501 707 443-5054 Fax 707 443-0553
311 S. Main Street, Ukiah, California 95482 707 462-0222 Fax 707 462-0223
3450 Regional Parkway, Suite B2, Santa Rosa, California 95403 707 525-1222

Toll Free 800 515-5054 www.lacoassociates.com

LACO ASSOCIATES
CONSULTING ENGINEERS
21 West Fourth Street, Eureka, CA 95501
TEL 707.443.5054
FAX 707.443.0553

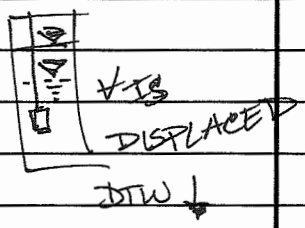
PUMP TEST

Date: 1/22/2020 Tech: AAA

Project Name: DUCKWORTH
Project No.: 9457.00
Global ID No.: —
CRWQCB No.: —
PM: CSM

Mobe/Demobe Time: 0.50 TOTAL Reviewer: CSM
Travel Time: 3.0 TOTAL
Mileage: 106
Time on Site: 10:15
Time off Site: 16:25

Well ID: PZ1 (DL @ 20.0')				Well ID: PZ2 (DL @ 15.0')			
Time	DTW (feet bgs)	Pumping Rate	Notes	Time	DTW (feet bgs)	Pumping Rate	Notes
11:05	7.09	?	INITIAL DTW (STATIC)	10:55	3.42		INITIAL DTW (STATIC)
11:13	7.30	NOT STATIC	DTW AFTER INSTALLING DL	11:01	3.33		DTW AFTER INSTALLING D.L.
11:58	7.79			12:01	3.41		
12:23	7.90			12:27	3.43		
13:00	8.02			13:03	3.48		
13:35	8.12			13:38	3.50		
14:04	8.15			14:07	3.52		
14:48	8.20			14:51	3.57		
15:18	8.23			15:21	3.60		
15:50	8.26			15:53	3.64		
16:09	8.29		AFTER PUMP SHUTOFF	16:11	3.65		AFTER PUMP SHUTOFF



* PZ INFLUENCED BY PUMPING

LACO ASSOCIATES
CONSULTING ENGINEERS
21 West Fourth Street, Eureka, CA 95501
TEL 707.443.5054
FAX 707.443.0553

PUMP TEST

Date: 1/22/2020 Tech: AAF
Mobe/Demobe Time: 0.25 / 0.25 Reviewer: CSM
Travel Time: 1.5 / 1.5
Mileage: 106
Time on Site: 10:15
Time off Site: 16:25

Project Name: DUCKWORTH
Project No.: 9457.00
Global ID No.: ——
CRWQCB No.: ——
PM: CSM

Well ID: PUMPING WELL (DL @ 40.0'-45.0')

Time	DTW (feet bgs)	Pumping Rate	Notes BEGIN PUMP @ 11:35a
11:20	51.45		INITIAL DTW (STATIC)
11:33	51.47	? NOT STATIC	OK DTW AFTER INSTALLING DL
11:45 11:55 10min	51.69	3.3 gpm	WRONGLY READINGS
22min 12:17	51.70	3.3 gpm	
40min 12:57	51.70	3.3 gpm	WATER COMING IN @ SAME RATE AS PUMPING
35 13:32	51.70	3.3 gpm	
28 14:00	51.70	3.3 gpm	
45 14:45	51.66	3.3 gpm	
30 15:15	[illegible]	3.3 gpm	NO CONNECTION
32 15:47	51.66	3.3 gpm	FROM SIMPLEX
31 16:18	51.45	—	AFTER PUMP CHANGE

Well ID: OBSERVATION WELL (DL @ 45.0')

Time	DTW (feet bgs)	Pumping Rate	Notes
10:35	32.73		INITIAL DTW (STATIC)
10:50	32.70		DTW AFTER INSTALLING DL
12:03	32.70		
12:38	32.70		
13:13	32.70		
13:49	32.70	NO	
14:09	32.70		CHANGE
14:54	32.70		
15:23	32.70		
15:55	32.70		
16:13	32.70		AFTER PUMP SHUTOFF

* UNCONFINED

90 45

Humboldt County Department of Health & Human Services

Di on of Environmental Health
1 I Street - Suite 100 - Eureka, CA 95501
Phone: 707-445-6215 - Toll Free: 800-963-9241
Fax: 707-441-5699
envhealth@co.humboldt.ca.us

RECEIVED
MAY 06 2019
HUMBOLDT CO. DIVISION OF ENVIRONMENTAL HEALTH

18/19-1065

RECEIVED
JUN 21 2019
Humboldt County Planning Division

WATER WELL APPLICATION
CONSTRUCTION – REPAIR – DESTRUCTION

The Well Permit will be returned to the property owner when approved by Humboldt County Division of Environmental Health (DEH)

Instructions:

1. Complete both sides and submit the Water Well Application with required fee. Include Well Driller's signature and property owner's signature.
2. Work on a well shall not be started prior to approval of the Water Well Application by DEH.
3. Any changes made to the location of a new well shall be approved by DEH prior to commencement of drilling.
4. Well Driller shall notify DEH a minimum of 24 hours prior to sealing the annular space.

Site Address	3149 Whitlow Road	APN	217-181-012
City/State/Zip	Myers Flat	CA	95554
Directions to Site	Hwy 101 South exit Myers Flat Lt on Ave of Giants, Rt on Elk Creek Rd, Cross Dyerville Loop Rd ~~onto Whitlow Rd. Destination of Lt~~		
Applicant	FISCH DRILLING	Contact	CHRIS FISCH
Mailing Address	3150 JOHNSON ROAD	Work Phone	707-768-9800
City/State/Zip	HYDESVILLE, CA 95547	Cell Phone	707-601-3042
Property Owner	Unity Farms Holding, LLC c/o Derhan Duckworth	Home Phone	
Mailing Address	3330 Whitlow Rd	Work Phone	
City/State/Zip	Myers Flat, CA 95554	Cel Phone	707.943.1550

I hereby grant 'right-of-entry' for inspection purposes _____

Drilling Contractor FISCH DRILLING — C-57 License # 683865

I hereby agree to comply with all laws and regulations of the County of Humboldt and the State of California Department of Water Resources Bulletin 74 pertaining to water well construction. I will contact Humboldt County Division of Environmental Health (DEH) when I commence work. Within 30 days after completion of work, I will furnish DEH a report of the work performed.

Well Driller Signature: Chris Fisch

Would driller like a copy of approved application? ☒ Yes ☐ No

☐ U.S. Mail address: _____

☒ Email address: chris@fischdrilling.com

Type of Application:	Construction:		Intended Use:
☒ Construction	Estimated Depth (ft.)		☐ Domestic - private
☐ Destruction	Diameter (in.)	10"	☐ Community Supply
☐ Repair/Modification	Depth of Seal (ft.)	20'	☒ Irrigation
	Sealing Material	BENTONITE	☐ Other _____

Estimated Work Dates:	Casing:	Type of Sewage System:
Start _____	Diameter (in.) 5"	☐ Community Sewer ☒ OWTS (Septic)
Completion _____	Material PVC	Distance from well site to OWTS 200+'

Special Requirements/Comments:

Lat Long Option A 40.3120 -123.7986 Option B 40.3135 -123.8007

PLOT PLAN

FOR OFFICE USE ONLY

Fee:	$373.00	Site Approved by:	J. Whitting
Date:	5-6-19	Site Approved Date:	5/14/19
Receipt:	910834	Sealed to Depth of:	
Project #:	18/19-1065	Seal observed:	☐ Yes ☐ No
Paid by:	Fisch Drilling	Final Approved Date:	

Humboldt County Department of Health & Human Services

RECEIVED
JUN 20 2019
HUMBOLDT CO. DIVISION
OF ENVIRONMENTAL HEALTH

Division of Environmental Health
100 H Street - Suite 100 - Eureka, CA 95501
Phone: 707-445-6215 - Toll Free: 800-963-9241
Fax: 707-441-5699
envhealth@co.humboldt.ca.us

Site Evaluation

Property Owner: Unity Farm Holdings
Consultant: Dehman Richmond
Property Owner's Phone: 917-567-8139
Consultant's Phone:
Owner's Mailing Address: 3330 Whitlow Rd, Myers Flat CA.
Consultant's Mailing Address:
Site Address: 3149 Whitlow rd. Myers Flat. CA. 95554
APN: 217-181-012
Directions to site: Myers Flat exit 101S. left on Ave of Giants left Elk creek rd. cross Dyerville loop rd. to Whitlow. 3 miles
I grant right of entry for inspection purposes: Dehman Richmond
(Signature of Owner)

Project Description: Site inspection

Please provide the following on-site: ☐ Site Map ☐ Back Hoe ☐ Soil profile log

DEH Staff Summary:

RECEIVED
JUN 21 2019
Humboldt County
Planning Division

For Office Use Only:
O-Pay Confirmation #: 074617
Fee Received: 6-20-19
Paid for by: James Young
Check #:
Check #:
Receipt #:

OFFICIAL PAYMENTS

Home | Payment Center | Help | Official Extras | En Español

My Account

Log In (Optional)

Log in for expedited access to our enhanced payment services.

E-mail Address:

Password:

Submit

Sign Up / Forgot Password?

- Pay Now
- View History
- Schedule Payments
- Verify Payments
- Schedule Reminders
- My Account Dashboard
- E-Wallet
- My Bills

Make A Payment

Select Service > Enter Amount > Accept Terms > Provide Details > Confirm Details > Digital Receipt

Humboldt County - Division of Environmental Health, CA

Environmental Health Electronic Payments

Your payment has been completed successfully.

Confirmation Number:	**074617**
Payment Date:	**Thursday, June 20, 2019**
Payment Time:	**02:46PM PT**

Print Confirmation

- Please print or write down your payment confirmation number for your records.
- For an explanation of how the process works and for information on your next steps click here.
- Do not use your browser's "Back" button. Instead, navigate using the buttons below.

Payer Information

Name:	James Young
Street Address:	339 Melrose Ave Mill Valley, CA 94941 United States
Daytime Phone Number:	(415) 446 - 8432
E-mail Address:	james@unityfarmholdings.com
Application / NSOWTS Fee:	No
Facility or Property Owner Name:	James Young

Payment Option

Card Type:	Visa
Card Number:	**********8807
Card Verification Number:	****

RECEIVED JUN 21 2019 Humboldt County Planning Division

Payment Information

Payment Type:	Environmental Health Electronic Payments
Payment Amount:	$447.00
Convenience Fee:	$10.50
Total Payment:	$457.50

Select what you would like to do next:

- (●) Based on your zip code, there are other agencies in your area that can be ***Officially Paid***. Select this option to view them.
- ( ) Make another payment to Humboldt County - Division of Environmental Health - Environmental Health Electronic Payments
- ( ) Make another Payment
- ( ) Exit. For security and privacy reasons, your session data will be cleared out.

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ATTACHMENT 5

Referral Agency Comments and Recommendations

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

Referral Agency	Response	Recommendation	Location
Division of Environmental Health	✓	Approved	On file
Public Works Land Use Division	✓	Conditional Approval	Attached
Bear River Band Rohnerville Rancheria	✓	Conditional Approval	On file
California Division of Water Rights	✓	Approved	On file
Humboldt County Sherriff's Office	✓	Approved	On file
Building Inspections		No Response	
NCUAQMD		No Response	
Southern Humboldt Joint Unified School District		No Response	
California Department of Fish and Wildlife		No Response	Attached- staff email comments from CDFW dated April 3, 2020.
Intertribal Sinkyone Wilderness Council		No Response	
Regional Water Quality Control Board		No Response	
District Attorney		No Response	
AG Commissioner		No Response	

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

ON-LINE
WEB: CO.HUMBOLDT.CA.US

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

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

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388
LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Keenan Hilton, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 08/29/2019

RE:

Applicant Name	**UNITY FARM HOLDINGS LLC**
APN	**217-181-012**
APPS#	**PLN-2019-15665**

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:

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply) APPS # 15665

☒ **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 //

From: Alberts, Chris
To: david.manthorne@wildlife.ca.gov
Subject: Application No. 15665- Referral Response to Comments APN 217-181-012
Date: Friday, April 3, 2020 12:46:00 PM
Attachments: image001.png

Good Morning David,

The subject application is getting close to the finish line. I am reaching out to you for any comments you may want to provide before a permit is issued for this project. The project was previously referred on 08/28/2019.

Thank You,

Christopher Alberts
Planner I
Planning and Building Department
County of Humboldt
(707) 268-3771

Please consider your environmental responsibility before printing this e-mail