



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: May 7, 2020

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Humboldt Bud Company, LLC, Special Permits**
Record Number: PLN-2018-15251
Assessor's Parcel Numbers: 081-091-002 and 081-091-003
639 Boy Scout Camp Road, Myers Flat area

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Please contact Stephen Luther, Planner II, at (707) 445-7541, or by email sluther@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date May 7, 2020	Subject Special Permits	Contact Stephen Luther
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Project Description: A Special Permit for 1,999 square feet (sf) of existing outdoor cultivation to take place in temporary light deprivation hoop houses. Annual water usage is 45,000 gallons. Irrigation water for cultivation is supplied by Myers Flat Mutual Water System, Inc. Cannabis will be taken off-site to a licensed processing facility. There will be one to two full-time operators. Power will be provided by Pacific Gas and Electric (P. G. & E.). The applicant is requesting a Special Permit for a reduction to the required 600-foot setback from public lands.

Project Location: The project is located in the Myers Flat area, on the southeast side of Boy Scout Camp Road, approximately 900 feet southwest from the intersection of Boy Scout Camp Road and Orchard Way, on the properties known as 639 Boy Scout Camp Road and 651 Boy Scout Camp Road.

Present Plan Land Use Designations: Conservation Floodway (CF), Residential Estates (RE1-5) Avenues Community Planning Area (AVES), Density: 1 to 5 acres per dwelling unit, Slope Stability: Low Instability (1), Moderate Instability (2).

Present Zoning: Flood Plain (FP)

Record Number: PLN-2018-15251

Assessor Parcel Number: 081-091-002 and 081-091-003

Applicant Humboldt Bud Company, LLC David Shea PO Box 1244 Westport, WA 98595	Owner Rosemary Ranch, LLC PO Box 1244 Westport, WA 98595	Agent Same as Applicant
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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.

Humboldt Bud Company, LLC
Record Number: PLN-2018-15251
Assessor's Parcel Numbers (APN): 081-091-002 and 081-091-003

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 Permits based on the evidence in the staff report and adopt the Resolution approving the proposed Humboldt Bud Company, LLC, project subject to the recommended conditions.

Executive Summary

The proposed Special Permit would permit 1,999 square feet of outdoor cannabis cultivation. Cultivation will occur in 50-100 gallon pots or in temporary hoop structures, as described in the attached Cultivation and Operations Plan. Plant clones will come from a licensed off-site nursery. No supplemental lighting is used. The anticipated maximum yearly water use for this project is 45,000 gallons (22.5 gallons per square-foot/year), with hand watering or a drip irrigation system used for cultivation. Irrigation water for cultivation will be supplied by Myers Flat Mutual Water System. Email correspondence dated March 18, 2020 from the business manager of the Water System states that the District serves the parcel with water and has no issue with providing the amount requested for irrigation (see Attachment 4).

The Parcels to the south and west are owned by the California State Parks. The nearest of the two is located approximately 160 feet from the cultivation area; however, no developed or designated recreational facilities are within 600 feet of any cultivation or processing area. A Special Permit for the allowance of a setback reduction of the 600-foot buffer from Redwood State Park is included as a part of the applicant's request. A copy of the Staff Report was sent to State Park staff for review on April 8, 2020. No comment has been received to date.

The property is accessible from Boy Scout Camp Road, a privately maintained road. The neighboring applicant (APN 081-091-001) has submitted a Road Evaluation Report developed by Mother Earth Engineering concluding that all road segments meet Category 4 or equivalent standards and require minimal improvements to restore proper hydrologic function in accordance with Pacific Watershed Associates (PWA) Road Manual standards.

The applicant has relocated pre-existing cultivation to an environmentally superior location. The pre-existing cultivation was located within the Streamside Management Area (SMA) of the South Fork of the Eel River. The relocation site already had disturbed area to service cultivation. Per the Biological Reconnaissance Assessment developed by Mother Earth Engineering, remediation of the retired cultivation area within the SMA was not recommended. There is photographic evidence within the report exhibiting the retired area is comprised of mixed, introduced annual and perennial grassland and herb species with a riparian buffer. Therefore, there is no Special Permit for remediation work within the SMA required.

One to two people will be working on site. The operators will have a recreational vehicle (RV) to occupy while on site. Drying of cannabis will occur in removable car ports on site. Dried cannabis will be processed by a licensed mobile processing company or off site at a licensed processing

facility. A portable toilet and sink will be on site during the cultivation season. All nutrients, pesticides and fungicides are located in a metal work shed, and contained within water-tight, labeled containers in accordance with manufacture's instruction. Onsite garbage will be collected and disposed in garbage/recycling cans right away with nothing laying around at any time. The garbage cans will be stored in a "Garbage Shed" alone inside the fence but near the road to prevent any leachate from entering or percolating to receiving waters until it is disposed by the local garbage company with pick up once a week outside the fence. Used potting soil will be stored in a covered location until it can be replenished and reused for the next season. The property will be fenced and gated, and security cameras will be installed.

The applicant is required to enroll in the State Cannabis Discharge program. Conditions of approval require the applicant to submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Applicability and a Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB. Should the site qualify for an exemption, the applicant shall provide proof of a SWRCB exemption status. All cultivation operations will reside outside of the SMA and its associated buffer zone.

There is a known Northern Spotted Owl (NSO) activity center within approximately two miles of the project area and the project site is within mapped Marbled Murrelet habitat. Regarding NSO, there are 14 commercial cannabis cultivation applications within a one-mile radius of the project site; however, most of these are further away from the known activity center. Within a one-mile radius of the closest activity center to the project site there are no cannabis cultivation applications. Due to noise and light restrictions that will be applied to both the current project and all other projects in the vicinity, there are no cumulative impacts to the Northern Spotted Owl habitat that are expected to occur. All electricity is supplied by Pacific Gas and Electric (PGE), and no generators are used onsite. As an ongoing condition of approval, any fans or dehumidifiers used for drying of cannabis are to operate at less than 50 decibels at 100 feet from the source.

The cultivation site is approximately 160 feet from a parcel of land in the Humboldt Redwoods State Park to the west and 260 feet from another to the south. The portion of this parcel adjacent to the project parcel is not used as a developed and designated public park. The adjacent public land is subject to the *Humboldt Redwoods State Park General Plan 2001 (HRSPGP)*. The *HRSPGP* identifies agriculture and ranching, resource extraction, activities on private lands that generate aesthetic or resource impacts, and highway maintenance as adjacent land uses that may cause impacts. The *HRSPGP* states that with road work and the potential for clear-cutting occurring so near the park's boundary, erosion, wind damage, elimination of wildlife corridors, loss of scenic beauty, and the reduction of quality habitat for plants and animals remain issues that must be monitored. The *HRSPGP* also states that adequate buffering of development within the park from adjacent land uses or other mitigation measures must be utilized as potential remedies for adverse impacts to the park's prime resources.

The project is consistent with the *HRSPGP* because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts. The project will not require substantial road improvements or the removal of trees. The project will also protect fisheries and aquatic habitat on forest lands by maintaining buffers from streams and by placing controls on water withdrawals and on the storage and use of pesticides and fertilizers, and will minimize risk from wildfire by adhering to the County's Fire Safe Regulations and requiring

adequate road access. The HRSPGP's provisions for cultural resource protection will be met through the project consultation with Tribal Historic Preservation Officers and avoidance of sensitive tribal cultural resources. Additionally, a Water Resource Protection Plan was developed for the project. The plan was developed to prevent and/or address poor water quality conditions and adverse impacts to water resources associated with cannabis cultivation on private land. Finally, the project is consistent with recreational use on public lands by maintaining a minimum 600 buffer separation from developed campgrounds and/or trails. As a result, there will not be any new erosion, wind damage, elimination of wildlife corridors, loss of scenic beauty or reduction of quality habitat for plants and animals.

Staff analysis of the Humboldt Redwoods State Park Road and Trail Inventory and Assessment Existing Roads and Trails Map indicate that the Park's nearest developed facility to the project site is the Myers Plaque Trail – 1, located over one half of a mile to the northwest. Also, upon review of the *Humboldt Redwoods State Park Road and Trail Management Plan, Public Draft 2017* and the corresponding *Planning Recommendations Map Bull Creek Southeast*, there are no existing or proposed developments within the park that would be impacted as result of the proposed project. Therefore, the project is consistent with recreational use on public lands as the proposed project is not located near developed campgrounds and trails and will not result in impacts to Humboldt Redwoods State Park.

Environmental review for the proposed project as initially proposed 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 this staff recommendation of permitting the existing cultivation area and allowing for a reduction to the required 600-foot setback from public lands.

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 Division staff does not recommend further consideration of these alternatives.

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT
Resolution Number 20-**

**Record Number: PLN-2018-15251
Assessor's Parcel Numbers: 081-091-002 and 081-091-003**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Humboldt Bud Company, LLC, Special Permits request.

WHEREAS, Humboldt Bud Company, LLC, submitted an application and evidence in support of approving the Special Permit to permit an existing 1,999 square-foot outdoor cultivation area with offsite processing and;

WHEREAS, the applicant has submitted evidence in support of a Special Permit to reduce the 600-foot setback for cultivation from State lands managed by the California State Parks; 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 Permits (Record Number: PLN-2018-15251); and

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

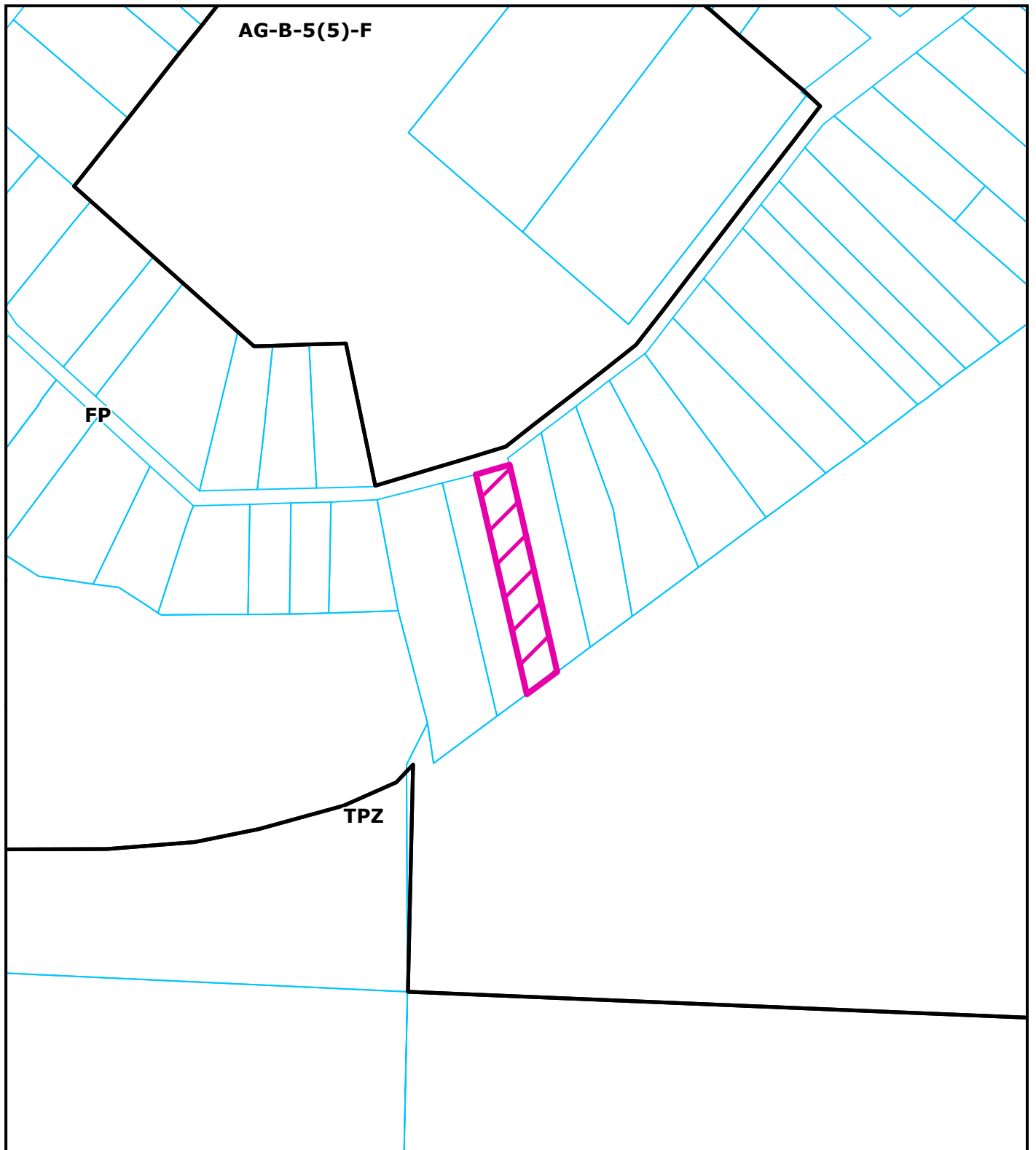
NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Zoning Administrator that the following findings be and are hereby made:

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 required findings in Attachment 2 of the Zoning Administrator staff report for approval of Record Number: PLN-2018-15251 based on the submitted substantial evidence; and
3. Special Permits Record Number: PLN-2018-15251 are approved as recommended and conditioned in Attachment 1 for Record Number: PLN-2018-15251.

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.

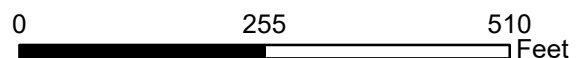
John H. Ford
Zoning Administrator
Planning and Building Department

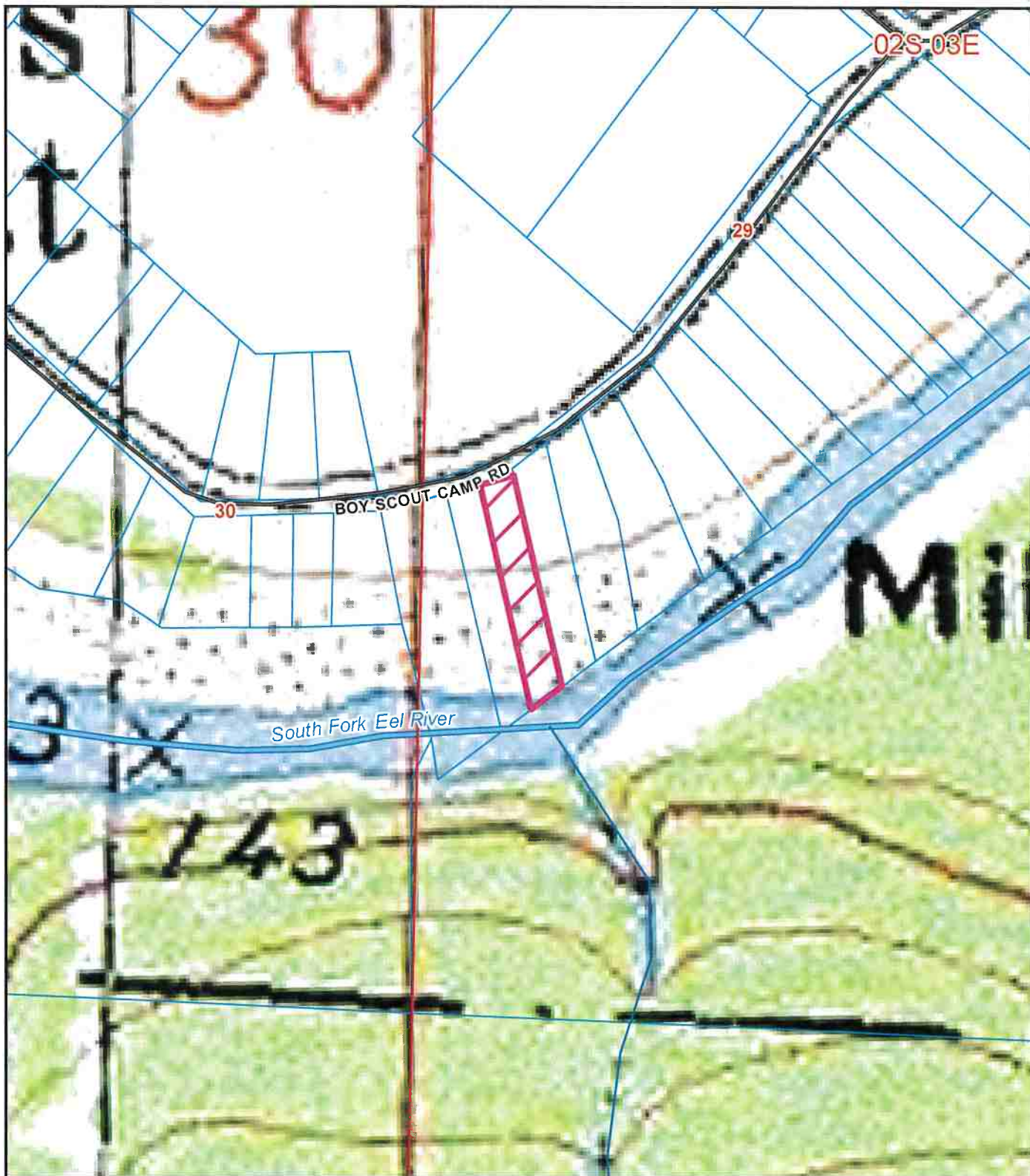


Project Area = 

ZONING MAP
PROPOSED HUMBOLDT BUD COMPANY LLC
MYERS FLAT AREA
PLN-2018-15251
APN: 081-091-003
T02S R03E S29 HB&M (MYERS FLAT)

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





TOPO MAP
PROPOSED HUMBOLDT BUD COMPANY LLC
MYERS FLAT AREA
PLN-2018-15251
APN: 081-091-003
T02S R03E S29 HB&M (MYERS FLAT)

Project Area = 

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

0 255 510
 Feet





Project Area = 

**AERIAL MAP
PROPOSED HUMBOLDT BUD COMPANY LLC
MYERS FLAT AREA
PLN-2018-15251
APN: 081-091-003
T02S R03E S29 HB&M (MYERS FLAT)**



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.

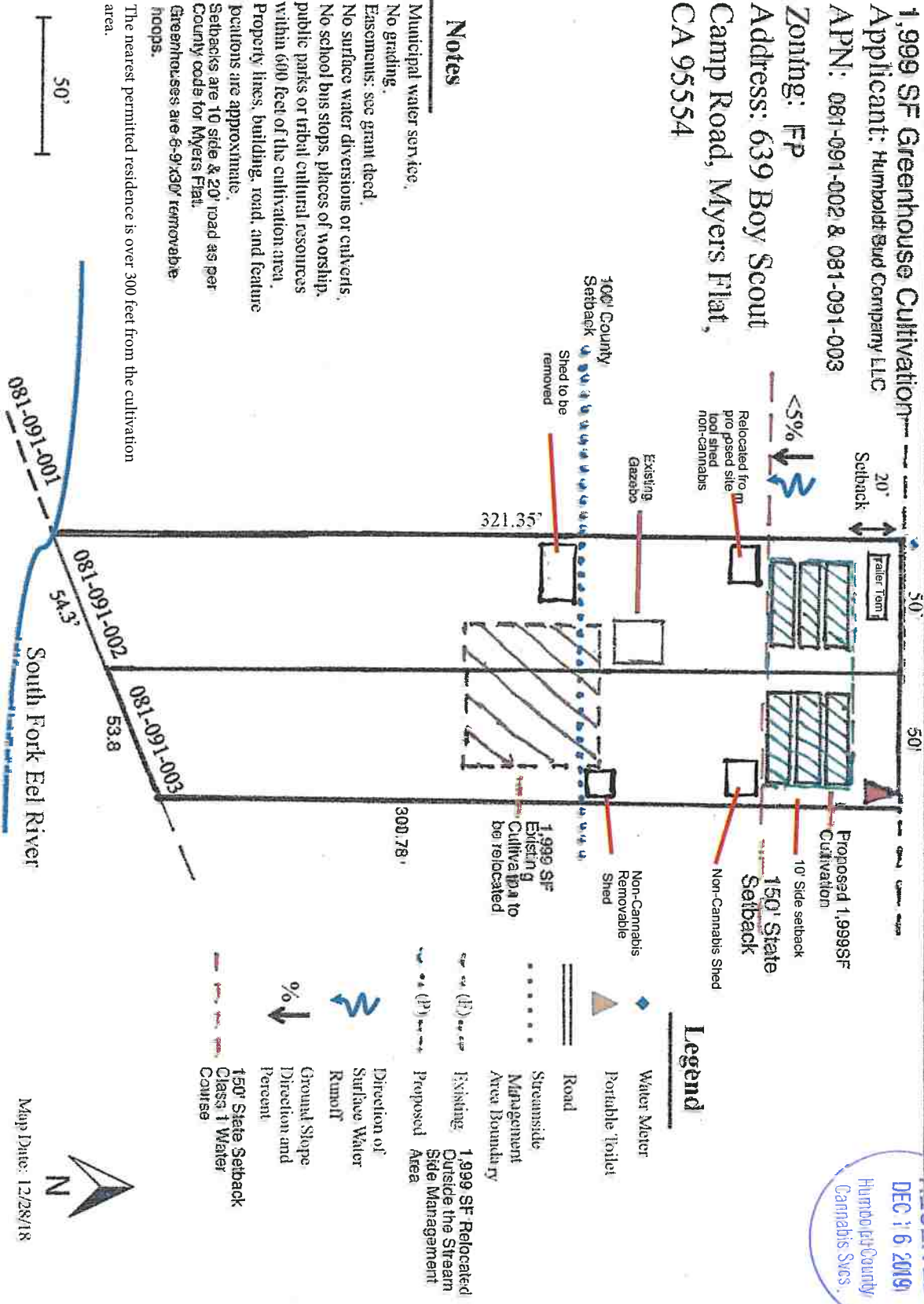
0 175 350 Feet

15251

OUTDOOR GREEN HOUSE CULTIVATION 639 Boy Scout Camp Road

1,999 SF Greenhouse Cultivation
Applicant: Humboldt Bud Company LLC
APN: 081-091-002 & 081-091-003

Zoning: FP
Address: 639 Boy Scout Camp Road, Myers Flat, CA 95554



Notes

- Municipal water service.
 - No grading.
 - Easements: see grant deed.
 - No surface water diversions or culverts.
 - No school bus stops, places of worship, public parks or tribal cultural resources within 600 feet of the cultivation area.
 - Property lines, building, road, and feature locations are approximate.
 - Setbacks are 10' side & 20' road as per County code for Myers Flat.
 - Greenhouses are 8-9x30' removable hoops.
- The nearest permitted residence is over 300 feet from the cultivation area.

Legend

- ◆ Water Meter
- ▲ Portable Toilet
- == Road
- Streamside Management Area Boundary
- (E) --- Existing 1,999 SF Relocated Outside the Stream Side Management
- (P) --- Proposed Area
- ~ Direction of Surface Water Runoff
- ~ Ground Slope Direction and Percent
- 150' State Setback Class 1 Water Course

OUTDOOR OPEN AIR CULTIVATION

639 Boy Scout Camp Road

1,999 SF Open Air Cultivation

Applicant: Humboldt Bud Company LLC

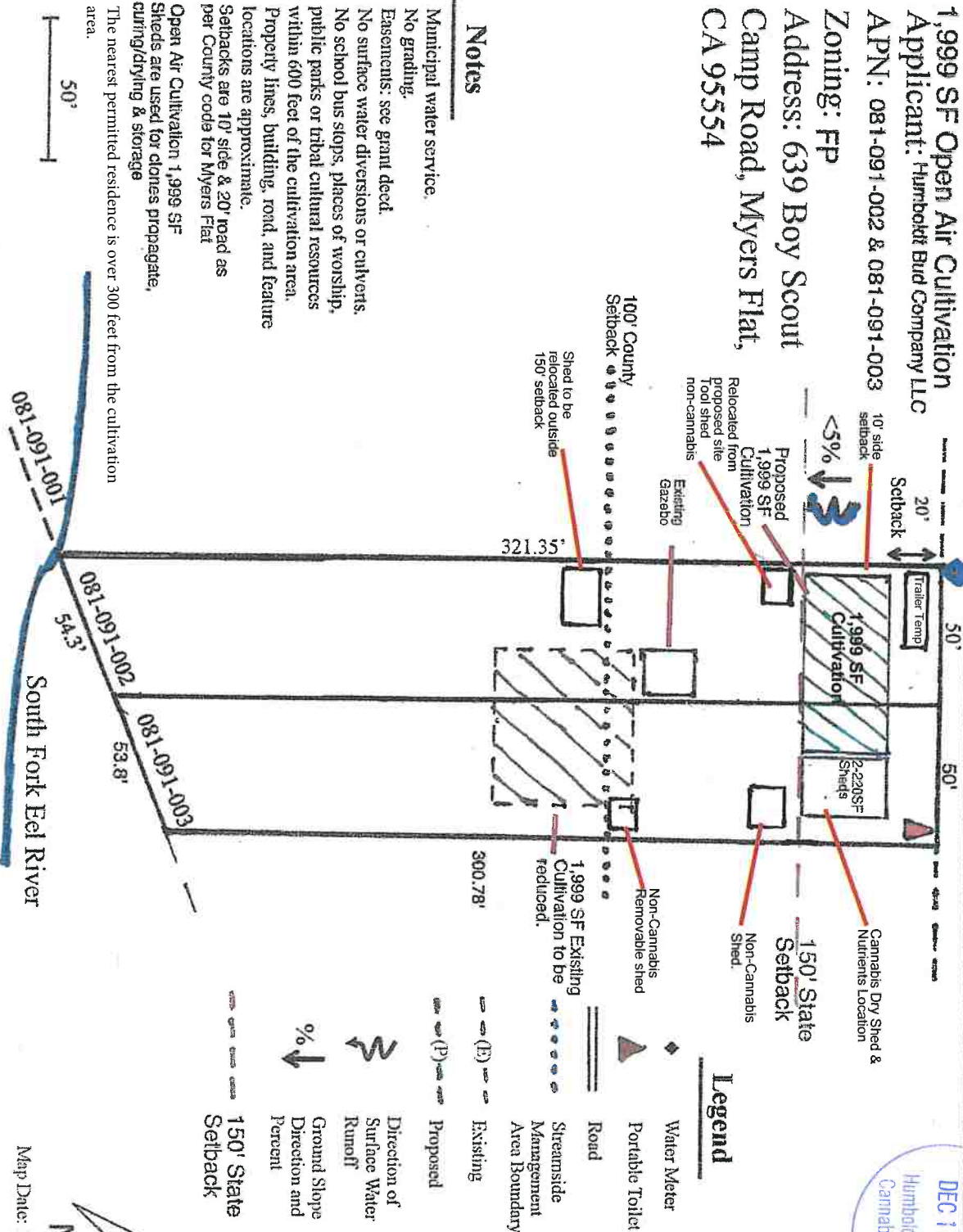
APN: 081-091-002 & 081-091-003

Zoning: FP

Address: 639 Boy Scout

Camp Road, Myers Flat,

CA 95554



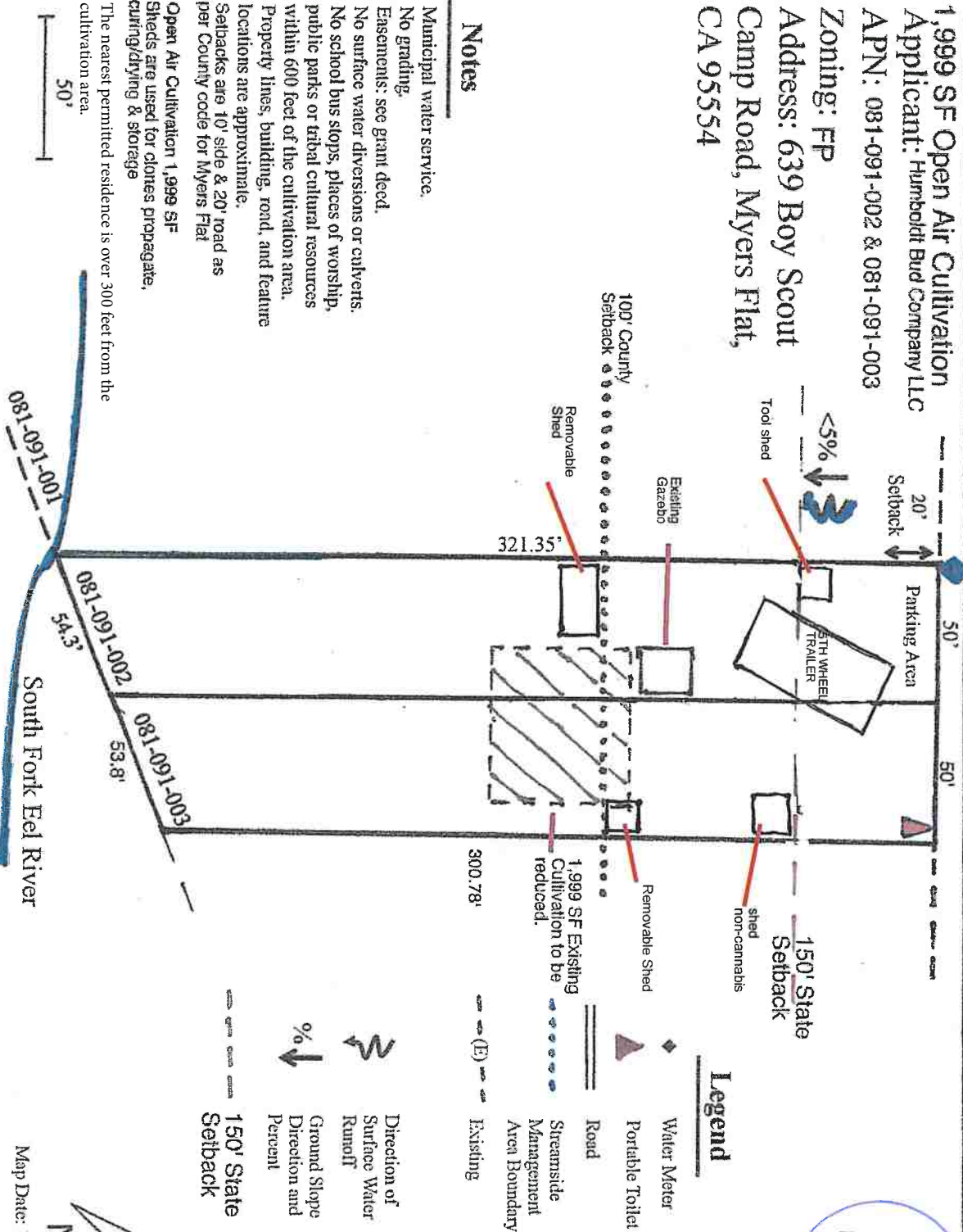
Notes

- Municipal water service.
- No grading.
- Easements: see grant deed.
- No surface water diversions or culverts.
- No school bus stops, places of worship, public parks or tribal cultural resources within 600 feet of the cultivation area.
- Property lines, building, road, and feature locations are approximate.
- Setbacks are 10' side & 20' road as per County code for Myers Flat
- Open Air Cultivation 1,999 SF
- Sheds are used for clones propagate, curing/drying & storage
- The nearest permitted residence is over 300 feet from the cultivation area.

Map Date: 12/28/18

EXISTING SITE PRIOR TO PERMITTING 639 Boy Scout Camp Road

1,999 SF Open Air Cultivation
Applicant: Humboldt Bud Company LLC
APN: 081-091-002 & 081-091-003
Zoning: FFP
Address: 639 Boy Scout
Camp Road, Myers Flat,
CA 95554



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 shall execute a Compliance Agreement with the Humboldt County Planning Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #2 – 11. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. Project related noise shall be no more than 50 decibels measured from 100ft or to the nearest tree line, whichever is closer.
3. 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.
4. 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.
5. 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.
6. The applicant shall improve the apron from Orchard Way to Boy Scout Camp Road to current standards for a commercial driveway. The applicant shall obtain an encroachment permit from the Department of Public Works prior to the commencement of any work. The apron shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects Orchard Way. A letter from that agency indicating approval has been issued will satisfy this condition.
7. The applicant shall adhere to and implement the recommendations for road improvements detailed in the Road Evaluation Report developed by Mother Earth Engineering dated April 2019.
8. The applicant shall cause to be formed a road maintenance association for Boy Scout Camp Road with a provision for maintenance of the entirety of the road to its intersection with Orchard Way. If less than 50% of the property owners on Boy Scout Camp 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 Boy Scout Camp

Road maintenance association. Documentation of delivery of the letter shall be by certified US Mail.

9. 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.
10. 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.
11. 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.
12. 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 100% renewable energy purchased through PG&E. If the project is modified to use a generator for cannabis operations the noise from the generator or fans shall not be audible by humans from neighboring residences. The decibel level for generators measured at the property line shall be no more than 50 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 50 decibels as measured at 100 feet from the generator or at the edge of the nearest Marbled Murrelet or Spotted Owl habitat, whichever is closer.
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.

Performance Standards for Cultivation and Processing Operations

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:
 - 8) Operation manager contacts;
 - 9) Emergency responder contacts;
 - 10) Poison control contacts.
 - III. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - IV. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
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. Pursuant to Section 314-55.4.6.5.7 of the CCLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state of county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit.

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

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

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

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

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

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

7. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions prior to release of building permit or initiation of use and at time of annual inspection. In order to demonstrate that all conditions have been satisfied, applicant is required to pay the conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

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

ATTACHMENT 2

Required Findings for Approval

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

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

1. The proposed development is in conformance with the County General Plan, the Open Space Plan, and the Open Space Action Program;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations; and
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence:
 - 1) the reduction is consistent with the adopted general plan including the housing element; and
 - 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and
 - 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:
 - a. Is categorically or statutorily exempt; or
 - b. Has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
 - c. Has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.

1. 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
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p>	<p>Conservation Floodway (CF): Applied to the channels of river and streams, including the areas which carry normal flood waters or the area between existing or planned levees, dikes or other such flood control features, and in which agricultural and limited recreational uses may be desirable or permissible.</p> <p>Residential Estates (RE-1): Lands adjacent to urban areas or rural communities with limited public services, commonly water-only service areas, but suitable for single-family residential use, and clustering is suggested to assist in buffering adjacent resource production or open space uses.</p> <p>Density range is 1-5 acres/unit.</p> <p>Avenue of the Giants Community Plan Area (AVES): This plan area is in southern Humboldt County and includes policies to protect resource production land, increase rural densities, provide economic development, and identification of areas of special concern.</p>	<p>The proposed project includes approximately 1,999 square feet of existing outdoor cannabis cultivation on two parcels totaling 0.74 acres in size. General agriculture is allowable use type for these designations.</p> <p>The South Fork of the Eel River and associated Streamside Management Areas (SMAs) are located on the subject parcel. The proposed project includes relocation of any cultivation located with the SMA to outside the SMA boundary to minimize impacts to the South Fork of the Eel River. There is no additional development proposed within the SMA. The applicant is proposing to use temporary hoop-house structures that will be removed annually.</p> <p>The proposed project is within the Myers Flat community in the AVES CPA. The proposed project will support the major policies of the AVES and Humboldt County General Plan which work in unison. The proposed project will consist of the production of an agricultural crop within an area designated as prime farmland. This is consistent with the history of agricultural production in the AVES CPA and Myers Flat community. The proposed project will not degrade other environmental resources, nor will it preclude future use of any on-site or off-site agricultural land. In addition, it will preserve the existing rural nature of the project site and surrounding land uses. As such, the proposed project would be consistent with both the General Plan and AVES CPA.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Circulation Chapter 7	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1, C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County. (C-G4, C-G5)</p> <p>Related policies: C-P3, Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>The property is accessible from Boy Scout Camp Road, approximately 1,032 feet southeast from the intersection of Myers Avenue and Boy Scout Camp Road, and approximately 820 feet southwest from the intersection of Orchard Way and Boy Scout Camp Road. Boy Scout Road is maintained privately. The neighboring applicant has submitted a Road Evaluation Report developed by Mother Earth Engineering dated April 2019 for the section of Myers Avenue, the section of Orchard Way and the portion of Boy Scout Camp Road from Orchard Way that he uses for access, concluding that all road segments meet Category 4 or equivalent standards and require minimal improvements to restore proper hydrologic function in accordance with Pacific Watershed Associates (PWA) Road Manual standards. Implementing the recommended improvements in the report are a condition of project approval.</p> <p>The Department of Public Works recommended conditional approval of the proposed project. The applicant is required to improve the intersection of Boy Scout Road and Orchard Way to meet County standards for commercial driveways. The project is conditioned to adhere to these requirements.</p>
Housing Chapter 8	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory.</p>	<p>The project does not involve residential development, 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.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Public Lands Chapter 4.7</p>	<p>Goals and policies contained in this Chapter present a framework of goals and policies for use and protection of all the natural resource and open space assets of the county, including agricultural production.</p> <p>Public lands policy PL-P6 requires that discretionary review of permit applications adjacent to public lands shall consider impacts to public lands and consistency with applicable management plans.</p>	<p>Cannabis cultivation is an agricultural activity and an allowable use type in this designation, consistent with this policy.</p> <p>The project is located adjacent to state lands managed by the California State Parks as Humboldt Redwoods State Park. The adjacent public lands are subject to the <i>Humboldt Redwoods State Park General Plan (GP)</i> adopted October 26, 2001. The project is consistent with the GP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to eliminate potential light and noise impacts. The project will also protect fisheries and aquatic habitat on forest lands by maintaining buffers from streams and by placing controls on water use, and on the storage and use of pesticides, rodenticides and fertilizers, and will minimize risk from wildfire by adhering to the County's Fire Safe Regulations and the requiring adequate road access. The GP's provisions for cultural resource protection will be met through the project consultation with Tribal Historic Preservation Officers and avoidance of sensitive tribal cultural resources. Finally, the project is consistent with recreational use on public lands by maintaining a minimum 600 buffer separation from developed campgrounds and/or trails.</p> <p>The project was referred to California State Parks on October 18, 2019. The Staff Report findings were sent to State Park staff on April 8, 2020 (see Attachment 5). No response has been received to date.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces. (CO-G1, CO-G3)</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program.</p>	<p>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.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species. (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p>	<p>A Biological Reconnaissance Report was conducted by Mother Earth Engineering in June 2019 for potential listed species and species of concern. Parcel and project areas were scoped using the California Natural Diversity Database (CNDDB) and California Native Plant Society (CNPS) Rare Plant Inventory to determine the extent of project impacts, assess potential habitat for sensitive species and develop guidelines and strategies for mitigation measures, as necessary. The following was concluded: Although the database search resulted in the potential for multiple listed species within the study area, none were observed during initial site evaluation. Areas surrounding the SMA are out of range of project activities with no future projects proposed.</p> <p>The project site is located within approximately two miles of Northern Spotted Owl activity center and the project site is within mapped Marbled Murrelet habitat. Electricity is provided to the parcel by P. G. & E. and no generators are used. 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 100ft or to the nearest tree line, whichever is closer.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations. (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1, Identification and Protection; and CU-P2, Native American Tribal Consultation.</p>	<p>The project was referred to NWIC who indicated that they have no record of a cultural resource study for the project area. The project was referred to the Bear River Band of the Rohnerville Rancheria and Intertribal Sinkyone Wilderness Council. The Bear River Band THPO recommended a condition of project approval be incorporated regarding inadvertent discovery protocol. Ongoing conditions of approval are incorporated regarding the inadvertent discovery protocol to protect cultural resources.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-G2)</p> <p>Related policies: SR-S4. Light and Glare.</p>	<p>The project does not involve any lighting for the cultivation or propagation and will have no impacts to scenic resources.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy. (WR-G1, WR-G, WR-G7, WR-G8, WR-G9)</p> <p>Related policies: WR-P10, Erosion and Sediment Discharge; WR-P42, Erosion and Sediment Control Measures.</p>	<p>The applicant is required to enroll in the State Cannabis Discharge program. Conditions of approval require the applicant to submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Applicability and a Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB. Should the site qualify for an exemption, the applicant shall provide proof of a SWRCB exemption status.</p>
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution. (WR-G6, WR-G9, WR G10)</p> <p>Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P17, On-Site Sewage Disposal Requirements.</p>	<p>The parcel is served by a portable toilet that is serviced once a month. 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.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Noise Chapter 13	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards. (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; and N-P4, Protection from Excessive Noise.</p>	<p>The CNDDDB indicates that nearest Northern Spotted Owl (NSO) activity center is approximately 2.23 miles southwest from the project site and that the project site is within mapped Marbled Murrelet habitat. No generators are used onsite. P. G. & E. supplies on-grid power to the property. Any fans or dehumidifiers used in the cultivation operation will be conditioned to operate at less than 50 dB at 100-foot distance or at the closest tree line, whichever is closer. No pre-project noise survey was provided, as ambient noise from Highway 101 located 0.5 miles to the west exceeds the possible noise level of the operation.</p>
Safety Element Chapter 14 Geologic & Seismic	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury. (S-G1, S-G2)</p> <p>Related policies: S-P11, Site Suitability; and S-P7, Structural Hazards.</p>	<p>The project site is not located in a mapped Alquist-Priolo fault zone nor is subject to liquefaction. The site is seismically classified as moderate instability. The cultivation area is located on slopes of less than 5%. The project also does not pose a threat to public safety related from exposure to natural or manmade hazards.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.</p>	<p>The subject site is within a FEMA mapped 100-year flood zone. The proposed project will not alter the existing flood area, does not propose any new residential or civic uses, and will not result in any hazardous industrial uses within the existing flood zone. Agriculture is an allowable use in flood zones. If used, the temporary hoop houses 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 and pesticides. Domestic solid waste and recycling is stored on site and picked up by Eel River Recology weekly. Lastly, cultivated vegetation is composted on the site and reused to amend the soil. Therefore, the proposed project will not store hazardous or acutely hazardous materials on site that could cause environmental harm during a flood event. The project site is not within a mapped dam or levee inundation area. The project site is approximately 17 miles northeast of the coast, and approximately 185 feet above mean sea level, thus, is outside the areas subject to tsunami run-up.</p>
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential.</p> <p>Related policies: S-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The subject parcel is located within an area with a high fire rating and moderate fire severity. The subject property is located within the Myers Flat Fire Protection District and the State Fire Responsibility Area where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. The property is less than an acre in size and is therefore not subject to the 30-foot SRA setback from property lines regarding structures.</p> <p>One to two employees are required to meet operational needs. The applicant is connected to community service water that can provide water for fire protection in addition to irrigation uses.</p> <p>All applicable referral agencies were referred and did not identify any issues relating to fire hazards.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
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 Myers Flat Fire Protection District boundaries.
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 Requirement	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 parcel of land known as APN 081-091-003 has been determined to be one legal parcel as described in Creation Deed 1928-09269. The parcel of land known as APN 081-091-002 has been determined to be one legal parcel as described in Creation Deed 1925-008287. There is no evidence indicating there have been any subsequent acts to merge or divide these parcels. Therefore, the subject parcels were lawfully created in its current configuration and can be developed as proposed.
§314-7.1 Flood Plain (FP)	Flood Plain (FP): The principal permitted uses in the Flood Plain zoning designation are general agriculture, nurseries and greenhouses, animal sales, feed yards, temporary recreational vehicle parks, roadside stands, public stables, docks, boat houses, golf courses and shooting ranges.	The applicant is seeking a Special Permit for an existing 1,999 square feet of existing outdoor cannabis cultivation. The proposed use is specifically allowed in this zoning district under Section 314-55.4.6.5.8 of the CCLUO.
Minimum Lot Area:	5 acres	0.38 and 0.36 acres
Minimum Lot Width:	300 feet	50 and 50 feet
Max. Lot Coverage:	None specified	N/A
Min. Yard Setbacks: Through the SRA requirements	Front: 20 feet Rear: 20 feet Side: 10 feet SRA: Parcel is less than 1 acre in size and is not subject to the 30 ft requirement	Front: 20 feet Rear: approximately 260 feet Sides: 10 feet When open air cultivation, cultivation overlies the boundary between the two parcels.
Max. Building Height:	None specified	<35 feet

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§314-61.1 Streamside Management Area (SMA)	<p>Placement of soil within SMAs shall be prohibited, except where specifically authorized by the SMA ordinance.</p> <p>Development within SMAs may include wildlife enhancement and restoration projects.</p> <p>The SMA of perennial streams outside of urban development and expansion areas is defined as 100 feet from the stream transition line.</p>	<p>The existing cultivation was within the streamside buffer of the South Fork of the Eel River. The cannabis is proposed to be removed from the SMA to an environmentally superior area outside the SMA. There are no other SMAs on, or near the parcel. There are no other SMAs on, or near the parcel.</p> <p>The Biological Reconnaissance Assessment developed by Mother Earth Engineering did not recommend any remediation of the retired cultivation area within the SMA. There is photographic evidence within the report exhibiting the retired area as being comprised of mixed, introduced annual and perennial grassland and herb species with a riparian buffer. Therefore, there is no Special Permit for remediation work within the SMA required for this project.</p>
§314-109.1 Off-Street Parking	<p>Off Street Parking for Agricultural use*: Parking space per employee at peak shift. A minimum of three parking spaces are required.</p> <p><i>*Use for this activity is not specified. Per Section 314-109.1.2.9, the Director may fix the required number of parking spaces based on standards for most comparable use.</i></p>	2 spaces
314-55.4 Commercial Cultivation, Processing, Manufacturing and Distribution of Commercial Cannabis Inland Land Use Regulation (CCLUO)		

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
<p>§314-55.4.5.4</p> <p>Permit Limits and Permit Counting</p>	<p>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).</p>	<p>According to records maintained by the Planning Department, Humboldt Bud Company, LLC, submitted three applications each proposing less than 3,000 square feet of existing cultivation area and is entitled to eight acres. This application is one Special Permit for a 1,999-square-foot cultivation area.</p>
<p>§314-55.4.6.0</p> <p>Conversion of Timberland</p>	<p>Cultivation sites may only be located within an Non-Forested area that was in existence prior to January 1, 2016.</p>	<p>A review of aerial imagery on the Humboldt County WebGIS shows the parcel has a naturally open area where domestic and cultivation 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.</p>
<p>§314-55.4.6.4.3</p> <p>Limitation on Use of Prime Soils</p>	<p>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.</p>	<p>Approximately 0.38 acres (16,552 square feet) of the subject parcel is mapped as Prime Agricultural Soils. The 1,999 square feet of cultivation does not exceed 20% of the total prime Ag soil (i.e. is less than 3,310 square feet). The proposed cultivation area of the property was rocked with gravel by the previous landowner. Pictures from the Biological Reconnaissance Assessment (page 23) clearly show gravel covering the ground. The pictures do not show fresh gravel placement, so the gravel had been in place for several years and is part of the baseline condition. Given that the natural soils have been disturbed in this fashion, it is not feasible for the applicant to plant directly in native soil. As a result, the applicant is allowed to plant in pots or in beds with a cultivation area that is less than the 20% limit on use of Prime Agricultural Soils.</p>

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
<p>§314-55.4.6.4.4</p> <p>Standard Setbacks</p>	<p>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.</p>	<p>The applicant's site plan shows that the cultivation area conforms to the 600-foot setback for schools, school bus stops, parks, or places of religious worship.</p>
<p>§314-55.4.6.5.8</p> <p>Myers Flat Community Area</p>	<p>In the Myers Flat Community Area, on any sized parcel, the cultivation area of a Pre-Existing Site may be permitted with a Special Permit, up to a maximum of 3,000 square feet. Expansion is prohibited on parcels less than 1 acre in size. The cultivation area setback requirement specified in Section 55.4.6.4.4(a) shall be reduced to the setbacks applicable to the underlying principal zoning district.</p> <p>The cultivation area setback from residence requirement specified in Section 55.4.6.4.4 (b) shall only apply to permanent residences constructed with approved building permits. Temporary use of an RV for up to 6 months may be permitted in conjunction with cannabis cultivation if permitted pursuant to 314-81.1.1.5.1.</p>	<p>The proposed project is a Special Permit to allow 1,999 square feet of existing outdoor cultivation on a parcel 0.74 acres in size. The Cultivation Area verification by the Planning Division confirms evidence of over 2,000 sq. ft. of cultivation existing prior to January 1, 2016.</p> <p>The cultivation area is setback 20 feet from the front of the parcels, 10 feet from the sides of the parcel (when open air cultivation, cultivation overlies the boundary between the two parcels), and approximately 260 feet from the rear of the parcel and conforms to the underlying zone (FP).</p> <p>Per the plot plan submitted by the applicant, the nearest permitted residence is more than 300 feet from the proposed project.</p> <p>The applicant will utilize an RV as housing during the cultivation season and will not occupy the site between the months of December and May of any given year. Annual removal of the RV is a condition of project approval.</p>
<p>§314-55.4.11</p> <p>Application Requirements</p>	<p>Identifies the Information Required for All Applications</p>	<p>Attachment 4 identifies the information submitted with the application and shows all the required information was received.</p>

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§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 Boy Scout Camp Road, a privately maintained road. The applicant has submitted a Road Evaluation Report developed by Mother Earth Engineering, April 2019 for the section of Myers Avenue, the section of Orchard Way and the portion of Boy Scout Camp Road from Orchard Way that he uses for access, concluding that all road segments meet Category 4 or equivalent standards and require minimal improvements to restore proper hydrologic function in accordance with Pacific Watershed Associates (PWA) Road Manual standards. Implementing the recommended improvements in the report are a condition of project approval. A condition is also included for the applicant to demonstrate participation in an RMA.

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
<p>§314-55.4.12.1.10 Performance Standards– Biological Resource Protection</p>	<p>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.</p>	<p>A Biological Reconnaissance Assessment was conducted by Mother Earth Engineering in June 2019 for potential listed species and species of concern. Parcel and project areas were scoped using the California Natural Diversity Database (CNDDDB) and California Native Plant Society (CNPS) Rare Plant Inventory to determine the extent of project impacts, assess potential habitat for sensitive species and develop guidelines and strategies for mitigation measures, as necessary. The following was concluded: Although the database search resulted in the potential for multiple listed species within the study area, none were observed during initial site evaluation. Areas surrounding the SMA are out of range of project activities with no future projects proposed.</p> <p>The project site is located within approximately two miles of Northern Spotted Owl activity center and the project site is within mapped Marbled Murrelet habitat. Electricity is provided to the parcel by PG&E and no generators are used. No supplemental lights are used in the cultivation operation. 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 100ft or to the nearest tree line, whichever is closer.</p> <p>A referral was sent to CDFW on October 18, 2019 and comments were requested again on April 7, 2020 (see Attachment 5). No response has been received.</p>
<p>§314-55.4.12.2 Performance Standards– Commercial Cannabis Cultivation</p>	<p>Identifies the Performance Standards for Cannabis Cultivation Activities.</p>	<p>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.</p>

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
<p>§314-55.4.12.4 Performance Standards–</p> <p>Light Pollution Control</p>	<p>a) Structures used for Mixed Light Cultivation and Nurseries shall be shielded so that no light escapes between sunset and sunrise.</p> <p>b) Where located on a Parcel abutting a residential Zoning District or proposed within Resource Production or Rural Residential areas, any Security Lighting for Commercial Cannabis Activities shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses.</p>	<p>The proposed project is for a 1,999-square-foot existing outdoor operation. Clones will be delivered from a licensed nursery. No supplemental lighting is used in the cultivation. Operational conditions require that any Security Lighting for Commercial Cannabis Activities shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses.</p>
<p>§314-55.4.12.5 Performance Standards–</p> <p>Energy Use</p>	<p>All electricity utilized by Commercial Cannabis Cultivation, Manufacturing or Processing activities shall conform to one or more of the following standards:</p> <ul style="list-style-type: none"> • Grid power supplied from 100% renewable source; and • On-site renewable energy system with twenty percent net non-renewable energy use <p>Grid power supplied by partial or wholly non-renewable source with purchase of carbon offset credits.</p>	<p>The power source for the project will be conventional grid power provided by P.G. and E. The applicant will purchase 100% renewable energy through the Redwood Coast Energy Authority RePower+ Program. No generators will be used.</p>
<p>§314-55.4.12.6 Performance Standards–</p> <p>Noise</p>	<p>Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site. Existing ambient noise levels shall be determined by take twenty-four measurements on three or more property lines when all cannabis related activities are not in operation.</p>	<p>No generators are used onsite. The site is served by grid power. Any fans or dehumidifiers used in the cultivation operation will be conditioned to operate at less than 50 dB at 100-foot distance or at the closest tree line, whichever is closer. No pre-project noise survey was provided, as ambient noise from Highway 101 located 0.5 miles to the west exceeds the possible noise level of the operation.</p>

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§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.	Water to the site is supplied by Myers Flat Mutual Water System, Inc. The applicant has submitted a will serve letter to the County from Myers Flat Mutual Water System, Inc (see Attachment 4). Email correspondence from Mary Whitmore, the business manager of the Myers Flat Mutual Water System, dated March 18, 2020 states that the District serves the parcel with water and has no issue with providing the amount requested for irrigation. Based on the submitted evidence, the project complies with the referenced section.
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 has provided a soils management plan stating that used potting soil will be stored in a covered location. Between 80 to 100% of soil will be reused. Approximately 1,500 to 4,000 cubic feet of imported soil will be amended annually. Spent soil will be taken to the nearest transfer station for disposal.
314-55.4.12.11 Performance Standards – Existing Site Reconfiguration	Where an existing site does not conform to one or more performance standards or eligibility criteria, or cannot comply with local, state, or federal regulatory requirements, reconfiguration of the cultivation site and associated infrastructure may be permitted, provided that the reconfiguration results in an improvement in the environmental resources of the site.	The project involves a Special Permit for an existing small outdoor cannabis cultivation area. The cultivation area was retired and relocated to a more environmentally suitable location outside of the Streamside Management Area (SMA) of the South Fork of the Eel River. This area will not require remediation (see below).

Zoning Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
314-55.4.12.13 Performance Standards – Remediation Activities	All remediation activities shall be conducted in accordance with the requirements for Mitigation and Monitoring Plans described within 314-61.1 of the Humboldt County Code, including the standards for documentation, reporting, and adaptive management.	The Biological Reconnaissance Assessment developed by Mother Earth Engineering did not recommend any remediation of the retired cultivation area within the SMA. The existing cultivation area was more than 50 feet from the SMA and removal of cultivation did not require any additional remediation for the area to naturally revegetate.
314-55.4.12.16 Performance Standards – Invasive Species Control	It is the responsibility of a certificate or permit holder to work to eradicate invasive species.	Conditions of approval require the applicant to submit an invasive species control plan to the Planning Department for review and approval. The plan shall include, but not be limited to, identification of types of invasive plant species, where they are located, and a plan to control their spread.

4. Public Health, Safety and Welfare. The following table identifies the evidence which supports finding that the proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1.4	The proposed development will not be detrimental to the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.	The Department finds that the proposed project will not be detrimental to the public health, safety and welfare since all reviewing referral agencies have approved the proposed project design. The project as proposed and conditioned is consistent with the general plan and zoning ordinances; and the proposed project is not expected to cause any environmental damage.

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

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-17.1.5 Housing Element Densities	The proposed development shall not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.	The parcel was not included in the 2014 Housing Inventory.

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

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

ATTACHMENT 3
CEQA Addendum

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

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

*APN 081-091-002 and 081-091-003, 639 Boy Scout Camp Road Myers Flat, CA County of
Humboldt*

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

April 2020

Background

Modified Project Description and Project History –

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

The modified project involves a Special Permit for an existing 1,999 square foot (SF) outdoor cannabis cultivation and a Special Permit for a reduction to the required 600-foot setback from public lands. The cannabis was removed from the Streamside Management Area (SMA) relocated to a more environmentally suitable location outside of the SMA of the South Fork of the Eel River. This area does not require remediation. Cultivation activities extend from April to October. The applicant states there will be a maximum of two harvest cycles annually.

Water for irrigation is sourced from Myers Flat Mutual Water System, Inc. The applicant estimates 45,000 gallons of water is required for the annual operations. Drying of cannabis will occur in removable carports on site. Processing will occur off-site at a licensed processing facility. There will be one to two full time operating cultivators.

Power to the site is provided by Pacific Gas and Electric (P. G. & E.). The project will also comply with provision of the CCLUO intended to eliminate impacts to sensitive species from noise and from light. Additionally, the project includes relocation to an environmentally superior location and habitat restoration, both of which are consistent with the original project and the EIR's mitigation measures. Compliance with these and other measures of the CCLUO ensure consistency with the EIR.

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

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

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the Final EIR recommended mitigations. The proposal to authorize the project to bring the operation into compliance with the CCLUO is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

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

- Biological Reconnaissance Assessment prepared by Mother Earth Engineering dated June 2019.
- Road Evaluation Biological prepared by Mother Earth Engineering dated April 2019.
- Operations Plan and Site Plan for Humboldt Bud Company, LLC.
- Humboldt County WebGIS.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See Purpose statement above.

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

FINDINGS

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

CONCLUSION

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

ATTACHMENT 4

Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (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. (Not Applicable)
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. (Condition of approval)
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. (Not Applicable)

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. Road Evaluation Report developed by Mother Earth Engineering dated April 2019. (Attached)
16. Biological Reconnaissance Assessment prepared by Mother Earth Engineering received June 2019. (On file)
17. Will-serve letter from Myers Flat Mutual Water System dated March 18, 2020 (Attached)



HUMBOLDT BUD COMPANY LLC OPERATION MANUAL

**APN# 081-091-003-000 &
APN# 081-091-002-000
639 BOY SCOUT CAMP RD, MYERS FLAT, CA 95554**

1. PROJECT SUMMARY

1.1 Project Objective:

The applicant, Humboldt Bud Company LLC, is applying for a Special Permit for an Outdoor Cannabis Cultivation in Myers Flat, CA in accordance with the County of Humboldt's CCLUO (Commercial Cannabis Land Use Ordinance) and The State of California. The Applicant, Humboldt Bud Company LLC, is leasing the property at 639 Boy Scout Camp Rd. Myers Flat, CA 95554 APN 081-091-003-000 & 081-091-002-000 from Rosemary Ranch LLC, the owner.

The Applicant is applying for a cannabis cultivation permit for 1,999/1,960 SF of Pre-Existing Cannabis Cultivation to be relocated as far from the Stream Side Management area to meet the 150' setback. This will meet the 100' county setback as well as State setback of 150' for Class 1 water course. The road & side setbacks will meet the county setbacks for Myers Flat as outlined the 2.0 version of the county regulations (See Exhibit E).

The approximate square footage of the lot is approx. 32,234 SF & the 1,999/1960 SF proposed Cultivation area is 6.2% of the total prime AG soil and is below the 20% prime AG soil allowed. The cultivation will be either outdoor removable hoops & open air outdoor. Outdoor open-air cultivation will be 1,999 SF & the greenhouse hoops will total 1,960 SF due to 10' setback on each side of the middle property line between the two parcels that are cultivating for this permit. Greenhouses will not require building permits and will be removable hoop greenhouses made with pvc 1.25"-1.5" wide connected to rebar or tpost in the ground, clear ploy plastic will cover

the pvc hoops and black poly will be used for light deprivation. Greenhouses will be 4-9'x35' & 2-10'x35'. Hoops will meet 10' property line setbacks on the sides of the neighbor properties and the property line between the two parcels applying for the cultivation.

The onsite drying, curing, will be done on site in the portable 2-220SF sheds for open air cultivation only.

Greenhouse cultivation will not have the removable sheds and drying and grading will be off site at 749 Boy Scout Camp Rd. Myers Flat, CA. Owned by the applicant.

A licensed mobile trim company will come onsite to trim the product in their mobile trailer or the product will be sent to a licensed offsite processing center for finish trim production. Then all product will be tested by a licensed testing company.

All cultivation, processing, transportation, sales and all business will be in accordance with all laws and rules of Humboldt County and The State of California.

Property is served by Myers Flat Public water, portable toilet with pump service & PG&E power will provide the utilities. The applicant intends to be fully compliant with Humboldt County, Local Agencies & State Cannabis Cultivation Regulations.

Applicant has hired Mother Earth Engineering & will hire any needed professionals to prepare any needed documents for environment, storm water, road, erosion, etc or any engineering needed.

1.2 SITE DESCRIPTION

The site is located at 639 Boy Scout Camp Rd. Myers Flat, CA 95554 APN: 081-091-003-000 & 081-091-002-000. Located in the South Fork Eel River Watershed in Southern Humboldt County. From Eureka, CA drive South on US-101 for 49.5 miles to exit 656 and turn right on CA-254. Follow CA 254 for

Appx. 130' and then turn left onto Myers Avenue, then the left on Orchard Way. Then right on Boy Scout Camp Rd. Follow to 639 Boy Scout Rd. on the left. Parcel is .74 acres or 32,234 SF.

The property is located in a flood plain, it is waterfront parcel on the South Fork Eel River. The South Fork Eel River which has been listed as an impaired waterbody for excessive sediment and temperature under section 303(d) of the Clean Water Act. The Eel River provides habitat for five endangered salmonid species and has been identified as an important population of Coho Salmon for the region. The climate is characterized by a pattern of high-intensity rainfall in winter and warm, dry summers.

Elevated at 150' above sea level & is relatively flat with less than 5% slope. Covered in grass, fruit trees.

1.3 LAND USE

The Site has a Land Use Designation of Conservation Flood Plain Recreation (CFR (AVES)) as described in the Humboldt County General Plan- Volume 1. Framework Plan (FERK). The parcel is zoned Flood Plain (FP). The Majority of the surrounding parcels are zoned Flood Plain (FP) or Agriculture General (AG)

1.4 STATE & LOCAL COMPLIANCE

1.4.1 State of California Commercial Cannabis Activity License

The applicant will apply for a Commercial Cannabis Activity license from the State of California once Humboldt County approves the local county permit.

1.4.2 State Water Resources Control Board

Mother Earth Engineering is contracted and ha prepared the Biological Reconnaissance Survey and the applicant has applied to SWRCB & the cannabis cultivation is Conditionally Exempt (CE). Site Closure Report will be completed 90 days before the end of cultivation & turned in to SWRCB.

The property is served by Myers Flat Mutual Water, public water source is connected and monthly bill is paid. Water Storage tank of 2,500-5,000 gallons

for emergency water source will be installed if required for conditional approval of permit.

1.4.3 North Coast Regional Water Quality Control Board

Mother Earth Engineering was contracted to do the Biological Reconnaissance Survey and the applicant has applied with North Coast Regional Water Quality Control Board and the cultivation is Conditionally Exempt (CE). A Site Closure Report will be completed and turn in 90 days prior to end of cultivation each year.

1.4.4 Humboldt County Building Department

Any required building permits will be obtained for all existing & proposed structures and supporting construction that may be needed.

There will be onsite Removable sheds/carports, 2-220 SF fully enclosed support structures used for Drying, Curing, Propagation and Storage. If any permits are required for the building the applicant will apply prior to approval of cultivation permit.

1.4.5 Cal Fire

The subject property is located within a State Responsibility area (SRA) for fire protection. The property is less than an acre in size so the CalFire setbacks are Exempt. The applicant will submit any exemption permits required by the county or Cal Fire for Exemption. If required applicant will install a 2,500-5,000 gallon water tank with a riser to RSA specifications. Green houses will be pvc hoop structure that can easily be removed with no permanent foundation and will be removed & stored by October 15th of each year.

1.4.6 California Department of Fish & Wildlife

In-stream work is not anticipated on this project. Therefore, a Lake & Streambed Alteration Agreement (LSAA) from the Department of Fish & Wildlife (DFW) is not required. If the applicant seeks to create a new point of diversion involving an encroachment to surface waters, then CDFW will be contacted. Applicant has hired Mother Earth Engineering to prepared any

needed documents for environment, storm water, erosion, ect or any engineering needed.

2. CULTIVATION PLAN & OPERATIONS PLAN

2.1 Existing Cultivation & Relocation Area

The Cultivation area from pre 2016 is located entirely inside the Streamside Management Area (SMA) and within CalFire SRA Setbacks. The applicant will be relocating the pre-existing cultivation of 1,999/1,960 SF area out of the Streamside Management Area away from the river & be located 150' from the Streamside Management Area and will meet the 100' County & 150' State Streamside Management Area Setbacks from a Class 1 Water Course.

2.2 Nursery Propagation & Transplanting Plan

The cultivation will be Open Air full term cultivation or hoop greenhouses.

Open Air full term cultivation may use clones will be delivered from a licensed nursery 7-10 gallon pots before being transplanted into 50-200 gallon pots in the cultivation area.

Outdoor hoop greenhouse plant clones will come from a licensed off-site nursery.

2.3 Outdoor Cultivation Plan & Schedule

The Applicant will use Open Air Full Term or Outdoor hoop greenhouses with no lights. Outdoor hoop greenhouses will use light deprivation tarps to keep 12/12 hour for flowering stages using no artificial lights. Use of hoop greenhouses will be started on April 16th.

Open Air Full Term Cultivation would start in end of May or early June depending on the weather & crop market.

Outdoor hoop greenhouse may be used all season depending on the crop market.

The greenhouses will get clones from a licensed nursery. Then flowering starting middle of April in the hoop greenhouses with dep tarps. Mid July another hoop greenhouse run will start. The hoop greenhouse crops will be 2 crops of hoop greenhouses runs a year and NO lights will be used in the greenhouses.

Outdoor hoop greenhouses plant starts from a licensed off-site nursery.

The cultivation will be in removable greenhouse hoops made with pvc 1.25"-1.5" wide connected to rebar or tpost in the ground, clear ploy plastic will cover the pvc hoops and black poly will be used for light depravation. Green houses will be 4-9'x35' & 2-10'x35' in size.

The cultivation for open air full term cultivation may use seeds to be germinated and then transplanted into pots; 4", 1 gallon, 3-5 gallon before being transplanted into 50-200 gallon pots in the cultivation area.

Open Air Full Term cultivation plants will be transplanted in the outdoor cultivation area by the end of May or first week of June to vegetate during the long daylight hours until the sun naturally flowers the plants with 12 hours of light starting in mid-end of August to finish by October depending on the strains used and the weather.

2.4 Irrigation Plan & Schedule

Irrigation and fertigation will be top hand watering methods for juvenile and adult plants, drip systems may be installed for Adult plants or be hand watered. Plants will not be over watered and will be efficiently watered slowly with low pressure flow to not allow water to drain right through bottoms & leave the pots. This type of watering is managing off flow from the cultivation area while being more consistent in water monitoring. Monthly Cultivation Schedule in "Exhibit C" details the irrigation activities associated with all cultivation.

2.5 Processing Plan

For open air cultivation plants that are ready to harvest will have their flowering branches removed and hung to dry in the removable carports 2-11'x20' each which is equipped with exhaust fans, fans and dehumidifiers.

Outdoor hoop greenhouses will dry & cure off site at a licensed cultivation owned by the applicant at 749 Boy Scout Camp Rd Myers Flat, CA.

This process takes 7-12 days to dry. Then it is cut into smaller sections removing the main stems to put into totes to have a licensed mobile trim company come onsite to trim in their mobile trailer or send to a licensed 3rd party processing facility offsite for trimming. All cultivation wastes will be exposed of as described in the section 3.8.2 of this document.

2.6 Employee Plan

The Applicant will abide by all state laws and codes for labor, taxes and compensation. There will be 1 full time/seasonal employee, 1-2 seasonal laborers to hire part time and the applicant/manager/owner will be full time/seasonal as well.

- **Manager/Cultivator:** Responsible for the business duties and management of the applicant and day to day cultivation. Responsibilities include: agent to manage all permits/licenses with state/local governments, inventory/tracking, hiring, record/books, plant propagation/transplanting, soil management/testing, irrigation/water usage, fertilization, pest control, harvest activities and sales. This is a full time/seasonal job.

Assistant Cultivator: Onsite to manage the day to day cultivation of cannabis. Responsibilities: To follow the Managers cultivation plan and keep record of water usage/fertilization, transplant, soil management, irrigation, pest control and harvest activities. This is a part time to full time job, seasonal job.

Seasonal Laborers: Provides labor skills in cultivation, harvesting & drying.

This is a part time/seasonal job.

2.6.1 Staffing Requirements Plan

In addition to the Manager/Cultivator & Assistant positions, up to two full time/seasonal labor positions may be employed. The number of seasonal laborers depends on the demand for work during the peak times of Cultivating, Harvesting and Drying.

2.6.2 Employee Training & Safety Plan

On site cultivation, harvesting and drying performed by employees trained on each aspect of the process including: cultivation and harvesting techniques and use of pruning tools; proper application and storage of pesticides and fertilizers. All cultivation and processing staff are provided with proper hand, body and respiratory persona protective equipment (PPE). Access to the onsite cultivation, drying and process facilities are limited to authorized & trained personnel.

Manager and an employee will participate in the Track and Trace classes and any other classes required by State or local agencies.

All employees will be trained on proper safety procedure including fire safety; use of rubber gloves and respirators; proper hand washing guidelines; and protocol in the event of an emergency. Contact information for the local fire department, Cal Fire, Humboldt County Sheriff and Poison Control as well as the agent in charge will be posted at the employee restroom. Each employee is provided with a written copy of the emergency procedures and contact information. The material safety data sheets (MSDS) are kept on site and accessible to employees.

2.6.3 Toilet and Hand Washing Facilities

Toilets will be provided onsite for employees in the form of regularly serviced portable toilets and a sanitary portable sanitation station with a sink, soap and paper hand towels. Employees will work at a distance of no greater than 75' of a restroom.

2.6.4 Residential Structures

There are no proposed residential structures with this project. Employees will live off site and commute from Myers Flat and Surrounding communities. One employee will live onsite in a RV trailer during cultivation season.

2.7 Security Plan & Hours of Operation

2.7.1 Facility Security Plan

Property security will be restricted by the means of 6' fencing blocking on the sides with a locked gate in front and a man door. Property will be adding more fencing for security. Security Cameras will be located two in the front and two in the back of the property to view all sides and two in the center. "Smile Your on Camera" sign is located on the front gate along with "No Trespassing" signs. Cameras are recording on motion detectors and surveillance monitoring is onsite and monitored off site. Property will have interior motion lights for after hours security. Employee or owner may camp on the property during peak flowering time, three weeks before harvest to ensure extra security on site.

2.7.2 Hours of Operation Plan

Activities associated with cultivation (watering, transplanting and harvesting) will usually occur during daylight hours. All other activities such as processing typically occur no earlier than 6 am and no later than 10pm.

2.7.3 Setbacks for Cultivation

Setbacks in Myers Flat are reduced to the applicable underlying principal zoning district which is 20' front setback and 10' side setbacks from the property lines. See 55.4.6.5.8 of the CCLUO 2.0 Amendment. The 600' setback from any structure is for permitted residences only in Myers flat. See

55.4.6.5.8 of the CCLUO. See "Exhibit E" for CCMLUO pages on 55.4.6.5.8 Myers Flat Setback Amendment.

3. Environment Plans & Water Usage Plans

3.1 Environment Plan & Biologist Reconnaissance

Applicant has hired Mother Earth Engineering to complete the Biological Reconnaissance Survey for Special Status Species and Sensitive Habitat. The applicant has also enrolled the proposed project into SWRCB/RWQCB for Cannabis general order enrollment filling. The Cultivation is Conditionally Exempt, (CE). The summary of specific measures for compliance with SWRCB order will be turned into Humboldt County & The State of CA once received. They will come up with an invasive species plan for the property.

3.2 Water Source and Projected Water Use Plan

Water for domestic and cultivation uses are provided by direct service connection to retail water supplier Myers Flat Mutual Water.

See section 2.4 for a summary of irrigation practices and "Table 1" below for the monthly irrigation schedule.

The table schedule below is an estimate of water usage throughout the year for Cannabis Cultivation. Usage will vary on the weather conditions, the strains used and time of the cycle of the crop. The irrigation for the year for the 1,999 SF of cultivation will be approximately 41,000 gallons maximum for the season.

TABLE 1. Estimated Annual Irrigation Water Usage

	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	

	2000	3000	3000	3000	5000	6000	6000	6000	5000	3000	
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3.3 Water Storage Plan

Water for both domestic and irrigation uses is provided by direct service connection to Myers Flat Mutual Water System Inc. Accordingly, water storage for cultivation is not necessary. If required by Cal-Fire, a 2,500-5,000 gallon water tank may be installed to comply with SRA fire protection requirements. See Site Plan for area reserved for water tank.

3.4 Storm Water Management Plan

The property is enrolled into SWRCB & North Coast Regional Water Quality Control Board (NCRWQCB) by the applicant as a 1,999/1,960 SF Outdoor Cultivation and is Conditionally Exempt, (CE). The Site Closure Report will be developed and implemented using the best management practices (BMP's) in accordance to the SWRCB/NCRWQCB's recommendations. If the county requires additional Storm Water Management Plans they will be prepared by the applicant or Mother Earth Engineering.

3.4.1 Site Drainage & Runoff Plan

Applicant has hired Mother Earth Engineering & will hire any professional to prepared any required documents for environment, storm water, erosion, ect or any engineering needed. The property is level with the cultivation area located furthest away from the river with a 150' setback from the Streamside Management area. The property has a very slight slope to the southeast toward the South Fork of the Eel River. Drainage infiltrates well. During heavy rain events the surface water drains and infiltrates without accumulating standing water or surface flow with little or no run off at all. Soil, refuse & spoils will be properly stored in a covered area off the ground level, outside of the streamside management area. Efficient and safe irrigation techniques will be used as well as secondary containment for nutrients, fertilizers & pesticides, ect. Irrigation, cultivation and storage

practices will be sufficient to prevent irrigation related runoff including nutrients, pesticides, fertilizers, fuel, ect. These practices include, but are not limited to, quick removal of refuse and safe controls of containment or disposal of spoils, pesticides, fuel, pesticides, nutrients, ect.

3.4.2 Erosion Control Plan

All operations will follow erosion and sediment control BMP's covered in Appendix B of the NCRWQCB Order No. R1-2015-0023. The BMP's are designed to prevent, contain and reduce sources of sediment. The Site Management/Disturbed Management Plans being developed will also include will also include corrective actions to reduce the sediment delivery, including applying straw to bare ground & appropriate storage of mulch piles and spoils in a designated location away from watercourse. BMP specifications will follow the NCRWQCB Best Management Practices for Discharge of Waste Resulting from Cannabis Cultivation and Associated Activities for Installation and maintenance specifications.

3.5 Watershed & Habitat Protection Plan

Applicant has hired Mother Earth Engineering and will hire any needed professional if any documents are required for environment, storm water, erosion, ect or any engineering needed. Applicant will adhere to the proposed site plan, operations plan, and the BMP's covered in the Appendix B of the NCRWQCB Order will ensure that the watershed and surrounding habitat will be protected. Copies of all the documents will be kept on site for reference. The proposed cultivation activities and associated structures will be at least 150' from the nearest Class 1 watercourse providing a suitable buffer between the cultivation operation and habitat. Additionally, the site development and maintenance activities will utilize BMP's in accordance with the NCRWQCB's recommendations and any other Local or State recommendations. Any grading and earthwork activities would be conducted by a licensed contractor in accordance with approved grading permits. No grading is needed for this project.

3.5.1 Monitoring & Reporting Plan

If required monitoring will be conducted, if required to determine if the site meets all Standard Conditions in the Monitoring and Reporting Program (MRP). Inspections will include photographic documentation of any controllable sediment discharge sites. Visual inspections will occur at those locations on the site where pollutants of wastes, if uncontained, could be transported into receiving waters, and those locations where runoff from developed areas drains into or towards surface water. The inspection will also document the process of any plan element subject to a time schedule or in the process of being implemented. A monitoring plan will be included in the Site Management/Disturbed Area Management Plans.

Onsite monitoring shall occur:

~Before and after any significant alteration or upgrade to a given stream crossing, road segment, or other controllable sediment discharge site. Inspection should include photographic documentation, with photo records to be kept on site.

~Prior to October 15 and December 15 to evaluate site preparedness for storm events and storm water runoff.

~Following any rainfall event with an intensity of 3 inches precipitation in 24 hours. Precipitation data can be obtained from the National Weather Service by entering the website <http://www.srh.noaa.gov/forecast>

A monitoring and Reporting Form (Order No. 2015-0023 Appendix C) will be submitted along with initial enrollment in the Order (NOI), and updates will be submitted from the monitoring reports this will evaluate the effectiveness of the prescribed recommendations.

3.6 Energy Use Plan

The site is located in an area served by Pacific Gas & Electric for electrical power. There is a 100amp electrical panel with outlets for power usage. The cultivation will use power from PG&E for the shop, ventilation and lighting for working in low light conditions. Usage will vary from 200KWh a month to 700KWh a month. See chart below for Monthly averages. Applicant plans to install solar in the future and will apply later for any permits to install solar and reduce usage from PG&E. See Chart Below:

Feb	March	April	May	June	July	Aug	Sept	Oct	Nov
200kWh	500kWh	500kWh	500kWh	600kWh	600kWh	700kWh	600kWh	500kWh	200kWh

3.7 Materials Management Plan

3.7.1 Best Management Practices

Best Management Practices (BMP's) NCRWQCB Order No. R1-2015-0023 Appendix B, are employed when storing, handing, mixing, application and disposal of all fertilizers, pesticides and fungicides. All nutrients, pesticides and fungicides are located in a metal work shed, and contained within water tight, labeled containers in accordance with manufacture's instruction. Application will be at agronomic rates and will be tracked and reported with the annual monitoring and reporting form submitted to the NCRWQCB/SWRCB. Working employees or company members are responsible for application and will be trained to handle, mix, apply, or dispose of the pesticides/fungicides with proper hand, eye, body and respiratory protection in accordance with the manufacturer's recommendations. All BMPs will be practiced by the applicant and employees. BMPS Attached as "Exhibit D" for Applicant and Employees to follow.

3.7.2 Fertilizers

Nutrients and biological inoculants used for cultivation include:

- Dr. Earth Organic All Purpose Fertilizer 4-4-4**
- Dr. Earth Flower Girl Bud & Bloom Booster 1-9-2**
- Root Organics HP2 (Soluble Phosphate extracted from guano)**
- Roots Organics HPK (Soluble phosphate & potassium extracted from Guano & Langbeinite**
- Roots Organic Extreme Serene 0-2-2 Organic Nutrients for plants**
- Roots Organics Ancient Amber (Low molecular weight humic acids)**
- "See Exhibit F"- Regulated Products Resource List for products details.**

3.7.3 Pesticides & Fungicides & Hazard Materials

The Applicant will follow the BMPs and have all products kept in an above ground containment area inside the shop storage area. Applicant uses several products to control pest with uses organic products. All products used to control pests and mildew are stored in the proposed processing building above the ground level with secondary containment. All products will conform to the California Department of Pesticide Regulation registration and use requirements for pesticide use on cannabis.

Products to control insects and mildew include:

- Bamboo
- Marigolds
- Chrysanthemum
- Fleischmann's Vinegar
- Neem Oil (Dyna-Gro)
- Food Grade Hydrogen Peroxide (ClearTech)
- Liquid Castile Soap (Organic)

See "Exhibit F" for Material Lists & Safety Data Sheets

3.8 Waste Management Plan

3.8.1 Solid Waste Management Plan

Onsite garbage will be collected and disposed in garbage/recycling cans right away with nothing laying around at any time. The garbage cans will be stored in a "Garbage Shed" alone inside the fence but near the road to prevent any leachate from entering or percolating to receiving waters until it is disposed by the local garbage company with pick up once a week on Boy Scout Camp Rd outside the fence. Applicant will follow the BMPs Attached "Exhibit D".

3.8.2 Cultivation Waste Plan

All plant matter will be composted at the proposed "Compost Area" as seen on the site plan. Plant matter not used for production will be quickly taken to the compost area to decompose.

3.8.3 Soils Management Plan

Applicant will follow BMPs to manage soil. Potting soil will be carefully loaded/removed into/from pots to not have spills and if any occur the soil will be cleaned up quickly. Used potting soil will be stored in a covered location until it can be replenished and reused for the next season. Projection of reuse of 80%-100% of all imported soils. On the 1,999/1,960 SF Cultivation area approximately approx. 1500-4000 Cubic Feet of soil that will be amended and tested every year to meet any regulation standard as well as be amended to reuse the next year Any needed sediment control BMP's will be installed or implemented to prevent transport of nutrients to the riparian areas via overland flow. All packaging from soil amendments and fertilizers will be collected and disposed of at an appropriate facility.

3.8.4 Onsite Wastewater Treatment System Plan

There is a septic system on the property that will not be used. There will be a portable toilet for onsite bathroom and a portable sink to wash hands and hold the grey water. Both the portable toilet and portable sink will be pumped by a local sanitation company at least twice a month or more as needed. All BMPs will be used by the applicant and employees.

3.8.5 Irrigation Wastewater Plan

Irrigation wastewater will be managed through Best Management Practices. The use of controlled hand watering or drip system irrigation minimizes water use and hand watering for fertigation minimizes subsequent runoff. All measures to BMP will be used to make sure there is no excess water runoff.

4. Product Management Plan

4.1 Product Testing & Labeling

Samples are selected from individual harvested cannabis strains and will be tested by a local testing company permitted and approved by Humboldt County & the State of CA. Any labeling required will be done accordance to local and state requirements.

4.2 Product Inventory & Tracking

Inventory and tracking of plants of all stages of growth and finished dried product ready to be sent for processing will comply to meet all local and state requirements, including classes, reporting, inspections and compliance. Records will be kept on site and match the inventory to show all stages of plant and product locations, weights and or size. Track and Trace will be implemented and applicant will abide by all regulations & will take classes as required by county, state and local agencies.

4.3 Transportation & Distribution

Transportation will be handled by the third-party processor in accordance with County, State & Local regulations. All merchantable product will be distributed through State & Local Licensed cannabis retailers or distributed to State & Local licensed oil or edible manufacturer. Prior to any product being transported from the property all State & Local compliance requirements & licenses for product transport will be verified, recorded and checked. A transport manifest will be created and copied to keep on the site and with the transporter for record and tracking.

5. Road Access & Parking Plans.

5.1 Road System Assessments

If required, the Applicant will hire an Engineer if required, to complete a Road System Assessment for the access to the proposed cultivation farm. The assessment will be turned in to Humboldt County and attached to the application once finished by the engineer.

See "Exhibit B" for Consultants Hired

The applicant will establish the appropriate road maintenance association (RMA) prior to operation or provisional permit approval. Evidence will be provided to the satisfaction of the County, and may include minutes from a meeting, written correspondence and confirmation from the RMA Secretary, or similar information.

When one or more applicants in a defined roadshed have prepared and submitted a Professional Private Road Evaluation, all contemporaneous applicants served by the same roadshed would be required to contribute to the cost of preparation of the report. The cost allocation would be determined by any RMA(s) within the roadshed that includes the road segments providing access to the cultivation site of each applicant. In determining the cost allocation, the RMA would consider the recommendation or formula for cost sharing included in the report. The applicant will contact the other permitted cultivations on the road to start a Road Maintenance Agreement to be signed and notarized by all permitted cultivators on Boy Scout Camp Rd. Myers Flat, CA and turned into the County, State and any other local agencies.

5.2 Parking Plan

Property has a 40'x20' area for parking just off of Boy Scout Camp Rd. This area can be fenced or open to the road depending on the requirement for the cultivation permit. Currently this area is open without fencing. Applicant would like to fence this area for privacy and security to vehicles that are parked. See Site Plan in "Exhibit A"

6. Noise Source Assessment and Mitigation Plan

The Applicant does not have any generators or loud noises associated with the outdoor cultivation or drying. The only noise producing equipment are fans to ventilate the greenhouses and shop which a low noise and does not exceed noise limits for the area. If required by the County, State or Local Agencies to have a Noise Assessment Evaluation by a professional the applicant will have that completed.

7. Archaeological, Paleontological & Tribal Cultural Resource Survey

The Applicant will pay the fee to the county for the research to apply to determine if the survey is necessary. If the survey is required the applicant will hire a qualified Archaeologist/Paleontologist to complete the survey and abide by any requirements from the findings of the survey.

8.Setbacks & Site Plan

Setbacks in Myers Flat are reduced to the applicable underlying principal zoning district which is 20' front setback and 10' side setbacks. See 55.4.6.5.8 of the CCLUO 2.0 Amendment. The 600' setback from any structure is for permitted residences only in Myers flat. See 55.4.6.5.8 of the CCLUO attached "Exhibit E".

The Humboldt County Streamside Management Area Setback of 100' will be maintained and applicant will relocate any existing area inside the 100' setback to meet the setback from the Streamside Management Area. The cultivation area will be 150' from the Streamside Management Area to also meet the State Class 1 Water Course Setback.

The applicant or another engineer will be submitting the site plan and maps for this project prior to conditional approval of the permits. See "Exhibit A" for Site plans from Applicant.



DEPARTMENT OF PUBLIC WORKS COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

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

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

AVIATION	839-5401	ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741	LAND USE	445-7205
		BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540		
		ENGINEERING	445-7377	PARKS	445-7651		
		FACILITY MAINTENANCE	445-7493	ROADS & EQUIPMENT MAINTENANCE	445-7421		

ROAD EVALUATION REPORT INSTRUCTIONS

PURPOSE: The *Road Evaluation Report* is intended as a way for an applicant to document the condition of the access road(s) serving the subject property for cannabis projects that require a Conditional Use Permit (CUP), Special Permit (SP), or Zoning Clearance Certificate (ZCC). This report is not intended to be used for any other type of Planning & Building Department permit application. This will enable Public Works staff to determine if the existing roadway network [excluding on-site driveway(s)] is suitable to accommodate the proposed use on the subject property.

In rural areas, a category 4 road is usually adequate for most uses. If the road is paved and has a centerline stripe it is considered by the Department to be a category 4 road. In urban and suburban areas, the road may also need to accommodate other road users (pedestrians, bicycles, equestrians, etc.). When roads meet or exceed this standard, the roadways can typically accommodate increased traffic. This evaluation is accomplished by the applicant completing Part A of the *Road Evaluation Report*.

When the roadways do not meet a category 4 standard, there is a question that road may not be able to accommodate traffic from the proposed use. The goal is to evaluate roads that do not meet road category 4 standards in order to determine if the roads can accommodate increased traffic. This evaluation is accomplished by the applicants engineer completing Part B of the *Road Evaluation Report*.

In lieu of constructing road improvements to meet a category 4 road standard, the Department may approve a *Neighborhood Traffic Management Plan*. A neighborhood traffic management plan may include (but is not limited) the following elements: restricting the times that project traffic will use the road to off-peak hours; combining trips to reduce the volume of project traffic; carpooling to reduce the volume of project traffic; the use of signs and CB radios to coordinate traffic using the road(s); etc. The Department's criteria for approving a *Neighborhood Traffic Management Plan* is based upon site specific conditions; sound engineering judgment; the proposed ADT and DHV of the roads; the need to accommodate other road users (pedestrians, bicycles, equestrians, and other cannabis projects using the road, etc.); and the frequency and quantity of traffic associated with the proposed use. The applicant's Civil Engineer can address this in Part B of the *Road Evaluation Report*.

There may be other cannabis projects that use the same access road(s) as your project. Part B of the *Road Evaluation Report* needs to address the cumulative impacts from your project and all other cannabis projects that will also use the same road(s). There may be benefits of applicants collectively working together with one engineer to complete the *Road Evaluation Reports* for all of the projects.

(continued on next page)

- Humboldt County *Road Design Manual*, Chapter 7, Design Standards for Roadway Categories.
- American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400)*.
- American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets* (AKA "Green Book")
- Institute of Transportation Engineers (ITE) *Trip Generation*

INSTRUCTIONS: The *Road Evaluation Report* consists of two parts. The first part (Part A) may be completed by the applicant. If the second part (Part B) is needed, it must be completed by a Civil Engineer licensed by the State of California. The .pdf version of this document provides fields that can be filled in.

A separate *Road Evaluation Report* is required for each road. **Save Time: before completing these forms consult with the Land Use Division at 707.445.7205 to make sure you are evaluating all of the necessary roads for your project; that other cannabis projects in the vicinity have been included; and to make sure that you understand what is needed.**

Special instructions to the applicant's Civil Engineer in completing Part B:

- Engineer will need to contact the Department for a list of other cannabis projects that may be using all or some of the same roads in the roadway network.
- Engineer will need to determine which of these projects utilize the roads within the same roadway network by personally reviewing the cannabis project applications at the Planning & Building Department. Many of the cannabis project applications are incomplete; therefore the engineer may need to directly contact other applicants to determine how these other cannabis projects will utilize the roads in question.
- Engineer may propose a master plan in which any required roadway improvements are incrementally divided among several cannabis projects. However, the master plan must be designed so that improvements to the road(s) will be adequate when constructed incrementally.

// END //

**...DT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT**

PART A: *Part A may be completed by the applicant*

Applicant Name: Humboldt Bud Company, LLC APN: 081-101-007 081-091-002
081-091-003 081-091-010
081-091-013

Planning & Building Department Case/File No.: 15255,15251,15263

Road Name: Myers Avenue (complete a separate form for each road)

From Road (Cross street): State Highway 254

To Road (Cross street): Orchard Way

Length of road segment: 0.19 miles Date Inspected: 03/14/2020

Road is maintained by: ☐ County ☒ Other State (C6D010)
 (State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

- Box 1** ☒ The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.
- Box 2** ☐ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.
- An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.*
- Box 3** ☐ The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

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

 David Shea
 Signature 3/15/2020 9:04:14 PM PDT

03/15/2020
 Date

David Shea, Humboldt Bud Company, LLC
 Name Printed

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

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

PART A: Part A may be completed by the applicant

Applicant Name: Humboldt Bud Company, LLC APN: 081-101-007 081-091-002
081-091-003 081-091-010
081-091-013

Planning & Building Department Case/File No.: 15255,15251,15263

Road Name: Orchard Way (complete a separate form for each road)

From Road (Cross street): Myers Avenue

To Road (Cross street): Boy Scout Camp Rd.

Length of road segment: 0.2 miles Date Inspected: 03/14/2020

Road is maintained by: ☐ County ☒ Other State (6D020)
 (State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

- Box 1** ☒ The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.
- Box 2** ☐ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.
- An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.*
- Box 3** ☐ The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

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

Signature David Shea
 3/15/2020 9:04:15 PM PDT

Date 03/15/2020

David Shea , Humboldt Bud Company, LLC
 Name Printed

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

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT**PART A:** *Part A may be completed by the applicant*

Applicant Name: Humboldt Bud Company, LLC APN: 081-101-007 081-091-002
081-091-003 081-091-010
081-091-013

Planning & Building Department Case/File No.: 15255,15251,15263

Road Name: Boy Scout Camp Rd. (complete a separate form for each road)

From Road (Cross street): Orchard Way

To Road (Cross street): Project Site

Length of road segment: 0.18 miles Date Inspected: 03/14/2020

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

Check one of the following:

- Box 1** ☐ The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.
- Box 2** ☒ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

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

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

Authentisign
David Shea
Signature 4:18 PM PDT

03/15/2020
Date

David Shea, Humboldt Bud Company, LLC
Name Printed

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



920 Samoa Boulevard Suite 210, Arcata, CA 95521 | tel: 707.633.8321 | web: www.motherearthengineering.com

Date: 4/16/2019
 Subject: Road Evaluation Technical Memorandum
 APN: 081-091-001
 App #: 13285
 Applicant: Sawyer Bogle



Overview

This memo documents the road evaluation assessment completed by Mother Earth Engineering on 4/10/2019 for Boy Scout Camp Road in Myers Flat. Weather conditions were sunny and clear on the day of the assessment, with approximately 3.3 inches of cumulative rainfall in the ten days preceding the site visit. Access roads to the property were evaluated for both functional capacity and hydrologic features as stipulated in section 55.4.12.1.8 of the County Ordinance and the PWA Road Manual.

Functional Capacity

All road segments evaluated meet Category 4 standard or equivalent. The road evaluation reports for each road segment are found in the Attachments. Please also refer to the site map in Attachment B.

Myers Road is paved with striped centerline and maintained by State/County. Orchard Way is paved and is maintained by State/County.

Boy Scout Camp Road is an unpaved, private road and meets Category 4 standard equivalent based on the observations and data collected during site visit. An approximately 0.18-mile segment of the private road was evaluated. This segment of Boy Scout Camp Roads is generally 20 feet in width with excellent visibility with no pinch points observed. This segment of road services 16 parcels and using a conservative overestimate of average 4 trips per day per parcel, the Average Daily Traffic (ADT) of the road is estimated at 65. Because the ADT is less than 400, the road is considered very low volume. Even if each parcel averaged 10 trips per day (highly unlikely), the ADT for the road segment would still be far below the threshold of 400.

Description of Boy Scout Camp Road Segment

The following measurements were taken along Boy Scout Camp Road at intervals of 500 feet and 440 feet respectively. See Attachment A and B for reference.

- Point A: 22' wide road, 1' wide SE shoulder, 3' wide NW shoulder
- Point B: 19' wide road, 4' wide SE shoulder, 2' wide NW shoulder
- Point C: 20' wide road, 2' wide SE shoulder, 2' wide NW shoulder



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Hydrologic Assessment of Road Segment per PWA Road Manual

The segment of Boy Scout Camp Road is very flat. The road was observed to be hydrologically disconnected, however drainage and road improvements are recommended due to large potholes observed on the segment, in order to meet PWA Road Manual Standards. As shown in the attached photos, ponding and puddles were observed in multiple locations. Adequate vegetative buffers were also observed. These buffers appeared sufficient to attenuate sediment and runoff. No evidence of sediment delivery to watercourses or threats to water quality were observed.

Recommendations

The evaluated road segment of Boy Scout Camp Road needs to be recontoured to eliminate ponding and puddles observed. The following improvements are recommended to bring road segment into compliance with PWA Road Manual Standards:

- Reshape road prism. The road prism shall be crowned to assure proper drainage and prevent ponding.
- Road surface shall be rocked as feasible.
- Existing roadside ditches shall be cleaned out and maintained regularly.
- Where feasible, ditches shall be installed in areas that do not currently have roadside runoff conveyances. Ditch relief conveyances shall be installed at appropriate intervals. And, at the outlet of these ditch relief conveyances, rock armoring and/or other energy dissipation and stormwater attenuation measures shall be installed.

Conclusion

All road segments meet Category 4 or equivalent standards and require minimal improvements to restore proper hydrologic function in accordance to PWA Road Manual standards.



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Attachment A

Point A



Figure 1: Photos detailing road conditions at Point A.



920 Samoa Boulevard Suite 210, Arcata, CA 95521 | tel: 707.633.8321 | web: www.motherearthengineering.com

Point B



Figure 2: Photos detailing road conditions at Point B.

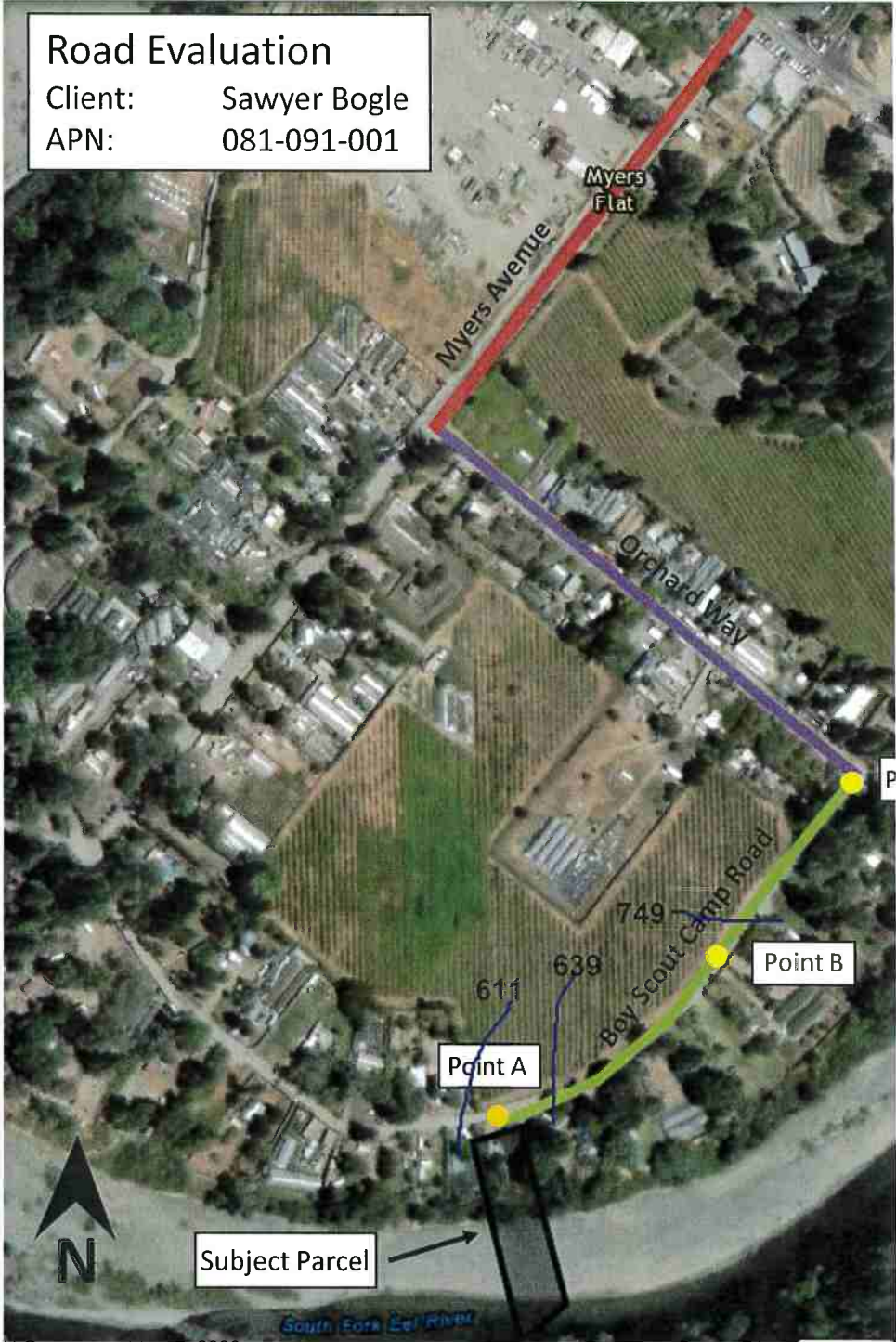


920 Samoa Boulevard Suite 210, Arcata, CA 95521 | tel: 707.633.8321 | web: www.motherearthengineering.com

Point C



Figure 3: Photos detailing road conditions at Point C.



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS ROAD EVALUATION REPORT

PART A: *Part A may be completed by the applicant*

 Applicant Name: Sawyer Bogle APN: 081-091-001

 Planning & Building Department Case/File No.: 13285

 Road Name: Myers Avenue (complete a separate form for each road)

 From Road (Cross street): State Highway 254

 To Road (Cross street): Orchard Way

 Length of road segment: 0.19 miles Date Inspected: 4/10/2019

 Road is maintained by: ☐ County ☒ Other State (C6D010)
 (State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

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

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

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

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

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road. A map showing the location and limits of the road being evaluated in PART A is attached.


Signature

16 April 2019
Date

Kendra Myers
Name Printed

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

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: Sawyer Bogle APN: 081-091-001

Planning & Building Department Case/File No.: 13285

Road Name: Orchard Way (complete a separate form for each road)

From Road (Cross street): Myers Avenue

To Road (Cross street): Boy Scout Camp Road

Length of road segment: 0.2 miles Date Inspected: 4/10/2019

Road is maintained by: ☐ County ☒ Other State (6D020)
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

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

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

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road. A map showing the location and limits of the road being evaluated in PART A is attached.


Signature

16 April 2019
Date

Kendra Myers
Name Printed

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

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: Sawyer Bogle APN: 081-091-001

Planning & Building Department Case/File No.: 13285

Road Name: Boy Scout Camp Road (complete a separate form for each road)

From Road (Cross street): Orchard Way

To Road (Cross street): Project Site

Length of road segment: 0.18 miles Date Inspected: 4/10/2019

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

Check one of the following:

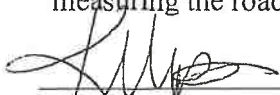
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Box 3 ☐ The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed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

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road. A map showing the location and limits of the road being evaluated in PART A is attached.


Signature

16 April 2019
Date

Kendra Miers
Name Printed

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

PART B: Only complete Part B if Box 3 is checked in Part A. Part B is to be completed by a Civil Engineer licensed by the State of California. Complete a separate form for each road.

Road Name: Boy Scout Camp Road Date Inspected: 4/10/2019 APN: 081-091-001
 From Road: Orchard Way (Post Mile N/A) Planning & Building
 To Road: property (Post Mile N/A) Department Case/File No.:
13285

1. What is the Average Daily Traffic (ADT) of the road (including other known cannabis projects)?

Number of other known cannabis projects included in ADT calculations:

(Contact the Planning & Building Department for information on other nearby projects.)

1

ADT: 50

Date(s) measured: 4/10/2018

Method used to measure ADT: ☐ Counters ☒ Estimated using ITE Trip Generation Book

Is the ADT of the road less than 400? ☒ Yes ☐ No

If YES, then the road is considered very low volume and shall comply with the design standards outlined in the American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤ 400)*. Complete sections 2 and 3 below.

If NO, then the road shall be reviewed per the applicable policies for the design of local roads and streets presented in AASHTO *A Policy on Geometric Design of Highways and Streets*, commonly known as the "Green Book". Complete section 3 below.

2. Identify site specific safety problems with the road that include, but are not limited to: (Refer to Chapter 3 in AASHTO *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤ 400)* for guidance.)

- A. Pattern of curve related crashes.

Check one: ☒ No. ☐ Yes, see attached sheet for Post Mile (PM) locations.

- B. Physical evidence of curve problems such as skid marks, scarred trees, or scarred utility poles

Check one: ☒ No. ☐ Yes, see attached sheet for PM locations.

- C. Substantial edge rutting or encroachment.

Check one: ☒ No. ☐ Yes, see attached sheet for PM locations.

- D. History of complaints from residents or law enforcement.

Check one: ☒ No. ☐ Yes (☐ check if written documentation is attached)

- E. Measured or known speed substantially higher than the design speed of the road (20+ MPH higher)

Check one: ☒ No. ☐ Yes.

- F. Need for turn-outs.

Check one: ☒ No. ☐ Yes, see attached sheet for PM locations.

3. Conclusions/Recommendations per AASHTO. Check one:

☒ The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above.

☐ The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the attached report are done. (☐ check if a *Neighborhood Traffic Management Plan* is also required and is attached.)

☐ The roadway cannot accommodate increased traffic from the proposed use. It is not possible to address increased traffic.

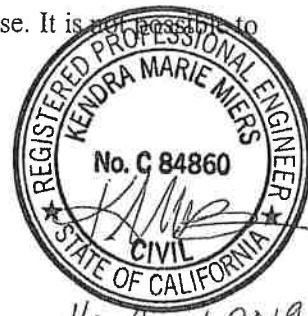
A map showing the location and limits of the road being evaluated in PART B is attached. The statements in PART B are true and correct and have been made by me after personally evaluating the road.



Signature of Civil Engineer

16 April 2019

Date



16 April 2019

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

From: [Yandell, Rodney](#)
To: [Luther, Stephen](#)
Subject: FW: David Shea Will Serve Letter
Date: Monday, April 6, 2020 3:50:24 PM

From: Mary Whitmore <myersflatmutualh2o@gmail.com>
Sent: Wednesday, March 18, 2020 4:24 PM
To: Yandell, Rodney <RYandell@co.humboldt.ca.us>; humboldtbudco@gmail.com
Subject: David Shea Will Serve Letter

Hi Rodney,

Per your request, be advised that we are serving the following properties with water:

639 BSC Rd; APN 081- 091- 02/03

611 BSC Rd; APN 081- 101 - 07

749 BSC Rd; APN 081 - 091 10/13

David has estimated his average use at 5,000 cu ft per month.

Mary Whitmore, Business Manager

--

Myers Flat Mutual Water System, Inc.

P.O. Box 74

Myers Flat, CA 95554-0074

phone (707) 943-1865

fax (707) 943-3403

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
Building Division	✓	Conditional approval	Attached
Public Works Land Use Division	✓	Conditional approval	Attached
Division of Environmental Health	✓	Approved	Attached
CAL-FIRE	✓	No comments	Attached
California Department of Fish and Wildlife		No response- comments requested October 18, 2019 and again on April 7, 2020	
Northwest Information Center	✓	Recommend study	On file with Planning
Bear River Band Rohnerville Rancheria	✓	Conditional approval	On file with Planning
Intertribal Sinkyone Wilderness Council		No response	
California State Parks – Humboldt Redwoods State Park		No response	
Humboldt County Sherriff's Office	✓	Approved	On file with Planning
Myers Flat Mutual Water System	✓	Approval	See will-serve letter Attachment 4
Myers Flat FPD		No response	
Southern Humboldt Unified School District		No response	
Ag Commissioner		No response	
District Attorney		No response	
Pacific Gas & Electric		No response	
Regional Water Quality Control Board		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: Rodney Yandell, Planner, Planning & Building Department

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

DATE: 10/29/2019

RE:

Applicant Name	HUMBOLDT BUD COMPANY, LLC
APN	081-091-002
APPS#	PLN-2018-15251

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 # 15251

☐ **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 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 //

PRE-SITE

Project Started

☐ Yes ☒ No

AOB Inspection

☐ Yes ☐ No

Soil Required Due to

Project is in flood zone A

☒ Yes ☐ No

2nd Flood Certificate Required

☐ Yes ☐ No

SRA requirements apply

☐ Yes ☐ No

SRA water storage requirements apply

☐ Yes ☐ No

Grading permit required

☐ Yes ☐ No

Erosion and sediment control measures required

Lot created prior to 1992

☐ Yes ☐ No

Incomplete Submittal Construction Plan

☐ Yes ☐ No

 Standard Comment

Plans Stamped by Licensed Prof Required

☒ Yes ☐ No

Soil Report Required

☐ Yes ☐ No

FIRM panel number

(Text)

Flood elevation certificate required

☐ Yes ☐ No

Project appears to be within wet area

Appr.SRA req. need to be shown on plot plan

☐ Yes ☐ No

Driveway slope appears to be

Submit engineered foundation for

Applicant must locate property lines

☐ Yes ☐ No

Plot plan incomplete, must be revised


☒ Yes ☐ No

Other concerns exist

☐ Yes ☒ No


Planning Referral
1/30/19
db
- revise and resubmit plot plan showing all buildings, carports, sheds and RV's
- Application identifies 081-091-003 as the parcel, site map submitted is for 081-091-002
- new site map to combine both parcels as merge is being developed

check spelling

Attachment( [Photos](#)
s) :



[Photos](#)


[Photos](#)


[Photos](#)


[Photos](#)


[Photos](#)


[Photos](#)



PLN-2018-15251 - Humboldt Bud Company LLC - SP



Cancel Help



Task Environmental Health	Due Date 11/01/2019	Assigned Date 10/22/2019
Assigned to Department Environmental Health	Assigned to Ben Dolf	Status Approved
Action by Department Environmental Health	Action By Ben Dolf	Status Date 10/22/2019
Start Time	End Time	Hours Spent 0.0
Billable No	Overtime No	Comments
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA No	<input checked="" type="checkbox"/> Display Comment in ACA	Comment Display in ACA



PLN-12762
-CUP

- ☒ All ACA Users
- ☒ Record Creator
- ☒ Licensed Professional
- ☒ Contact
- ☒ Owner



PLN-13387
-SP

Estimated Hours
0.0

Action
Updated

Workflow Calendar



PLN-12183
-ZCC

000

More

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

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

Forester Comments:

Date:

Name:

Battalion Chief Comments:

Summary: