



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: June 18, 2020

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Bonus Entertainment, LLC, Conditional Use Permit**
Application Number 12986
Record Number: PLN-12986-CUP
Assessor's Parcel Number's (APN's): 223-071-005; 223-072-006; & 223-072-010
Garberville area

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

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
June 18, 2020	Conditional Use Permit	Christopher Alberts

Project Description: A Conditional Use Permit for the continued operation of 34,000 square feet of existing outdoor cannabis cultivation. The applicant anticipates two cultivation cycle per year. Annual water usage is estimated at 246,550 gallons. There is 208,825 gallons of water storage on the subject parcel. Three employees are required during peak operations. Processing currently occurs on-site in an existing 1,200 square foot building. The applicant proposes drying onsite and further processing offsite when a viable option becomes available. Electricity is sourced from a generator.

Project Location: The project is located in Humboldt County, in the Garberville area, on the east side of Tooby Ranch Road, approximately 1 mile south from the intersection of Alderpoint Road and Tooby Ranch Road, on the property known to be in Sections 21 and 28 of Township 04 South, Range 04 East, Humboldt Base & Meridian.

Present Plan Land Use Designations: Agricultural Grazing, 2017 General Plan, Density: 20-160 acres per unit, Slope Stability: High Instability (3)

Present Zoning: Agricultural Exclusive Minimum Building Site Area 160 acres

Record Number: PLN-12986-CUP

Assessor Parcel Numbers: 223-071-005; 223-072-006; & 223-072-010

Applicant Bonus Entertainment, LLC Dylan Carr 500 Tooby Ranch Road Garberville, CA 95542	Owner Sean B Devito Po Box 491 Whitethorn, CA 95589	Agent Timberland Resource Consultants David Spinoso 165 S Fortuna Blvd. Fortuna, CA 95540
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Environmental Review: An addendum to a previously adopted Mitigated Negative Declaration has been prepared for consideration pursuant to Section 15164 of the CEQA Guidelines.

State Appeal Status: The proposed cultivation area is located outside the Coastal Zone and is therefore NOT appealable to the California Coastal Commission.

Major Issue: None.

Bonus Entertainment, LLC, Conditional Use Permit

Record Number: PLN-12986-CUP

Assessor's Parcel Number's (APN's): 223-071-005; 223-072-006; & 223-072-010

Recommended Commission 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 Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance, make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and adopt the Resolution approving the proposed Bonus Entertainment, LLC Conditional Use Permit subject to the recommended conditions.

Executive Summary

The proposed Conditional Use Permit would allow the continued operation of an existing 34,000-square-foot outdoor commercial cannabis cultivation operation on a 268-acre parcel (assessed lot size) in compliance with the County Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The subject parcel is Assessor's Parcel Number's (APN's) 223-071-005; 223-072-006; & 223-072-010. The project site contains existing cultivation operations in rural Humboldt County. Review of historic imagery on Terra Server® indicates that on 11/04/2015, there was 34,000 square feet of outdoor cannabis cultivation on the site.

The property assessed is a 268-acre parcel located on Tooby Ranch Road. There are no structures located on the property. According to the Site Management Plan, there are five watercourses on the property that are tributary to Buck Mountain Creek. Cultivation will occur on the northern portion of APN 223-071-005. Past cultivation has occurred on APN's 223-072-006 and 223-072-010, which are two APN's that make up part of the subject project's legal parcel. The current cultivation consists of 34,000 square feet of existing outdoor.

There will be one cultivation cycle per year. Cultivation activities extend from March to October. There will be one cultivation cycle per year. Propagation is proposed in the same location where cannabis will be cultivated. Processing such as drying and curing, will occur in three hoop houses: (1) 1,600-square-foot hoop house, (1) 1,000-square-foot, and (1) 1,280-square-foot hoop house. Further processing such as trimming will occur off-site by a licensed third-party processor. Bonus Entertainment, LLC is an agricultural employer. There will be three employees during peak of operations. Power is sourced by generators.

The applicant estimates 246,500 gallons of water is required for one cultivation cycle. The water source for the project are two permitted wells (16/17-1178 & 16/17-1188) and a rainwater catchment pond with a capacity of 200,000 gallons. There is one onsite well located on the subject project site and the second well is located on neighboring parcel under the same ownership, APN 223-016-017. There is 208,825 gallons of water storage on the subject parcel. According to the Well Completion Reports for wells (16/17-1178 & 16/17-1188) (see Attachment 4), the wells were drilled to a depth of 200 feet through solid blue sandstone with streaks of quarts. Because the well appears to be hydrologically disconnected from surface waters, the applicant is not required to obtain appropriative rights from the State Water Resources Control Board.

Access to the site is on Tooby Ranch Road, approximately 0.37-miles on a private road from County -Maintained portion. A Road Evaluation was prepared by the Applicant stating the entire

road segment is developed to Category 4 standard and accommodate the increased traffic from the project (see Attachment 4). The Humboldt County Department of Public Works has recommended a condition of approval requiring improvements at the intersection of Tooby Ranch Road with County-Maintained portion of Alderpoint Road in compliance with county standards. Conditions of approval also require the applicant to ensure all driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

According to the Site Management Plan (SMP) and Relocation Justification prepared by Timberland Resource Consultants, there are four historic cultivation sites located across three separate APNs that comprise of one legal parcel. The historic cultivation areas are being proposed to be relocated to one environmentally superior location identified on the Site Map (see attachment 4). The applicant proposes to utilize light deprivation greenhouses in the future. The historic cultivation areas are being relocated due to their proximity of surface waters. According to the Geologic and Soils Report prepared by Lindberg Geologic Consulting, there is approximately 5 acres of prime agricultural soils and slopes less than 15% in the relocation area.

The CDFW resource map does not identify any threatened or endangered species on the subject parcel. The nearest Northern Spotted Owl (NSO) Activity Center is located 4.2 miles southwest of the project site. The nearest mapped Marbled murrelet habitat is located approximately 4.84 miles southwest from the project site.

A Cultural Resource Survey was prepared for the subject project by Arsenault & Associates dated August 19, 2019. The report concluded there were no cultural resources identified on the project site. Conditions of approval for this project stipulates that if any cultural resources are encountered during construction activities, the contractor shall immediately cease work and contact a qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) to evaluate the discovery and determine a treatment plan.

Environmental review for the proposed project was conducted, and based on the results of that analysis, staff believes the existing cultivation and processing aspects of the project are consistent with the Mitigated Negative Declaration that was adopted for the Commercial Medical Marijuana Land Use Ordinance due to the fact that this is existing cultivation that is being brought into conformance with county and State requirements. No additional development other than that which was contemplated under the previously adopted MND is proposed. An addendum to the MND has been prepared for this project.

Based on a review of Planning Division reference sources and comments from all involved referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the conditional use permit.

Alternatives: The Planning Commission could elect not to approve the project, require the applicant to submit further evidence, or modify the project. These alternatives could be implemented if the Commission is unable to make all required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning Commission staff does not recommend further consideration of the alternatives.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

Resolution Number 20-

Record Number: PLN-12986-CUP

Assessor's Parcel Numbers: 223-071-005; 223-072-006; & 223-072-010

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approve Bonus Entertainment, LLC, Conditional Use Permit request.

WHEREAS, Bonus Entertainment, LLC, submitted an application and evidence in support of approving the Conditional Use Permit to permit an existing thirty-four thousand (34,000)-square-foot outdoor commercial cannabis cultivation operation, on a 268-acre parcel. There is 246,500 gallons of water required for one cultivation cycle. Water is sourced from two permitted wells (16/17-1178 & 16/17-1188) and there is 208,825 gallons of water storage on the subject parcel. Processing such as drying and curing, will occur in three hoop houses (1-1,600 square foot, 1-1,000 square foot, and 1-1,280 square foot hoop house) and further processing such as trimming will occur off-site by a licensed third-party processor. There will be a maximum of 3 people on-site during peak operations. Power is sourced from a generator.

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

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

WHEREAS, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Record Number PLN-12986-CUP); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on June 18, 2020.

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

1. The Planning Commission considered the Addendum to the MND adopted for the Commercial Medical Marijuana Land Use Ordinance; and
2. The Planning Commission makes the findings for approval in Attachment 2 of the Planning Division staff report for Record Number PLN-12986-CUP based on the submitted substantial evidence; and
3. Conditional Use Permit Record Number PLN-12986-CUP is approved as recommended and conditioned in Attachment 1.

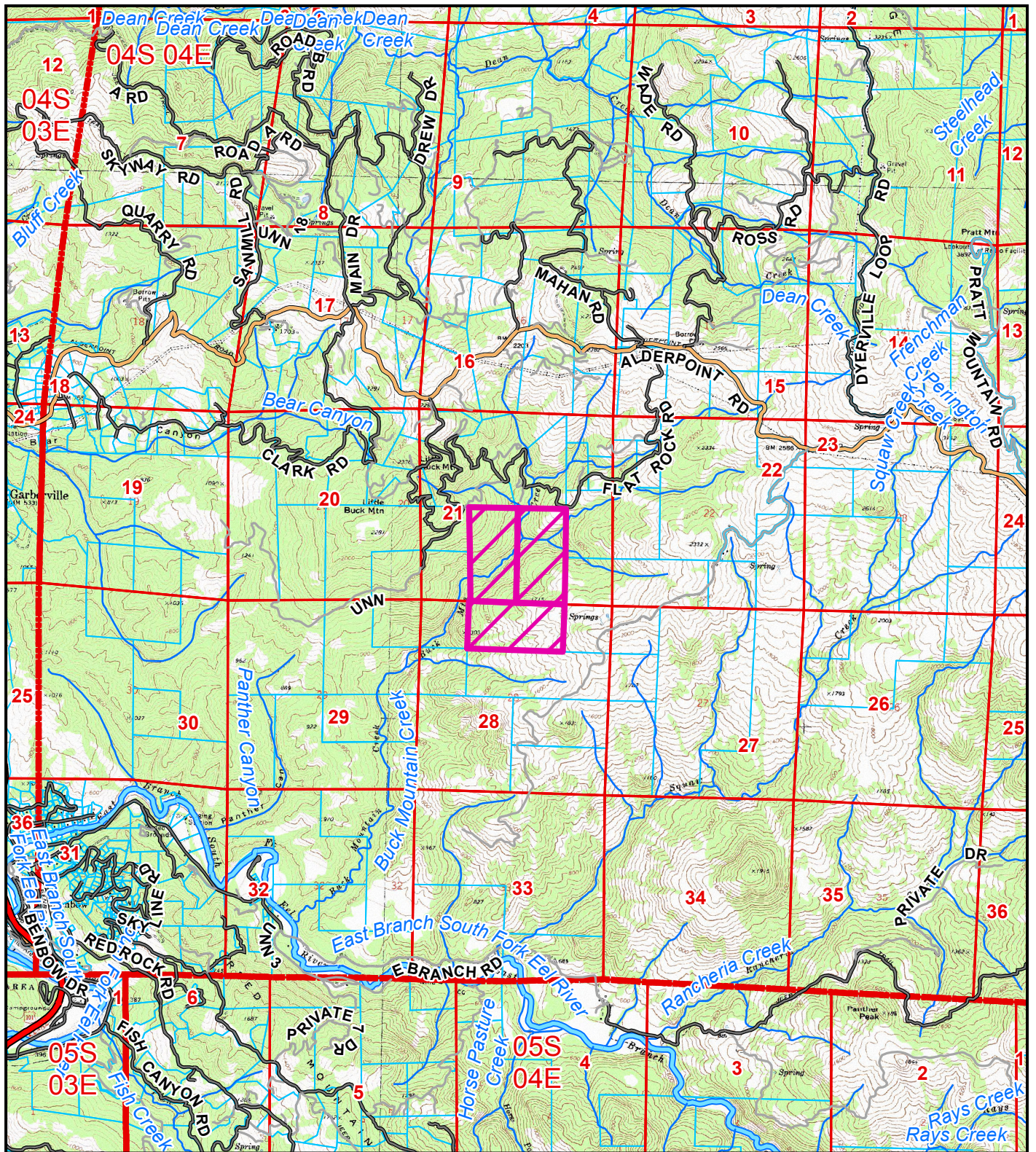
Adopted after review and consideration of all the evidence on June 18, 2020.

The motion was made by COMMISSIONER _____ and second by COMMISSIONER _____:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
DECISION:

I, John H. Ford, Secretary to the Planning Commission 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 Commission at a meeting held on the date noted above.

John H. Ford
Director, Planning and Building Department




TOPO MAP
PROPOSED BONUS ENTERTAINMENT
GARBERVILLE AREA
CUP-16-947

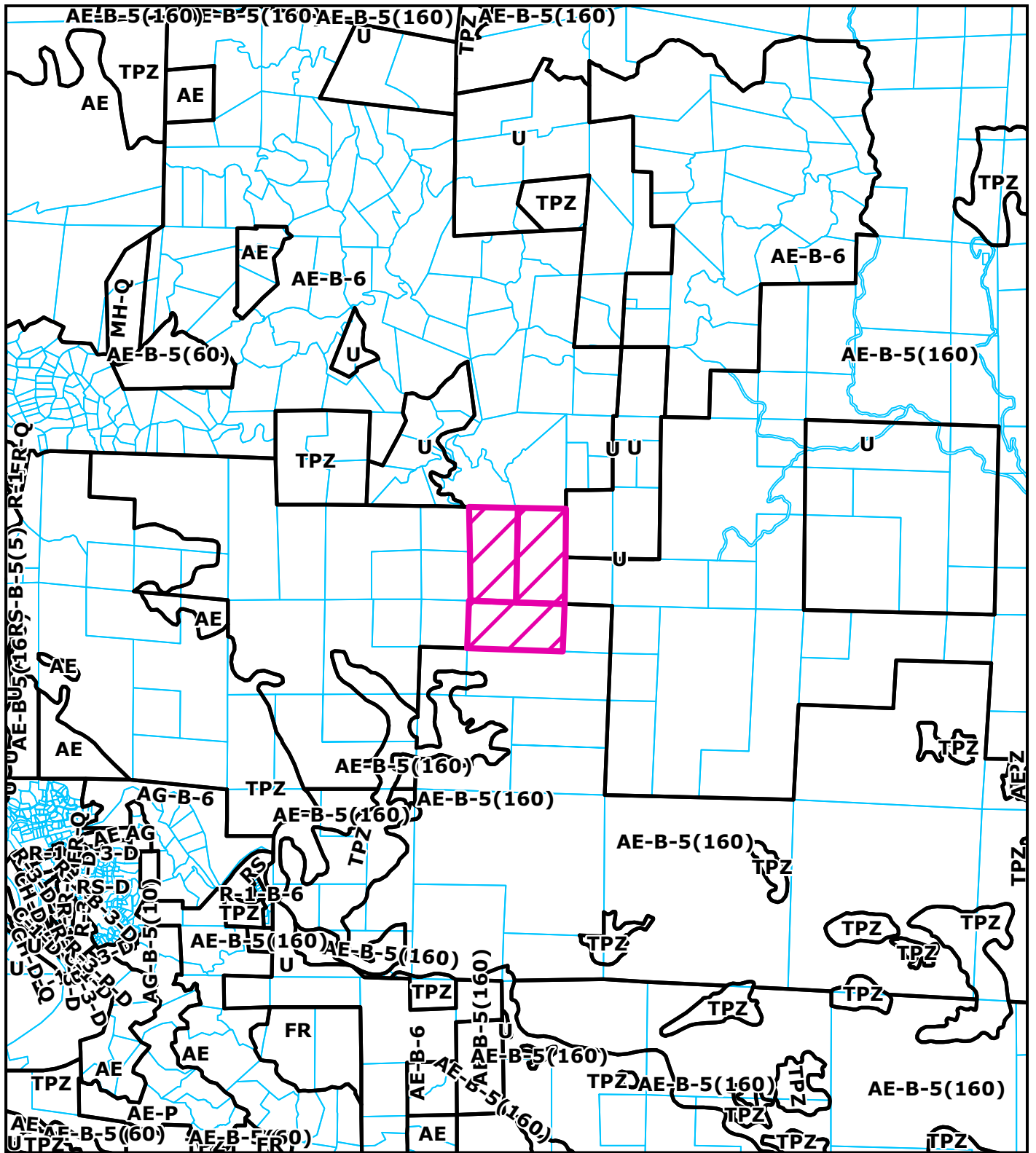
APN: 223-072-010; 223-071-005; ET AL.
T04S R04E S21; S28 HB&M (HARRIS)

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 0.4 0.8 1.6
 Miles





**ZONING MAP
PROPOSED BONUS ENTERTAINMENT
GARBERVILLE AREA
CUP-16-947**

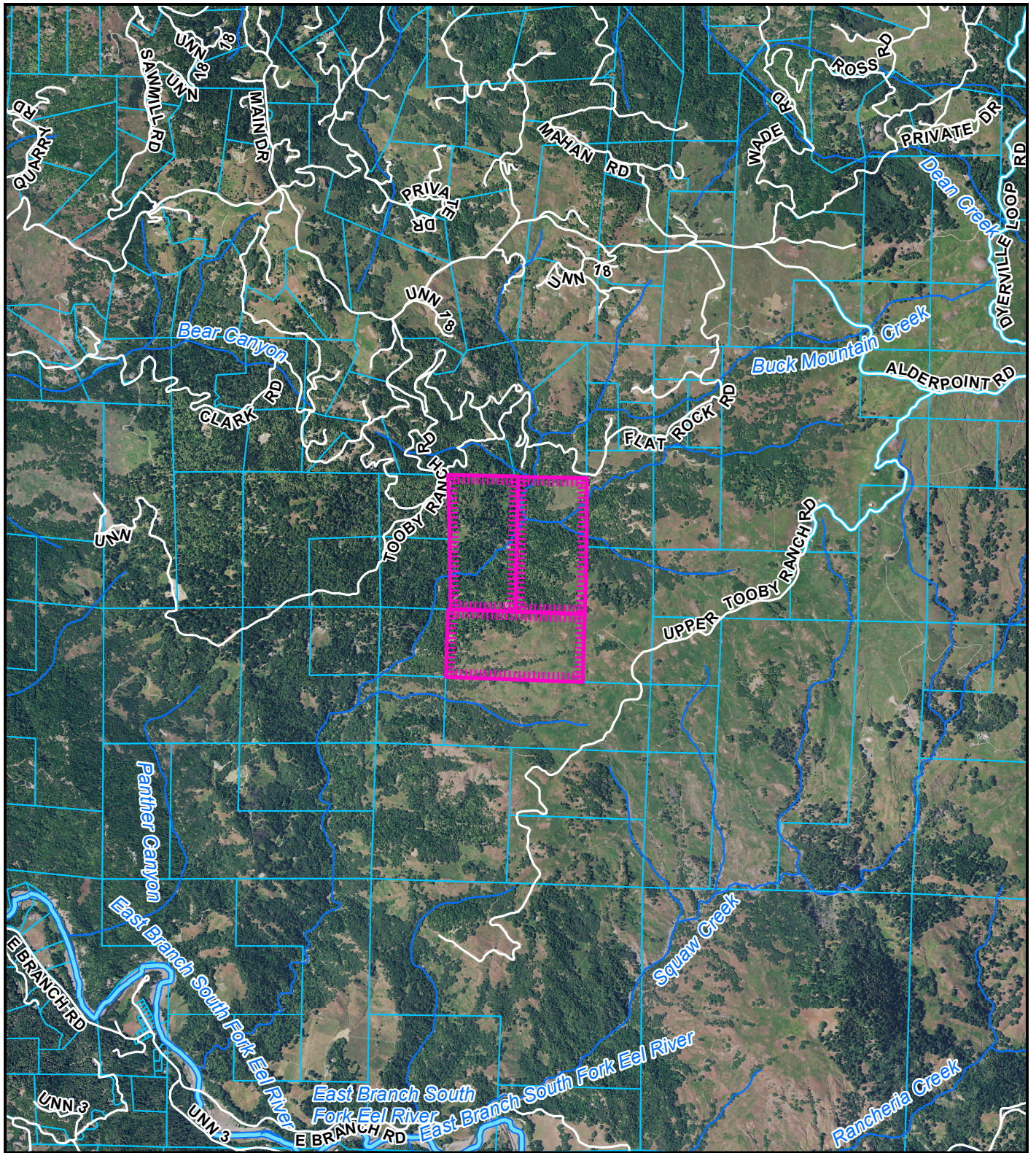
**APN: 223-072-010; 223-071-005; ET AL.
T04S R04E S21; S28 HB&M (HARRIS)**

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 0.4 0.8 1.6
Miles





**AERIAL MAP
PROPOSED BONUS ENTERTAINMENT
GARBERVILLE AREA
CUP-16-947**

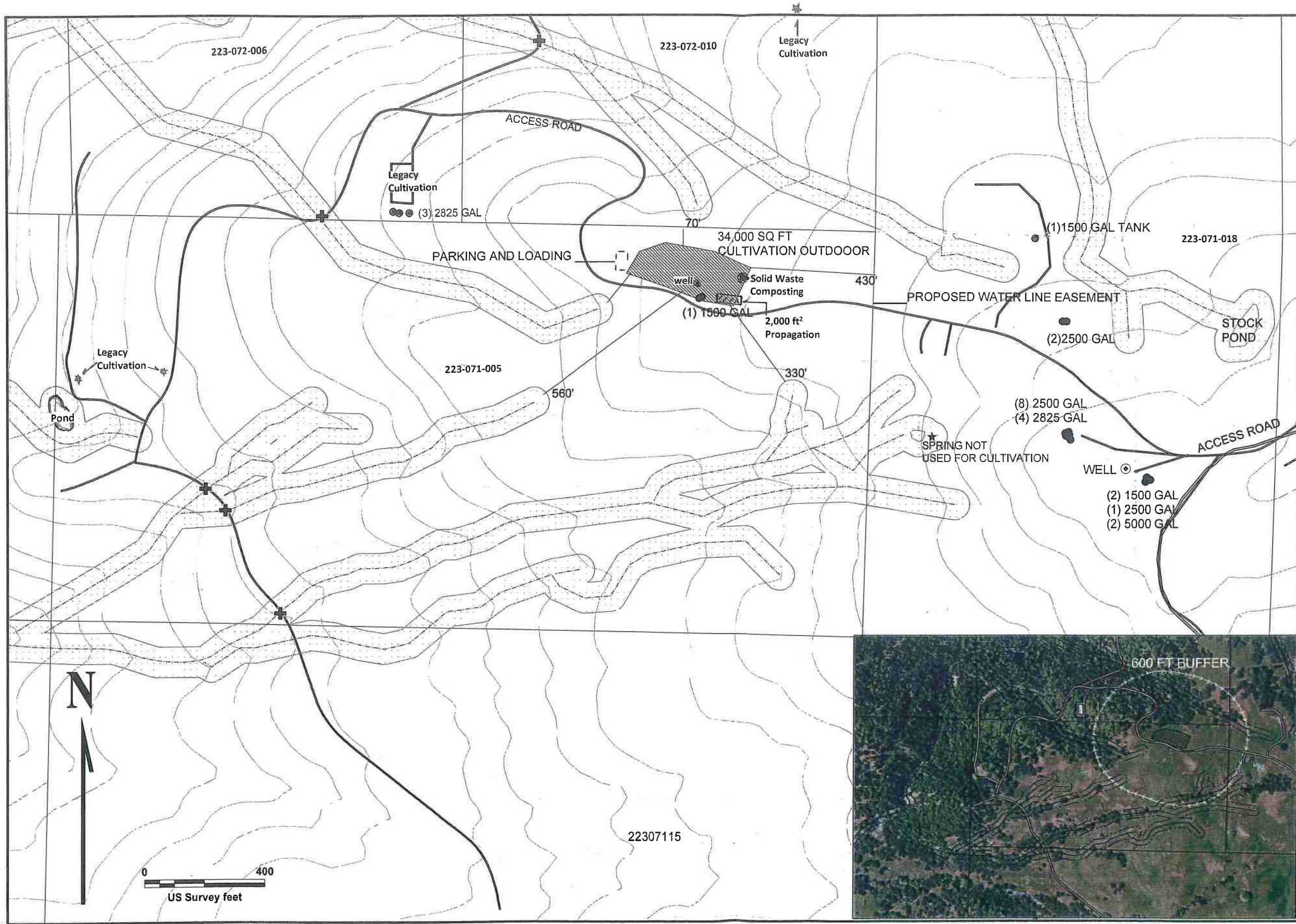
Project Area = 

**APN: 223-072-010; 223-071-005; ET AL.
T04S R04E S21; S28 HB&M (HARRIS)**

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 0.275 0.55 1.1
Miles





- OUTDOOR CULTIVATION
- 600 FT BUFFER
- WATER TANK
- ACCESS ROAD
- WELL
- PROPERTY BOUNDARY
- SMA SET BACK 50'
- CULVERT

PROJECT INFORMATION	
APPS:	12986
APN	223-072-010 et. al
APPLICANT	Dylan Carr
OWNER	Dylan Carr
PARCEL SIZE	268 ac.
ZONING	AE-B-5(160)
CULTIVATION	34,000 ft² OD

THERE ARE NO SCHOOLS, PUBLIC PARKS, BUS STOPS OR RELIGIOUS SITES WITHIN 600 FEET OF THE CULTIVATION AREA.

THERE ARE NO STRUCTURES ON SITE.



Notes:
For Planning Purposes Only.

This is not a Boundary Survey.

Off-Site Wells – shared water source with cultivation under APPS: 12913-located on parcels east of 223-071-018 and not shown on this plan.

See CAV "2015 TerraServer" image for legacy cultivation areas.

ATTACHMENT 1
Recommended Conditions of Approval

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

1. Within 60 days of project approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #2 – 17. 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. The applicant shall be responsible for obtaining all necessary County and State permits or licenses and for meeting all the requirements as set forth by other regulatory agencies.
3. The applicant shall secure permits for all unpermitted grading and structures related to the cannabis cultivation and other commercial cannabis activity. The plans submitted for building permit approval shall be consistent with the project description and approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
4. The applicant shall submit a revised Site Plan to Humboldt County Planning for the review and approval of the Planning Director. The revised Site Plan shall show the following:
 - a) Water tank on APN 223-072-010
 - b) Greenhouse with dimensions at SE corner of APN 223-072-006
 - c) Water tanks located on APN 223-072-006
 - d) 8'x20' shed with dimensions on APN 223-072-006
 - e) Cabin with dimensions located on APN 223-072-006
 - f) Pond with capacity located on APN 223-072-006
 - g) Sizes and dimensions of the proposed greenhouses.
5. The applicant shall obtain easements for the use of the water tanks and groundwater well located on APN 223-016-017.
6. The applicant shall submit an addendum to the Operations Plan describing the projects processing plan.
7. The applicant shall adhere to all corrective actions found within the Site Management Plan prepared by Timberland Consultants.
8. The applicant shall install and use a water meter to demonstrate that there is sufficient water supply to meet the demands of the project. As part of the annual inspection, the applicant shall present water use records showing water use for the year broken down by month. If the well doesn't produce sufficient water to support annual operations, additional water storage will need to be added to the subject parcel. Alternatively, the Planning Department may reduce the cultivation area.

9. The applicant shall secure the approval of the Division of Environmental Health and the Regional Water Quality Control Board for the existing on-site wastewater disposal system or any proposed system showing it can accommodate the proposed use. Documented use of portable toilets with hand washing stations is required until the permitted OWTS has been installed. A letter from those agencies indicating approval has been issued will satisfy this condition.
10. Provide a portable toilet to meet the needs of the farm operators. Annual contracts or invoices confirming the use of a portable toilet is required and will be provided to Humboldt county Health and Human Services, Department of Environmental Health (DEH). The portable toilet must not occupy the property outside of the cultivation season.
11. The 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 length of 50 feet where it intersects the County road. The applicant shall also repair the entrance onto French Road at the time of surfacing the driveway road apron. 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 condition shall be completed to the satisfaction of the Department of Public Works.
12. The applicant shall ensure all fences and gates be relocated out of the County right of way; the applicant shall ensure Whitlow Road is paved at the location of the driveway for a minimum width of 18 feet and length of 50 feet; the applicant shall ensure all driveways and private road intersections onto the County Road are maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).
13. The applicant shall implement all corrective actions detailed within the Water Resource Protection Plan (WRPP) developed for the parcel, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board (NCRWQCB) Cannabis Waste Discharge Regulatory Program, including those measures later determined necessary during annual and periodic site inspections in accordance with the monitoring element. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the RWQCB. A letter or similar communication from the RWQCB verifying that all their requirements have been met by the listed dates or the applicant has proven to the satisfaction of RWQCB or the Third Party Consultant verifying that all the requirements in the MRP have been met will satisfy this condition [After July 31, 2019, plans and reporting shall conform to the Cannabis Cultivation Policy and Cannabis General Order adopted October 17, 2017 by the State Water Board].
14. The applicant shall agree to use a water meter to demonstrate that there is sufficient water supply to meet the demands of the project. As part of the annual inspection, the applicant shall present water use records showing water use for the year broken down by month. If the well doesn't produce sufficient water to support annual operations, additional water storage will need to be added to the subject parcel. Alternatively, the Planning Department may reduce the cultivation area.
15. The applicant shall execute and file the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) with the Planning Division as required by the HCC and available at the Planning Division.

16. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
17. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$125.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate.

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

1. 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.
2. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
3. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
4. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning & Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort towards compliance can be shown within the two years following the issuance of the provisional clearance or permit, The Planning Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow for additional time to meet the outstanding requirements.
5. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
6. Comply with the terms of the applicable Streambed Alteration (1600) Permit obtained from the California Department of Fish & Wildlife. The applicant shall abide by the Avoidance and Minimization Measures outlined in the signed Lake and Streambed Alteration Agreement (1600-2016-0018-R1) approved by the California Department of Fish and Wildlife (CDFW) and comply with all applicable terms.

7. The applicant shall not use any erosion control measures that contain synthetic (e.g. plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without weaves.
8. Any on-site lighting existing or proposed in the future shall comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare (BUG). On-site lighting shall be fully shielded and designed and installed to minimize off-site lighting and direct light within the property boundaries.
9. The Applicant shall agree to use a water meter to demonstrate that there is sufficient water supply to meet the demands of the project without having to rely on surface water diversion during the summer months. The applicant shall install additional water storage tanks if needed. As part of the annual inspection, the applicant shall present water use records showing water use for the year broken down by month. The water use for cultivation is limited to the amount of water available in storage tanks and ponds.
10. 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.
11. Confinement of the area of cannabis cultivation, processing, manufacture or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, Public Park, or Tribal Cultural Resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
12. Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. 2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
13. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE), if applicable.
14. 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).
15. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
16. Pay all applicable application and annual inspection fees.
17. The noise produced by a generator used for cannabis drying, curing, and processing shall not be audible by humans at neighboring residences. The decibel level for generators measured at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species.

Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 50dB as measured at 100 feet from the generator or at the edge of the nearest Marbled Murrelet or Spotted Owl habitat, whichever is closer.

18. 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.
19. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
20. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
21. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner, when available.

Performance Standards for Cultivation and Processing Operations

22. Pursuant to the MAUCRSA, Health and Safety Code section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
23. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
24. Cultivators engaged in processing shall comply with the following Processing Practices:
 - ii. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment;
 - iii. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis;
 - iv. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function; and, Employees must wash hands sufficiently when handling cannabis or use gloves.
25. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - I. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;
 - (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);

- (e) Materials handling policies;
 - (f) Job hazard analyses; and
 - Personal protective equipment policies, including respiratory protection.
- II. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (a) Operation manager contacts;
 - (b) Emergency responder contacts; and
 - (c) Poison control contacts.
 - III. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - IV. On-site housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
26. All cultivators shall comply with the approved Processing Plan as to the following:
- I. Processing Practices;
 - II. Location where processing will occur;
 - III. Number of employees, if any;
 - IV. Employee Safety Practices;
 - V. Toilet and handwashing facilities;
 - VI. Plumbing and/or septic system and whether or not the system is capable of handling increased usage;
 - VII. Drinking water for employees;
 - VIII. Plan to minimize impact from increased road use resulting from processing; and
 - IX. On-site housing, if any.

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

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

28. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.

29. 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.

30. 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 CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- Identifying information for the new Owner(s) and management as required in an initial permit application;
 - A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - The specific date on which the transfer is to occur;
 - Acknowledgement of full responsibility for complying with the existing Permit; and
 - Execution of an Affidavit of Non-diversion of Commercial Cannabis.

31. 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 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to section 314-55.4.13 of the CMMLUO.
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 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 the Conditions of Approval and the On-Going Requirements /Development Restrictions, above.

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

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground-stone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 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 NAHC will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

3. 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.

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 Conditional Use Permit:

1. The proposed development is in conformance with the County General Plan 2017, Open Space Plan, and Open Space Action Program;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations; and
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence:
 - 1) the reduction is consistent with the adopted general plan including the housing element; and
 - 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and
 - 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:
 - a. Is categorically or statutorily exempt; or
 - b. Has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
 - c. Has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the State CEQA Guidelines have been made.

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

Relevant Plan Section(s)	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>Agricultural Grazing (AG) This designation applies to dry-land grazing areas in relatively small land holdings that support cattle ranching or other grazing supplemented by timber harvest activities that are part of the ranching operation, and other non-prime agricultural lands. Residential uses must support agricultural operation.</p> <p>Density range is 20 -160 acres/unit.</p>	<p>This project includes 34,000 square feet of existing outdoor cultivation. General and intensive agriculture are allowed use types for this designation.</p>
<p>Circulation Chapter 7</p>	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1, 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>Access to the site is on Tooby Ranch Road, approximately 0.37-miles on a private road from County -Maintained portion. A Road Evaluation was prepared by the Applicant stating the entire road segment is developed to Category 4 standard and accommodate the increased traffic from the project (see Attachment 4).</p> <p>The Humboldt County Department of Public Works has recommended a condition of approval requiring improvements at the intersection of Tooby Ranch Road with County-Maintained portion of Alderpoint Road in compliance with county standards. Conditions of approval also require the applicant to ensure all driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).</p>

<p>Housing Chapter 6</p>	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of 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>
<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 on a parcel planned Agriculture Exclusive (AE), therefore it is within the Open Space Land Plan. The proposed project is considered an agricultural product and is consistent with the Open Space Plan because it is consistent with the allowable uses of the Land Use Designations. The proposed project is consistent with the use of Open Space Land for management and production of resources, the proposed project is consistent with the preservation of natural resources within open space. See Section 10.3 Biological Resources for additional information.</p> <p>The subject parcel is under Williamson Act Contract that has been non-renewed by the county. The county Williamson Act Committee and Board of Supervisors have determined that cannabis cultivation is a compatible use within Williamson Act lands and the proposed project does not affect the non-renewable of the existing Williamson Act Contract.</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) Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p>	<p>The project site consists of variable topography with slopes from less than 15% to 50%. Cultivation areas are located on slopes less than 15%. The majority of the parcel consist of large open grassland areas. The CDFW resource map does not identify any threatened or endangered species on the subject parcel. The nearest Northern Spotted Owl (NSO) Activity Center is located 4.2 miles southwest of the project site. The nearest mapped Marbled murrelet habitat is located approximately 4.84 miles southwest from the project site. Power for the project is provided by a portable generator. According to the Operations Plan, there will be no lights or fans used for cultivation. The generator will be used to operate tools or machinery.</p> <p>The parcel is situated approximately 1.75 above the East Branch South Fork Eel River and Buck Mountain Creek crosses through the parcel from east to west. According to the Site Management Plan (SMP) prepared by Timberland Resource Consultants dated July 16, 2019 (see Attachment 4), there are two historic cultivation areas (East of Cultivation Area B and at Site 16) were located within riparian setbacks (50' & 100') of a Class II and Class III watercourse. The SMP states these areas are not considered disturbed areas. All cultivation materials and wastes will be removed from these past cultivation areas and either be re-used, stored adequately in a contained manner, or properly disposed of. The project is conditioned to complete and implement all corrective actions found within the SMP-Mitigation Report.</p> <p>The applicant estimates 246,500 gallons of water is required for one cultivation cycle. The water source for the project are two permitted wells (16/17-1178 & 16/17-1188) and a rainwater catchment pond with a capacity of 200,000 gallons. There is one onsite well located on the subject project site and the second well is located on neighboring parcel under the same ownership, APN 223-016-017. The project is conditioned for the applicant to obtain an easement for the use of the two wells located</p>
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<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources).</p> <p>Related policies: CU-P1, Identification and Protection; CU-P2, Native American Tribal Consultation.</p>	<p>This application was provided to the Tribal Historic Preservation Officer (THPO) of the Bear River Band of the Rohnerville Rancheria, and the Sinkyone Tribe. The Bear River Band of the Rohnerville Rancheria responded. The Bear River Band recommended a Cultural Resource Survey to be conducted on the subject project site.</p> <p>A Cultural Resource Survey was prepared for the subject project by Arsenault & Associates dated August 19, 2019. The report concluded there were no cultural resources identified on the project site. Conditions of approval for this project stipulates that if any cultural resources are encountered during construction activities, the contractor shall immediately cease work and contact a qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) to evaluate the discovery and determine a treatment plan.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.7</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways that increase the enjoyment of, and opportunities for, recreational and cultural</p>	<p>The proposed project includes 34,000 square feet of outdoor cannabis cultivation. The applicant proposes to utilize light deprivation greenhouses in the future. The project will not be visible from of any scenic highways. The CMMLUO requires cultivation comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). International Dark Sky Association Standards</p>

	<p>pursuits and tourism in the County. (SR-G2)</p> <p>Related policies: SR-S4, Light and Glare.</p>	<p>exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. These standards are included in the conditions of approval for the project.</p>
<p>Water Resources Chapter 11 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-G2, 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 has enrolled in the North Coast Regional Water Quality Control Board's (NCRWQCB's) Cannabis Waste Discharge Regulatory Program as a Tier 1, low risk (WDID: 1_12CC408763). According to the Site Management Plan (SMP) dated July 16, 2019, the project is out of compliance in the following areas:</p> <p>Land Development and Maintenance, Erosion Control, and Drainage Features; Stream Crossing Installation and Maintenance; Riparian and Wetland Protection and Management; Water Storage and Use; Cultivation-Related Wastes. The project is conditioned that all corrective actions found within the SMP-Mitigation Report are completed and implemented by the applicant.</p>
<p>Water Resources Chapter 11 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 will be serviced by a portable toilet that will be 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 and no processing on-site is authorized by this permit until the commercial facilities are constructed.</p>

Noise Chapter 13	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards. (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.</p>	<p>The CDFW resource map does not identify any threatened or endangered species on the subject parcel. The nearest Northern Spotted Owl (NSO) Activity Center is located 4.2 miles southwest of the project site. The nearest mapped Marbled murrelet habitat is located approximately 4.84 miles southwest from the project site. Power for the project is provided by a portable generator. According to the Operations Plan, there will be no lights or fans used for cultivation. The generator will be used to operate tools or machinery. All generators on the parcel are secured in secondary containment in order to ensure noise levels do not exceed over 60 decibels. Any generators, fans, and dehumidifiers used in the cultivation operation will be conditioned to operate at less than 50 dB at 100-foot from the noise source or edge of habitat, whichever is closer.</p>
Safety Element Chapter 14 Geologic & Seismic	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury. (S-G1, S-G2)</p> <p>Related policies: S-P11, Site Suitability; S-P7, Structural Hazards.</p>	<p>The project is approximately 1.14 miles northeast from the Garberville-Briceland fault line and is not subject to liquefaction. The project area is classified as high instability. Slopes on the parcel are variable ranging from less than 15% to 50%. According to the Humboldt County WebGIS and the Site Management Plan slopes at the cultivation site are less than 30%. Staff does not believe the project will pose a threat to public safety related from exposure to natural or manmade hazards.</p>
Safety Element Chapter 14 Flooding	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the</p>	<p>The subject project is outside the mapped flood hazard area for the East Branch South Fork Eel River. The property boundary is approximately 1.69 miles north from the 100-year flood zone. The project site is not within a mapped dam or levee inundation area</p>

	<p>severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.</p>	<p>and 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 in an area with high fire hazard severity. The subject project is within 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 268-acres and structures are setback 30-feet from property lines. The Operations Plan states there will be a maximum of 4 employees working during peak operations.</p>
<p>Community Infrastructure and Services Element, Chapter 5</p> <p>Implementation Action Plan</p>	<p>IS-S5 requires new industrial, commercial and residential development located outside of fire district boundaries to obtain written acknowledgement of available emergency response and fire suppression services from the local fire agency, including ant recommended mitigation.</p>	<p>To implement this policy, conditions of approval for the proposed project required the applicant to contact the local fire service provider [Garberville Fire Protection District] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division.</p>
<p>Air Quality Chapter 15</p>	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G4).</p>	<p>The applicant proposes to utilize light deprivation greenhouses in the future. The North Coast Unified Air Quality Management District (NCUAQMD) was sent a project referral on April 13, 2020. No response was received. As a condition of approval, the applicant will utilize dust control practices during construction, and grading shall achieve compliance with NCUAQMD fugitive dust emission standards. The subject property is located within the boundaries of the Garberville Fire Protection District.</p>

	Related policies: AQ-P4, Construction and Grading Dust Control; AQ-P7, Interagency Coordination; AQ-S1, Construction and Grading Dust Control.	
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2. The proposed development is consistent with the purposes of the existing zone in which the site is located; and 3. The proposed development conforms with all 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 Zoning Finding
§312-1.1.2 Legal Lot Requirement	Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	APNs 223-071-005 + 223-072-006 + 223-072-010, combined, comprise a single legal parcel; lands merged by operation of law to meet minimum parcel size of AE-B-5 (160) Zoning District. The proposed development is located on a property where one or more violations of the Humboldt County Code.
§314-7.1 Agricultural Exclusive	Agricultural Exclusive (AE): Intended to be applied in fertile areas in which agriculture is and should be the desirable predominate use and in which protection of this use from encroachment from incompatible uses is essential for the general welfare.	The applicant is seeking a Conditional Use Permit for 34,000 square feet of existing outdoor cultivation on a property zoned AE. The proposed use is specifically allowed with Conditional Use Permit in these zoning districts under Section 314-55.4.8.2.2 of the CMMLUO.
Minimum Parcel Size:	160 acres	268-acres
Max. Lot Coverage:	None specified	<5%
Minimum Lot Width:	None specified	2,689 feet
Maximum Lot Depth:	None specified	3,982 feet
Min. Yard Setbacks	Front: 20 feet Rear: 30 feet Side: 30 feet	Front: >30 feet Rear: >30 feet Side: >30 feet

	30 feet from all property lines based on provisions of §314-55.4.11	
Max. Building Height:	None specified	<35 feet
§314-61.1 Streamside Management Area Ordinance (SMAO)	Purpose: to provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) such as natural ponds, springs, vernal pools, marshes, and wet meadows (exhibiting standing water year-long or riparian vegetation) to implement the County's Open Space Element of the General Plan.	The parcel is situated approximately 1.75 miles above the East Branch South Fork Eel River and Buck Mountain Creek crosses through the parcel from east to west. According to the Site Management Plan (SMP) prepared by Timberland Resource Consultants dated July 16, 2019 (see Attachment 4), there are two historic cultivation areas (East of Cultivation Area B and at Site 16) were located within riparian setbacks (50' & 100') of a Class II and Class III watercourse. The SMP states these areas are not considered disturbed areas. All cultivation materials and wastes will be removed from these past cultivation areas and either be re-used, stored adequately in a contained manner, or properly disposed of. The project is conditioned to complete and implement all corrective actions found within the SMP-Mitigation Report.
§314-109.1.3: Off-Street Parking	Off Street Parking for Agricultural use*: One parking space per employee at peak shift. A minimum of two parking spaces are required. *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.	5 spaces

314-55.4 Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)		
§314-55.4.8.2 Timberland Conversion	Commercial cannabis cultivation is allowed on parcels zoned TPZ, that are one acre or larger and have been designated in the General Plan for agricultural development. In all zones where cultivation is allowed consisting of timberland, the commercial cultivation of cannabis for medical use shall only be permitted within a 3-acre conversion exemption area, or non-timberland open area.	The subject project does not involve any timberland conversions. The Project was referred to CalFire on September 22, 2017. CalFire responded to the project on October 6, 2017 with no concerns.
§314-55.4.8.2.2 Existing Outdoor and Mixed Light Cultivation Areas	A Zoning Clearance Certificate, Special Permit or Use Permit may be issued for outdoor or mixed-light commercial cannabis cultivation for some or all of the cultivation area in existence prior to January 1, 2016, in [...] TPZ districts (on parcels of one acre or larger) only when possible to bring them into compliance with all applicable standards set forth in this section and to eliminate existing violations as specified in this ordinance. No expansion of the existing cultivation area shall be permitted. The total cultivation area allowed on a single parcel shall not exceed one acre for outdoor cultivation.	The proposed project is a Conditional Use Permit for 34,000 square feet of outdoor cannabis cultivation on APN 223-071-005, which is a 268-acre parcel zoned AE. Aerial imagery on TerraServer® indicate that existing cultivation operations on the property prior to January 1, 2016. The cultivation area, type, status, and zoning of the parcel are consistent with the requirements for a Conditional Use Permit. The applicant will comply with all conditions of the CMMLUO, as specified in the recommended conditions of approval.
§314-55.4.8.10 Permit Limit	No more than four commercial cannabis activity permits may be issued to a single person.	According to records maintained by the Department, the applicant has not exceeded four commercial cannabis permits.
§314-55.4.9.1 Accessory Processing	Processing for cultivation requiring a Special Permit or Use Permit will be considered in the Use Permit application.	Drying of cannabis occurs in three hoop houses: (1) 1,600-square-foot hoop house, (1) 1,000-square-foot, and (1) 1,280-square-foot hoop house. All other processing activities

		will occur at an off-site licensed processing facility.
§314-55.4.10 Application Requirements	Identifies the Information Required for All Applications.	Attachment 4 identifies the information submitted with the application. Contents of the application are on file. All outstanding items are included as conditions of approval.
§314-55.4.11 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities. The area of cannabis cultivation and on-site processing shall be located at least 30 feet from any property line.	All the applicable performance standards are included as Conditions of project approval. They are required to be met throughout the timeframe of the permit.
§314-55.4.11.c Performance Standards-Water	Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board, Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration.	<p>The applicant estimates 246,500 gallons of water is required for one cultivation cycle. The water source for the project are two permitted wells (16/17-1178 & 16/17-1188) and a rainwater catchment pond with a capacity of over 200,000 gallons. There is one onsite well located on the subject project site and the second well is located on neighboring parcel under the same ownership, APN 223-016-017. The applicant will be utilizing 94,075 gallons of water storage from the adjacent parcel under the same ownership. Water for the subject project will be stored in (8)-5,000-gallon tanks, (10)-3,000-gallon tanks, (3)-2,825-gallon tanks, (5)-2,500-gallon tanks, and (2)-3,100-gallon tanks. The project is conditioned for the applicant to obtain an easement for the use of the well and water tanks located on an adjacent parcel for cultivation related needs.</p> <p>According to the Well Completion Reports for wells (16/17-1178 & 16/17-1188) (see Attachment 4), the wells were drilled to a depth of 200 feet through solid blue sandstone with streaks of quarts. Because the well appears to be hydrologically disconnected from surface waters, the applicant is not required to obtain appropriative rights from the State Water Resources Control Board. However, conditions of approval require the applicant to monitor water use to show that sufficient</p>

		water is produced by the well to support operations. The water use logs must be submitted to the Planning Department during annual inspection. Should water from the well be insufficient to cover irrigation needs, the applicant will need to increase water storage to cover the deficiency or the cultivation area will be reduced.
§314-55.4.11.d Performance Standards- Setbacks	The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs).	The site plan illustrates that all cannabis cultivation areas are set back at least 30 feet from property lines. The site plan notes, and review of aerial imagery verifies, that there are no schools, school bus stops, public parks, places of worship, or tribal cultural resources within 600 feet of the project site. Based on Tribal review there are no TCRs present on the site.
§314-55.4.11.o Performance Standards- Generator Noise	The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences. The combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species, when generator use is to occur in the vicinity of potential habitat. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service.	The CDFW resource map does not identify any threatened or endangered species on the subject parcel. The nearest Northern Spotted Owl (NSO) Activity Center is located 4.2 miles southwest of the project site. The nearest mapped Marbled murrelet habitat is located approximately 4.84 miles southwest from the project site. Power for the project is provided by a portable generator. According to the Operations Plan, there will be no lights or fans used for cultivation. The generator will be used to operate tools or machinery. All generators on the parcel are secured in secondary containment in order to ensure noise levels do not exceed over 60 decibels. Any generators, fans, and dehumidifiers used in the cultivation operation will be conditioned to operate at less than 50 dB at 100-foot from the noise source or edge of habitat, whichever is closer.
§314-55.4.17 Sunset Date	No application for any Use Permit pursuant to the CMMLUO shall be processed for issuance or approval that is received after December 31, 2016.	The applicant filed the application on December 29, 2016.

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

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-17.1.4 Permit Findings	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. The project as proposed and conditioned is consistent with the general plan and zoning ordinances. All performance standards are required to be complied with throughout the timeframe of the permit and are included as conditions of approval.

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

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
312-17.1.5 Housing Element Densities	The proposed development shall not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.	The project would not change the housing development potential of the site or surrounding properties.

6. Environmental Impact: The following section 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 Mitigated Negative Declaration (MND) (State Clearinghouse # 2015102005) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and adopted by the County Board of Supervisors January 26, 2015. The MND prepared for the CMMLUO established that the environmental effects of existing cultivation operations would be reduced from the baseline impacts through the regulations applied by the CMMLUO. The proposed project is consistent with all regulations within the CMMLUO and all mitigation measures of the MND. The project is for the approval of an existing cultivation site, for ancillary structures, and for two points of diversion. The environmental document on file include detailed discussions of all the relevant environmental issues.

ATTACHMENT 3
CEQA Addendum

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

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

APN's 223-071-005; 223-072-006; & 223-072-010, County of Humboldt

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

June 2020

Background

Modified Project Description and Project History

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

The modified project involves a Conditional Use Permit (CUP) for an existing 34,000 square feet of outdoor cannabis cultivation. There will be one cultivation cycle per year. Propagation is proposed in the same location where cannabis will be cultivated. The applicant estimates 246,500 gallons of water is required for one cultivation cycle. The water source for the project are two permitted wells (16/17-1178 & 16/17-1188) and a rainwater catchment pond with a capacity of 200,000 gallons. There is one onsite well located on the subject project site and the second well is located on neighboring parcel under the same ownership, APN 223-016-017. The applicant will be utilizing 94,075 gallons of water storage from the adjacent parcel under the same ownership. Water for the subject project will be stored in (8)-5,000-gallon tanks, (10)-3,000-gallon tanks, (3)-2,825-gallon tanks, (5)-2,500-gallon tanks, and (2)-3,100-gallon tanks. Processing such as drying and curing, will take place onsite in a 1,200 square foot greenhouse. Further processing such as trimming will occur off-site by a licensed third-party processor. Bonus Entrainment, LLC is an agricultural employer. There will be three employees during peak of operations. Power is sourced by generators.

According to the Site Management Plan (SMP) and Relocation Justification prepared by Timberland Resource Consultants, there are four historic cultivation sites located across three separate APNs that comprise of one legal parcel. The historic cultivation areas are being proposed to be relocated to one environmentally superior location identified on the Site Map (see attachment 4). The historic cultivation areas are being relocated due to their proximity of surface waters. According to the Geologic and Soils Report prepared by Lindberg Geologic Consulting, there is approximately 5 acres of prime agricultural soils and slopes less than 15% in the relocation area.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate for impacts of existing cultivation. These include compliance with noise and light standards to limit disturbance to wildlife, relocation of historic cultivation areas within Streamside Management Areas (SMAs), and proper storage of fertilizers and soil amendments.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Mitigated Negative Declaration (MND) if some changes or additions are necessary but none of the conditions described in Section 15162

calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

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

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize an existing Conditional Use Permit for the continued operation of an existing cannabis cultivation site consisting of 34,000 square feet of existing outdoor cannabis cultivation, on-site drying, relocation of cannabis to an environmentally superior location on the subject parcel, and minor improvements necessary to bring the operation into compliance with the CMMLUO is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND.

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 of supporting documentation):

- Operation Plan and Relocation Plan, prepared by Timberland Resource Consultants, dated August 12, 2019
- Road Evaluation Report for Jade Hass, prepared by Timberland Resource Consultants, dated August 12, 2019
- Site Plan, prepared by Timberland Resource Consultants, dated August 12, 2019
- Site Management Plan, prepared by Timberland Resource Consultants, dated August 12, 2019
- Cultural Resources Investigation, prepared by Arsenault & Associates, dated August 12, 2019

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See Purpose statement above.

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

FINDINGS

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

CONCLUSION

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

ATTACHMENT 4

Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (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. (Attached – operations plan)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (On file – enrollment documents)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (Not applicable)
9. If the source of water is a well, a copy of the County well permit, if available. (Attached)

10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE. (Not applicable)
11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in section 55.4.8.2.3, and plan for compliance with applicable Building Codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed will not support diversions for irrigation. (On file)
14. Acknowledge that the county reserves the right to engage with local Tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the Tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to Tribal Cultural Resources, as defined herein. Examples include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
15. Road Evaluation Report for East Branch Road, prepared by applicant and dated August 12, 2019. (Attached)
16. Attachment for Commercial Medical Marijuana (CMM) Clearances/Permits. (On file)
17. Relocation Plan found within Operations Plan prepared by Timberland Resource Consultants dated August 12, 2019. (Attached)
18. Cultural Resources Investigation prepared by Arsenault & Associates, dated August 12, 2019. (On file)
19. Site Management Plan, prepared by Timberland Resource Consultants, dated August 12, 2019 (Attachment 4.A and on-file)

20. Engineering-Geologic R-2 Soils Exploration Report, prepared by Lindberg Geologic Consulting, dated August 12, 2019 (Attachment 4.B and on-file).



Amended: CMMLUO SITE/OPERATIONS OVERVIEW

APPS: 12986

KEY APN: 223-072-010 (additional 223-071-005 & 006)

Project Description: The applicant has recently acquired the subject parcels from the individual who submitted the aforementioned CMMLUO application on 12/29/2016. The new applicant is seeking a Conditional Use Permit under the Humboldt County CMMLUO to allow **continued outdoor cultivation up to 34,000 ft²** and development of a appurtenant support infrastructure including a 2,000 ft² propagation facility. Humboldt County Planning CAV materials are included which support the aforementioned pre-2016 cultivation area. It is the applicants' intent to relocate cultivation areas identified in the CAV imagery to a single *Environmentally Superior* location (APN: 223-071-005) to minimize threats to water quality as specified in the current SWRCB Cannabis Cultivation Policy. Relocation information will be detailed under **Cultivation Area(s)** on pages 3-4.

The applicant acknowledges that the commercial cannabis activity approval being sought requires compliance with all other applicable Humboldt County zoning and land use regulations, Humboldt County Code and applicable State regulations. Determination of compliance will require multi-agency review of proposed activity/development described in the aforementioned special permit and, may also require site inspections by personnel from various governmental agencies.

If development and/or activities on the subject parcel are determined, for some reason, to be out of compliance with any applicable State or County code, regulation or policy, a compliance agreement can be formulated between the applicant and relevant agency or agencies, which includes a compliance timeline whereby operations may continue under a "*Provisional Clearance or Permit*" and corrective action is initiated to achieve compliance under agreed upon terms.

Parcel Information: Parcel information pertaining to acreage and zoning obtained from Humboldt County GIS is included with this submission. The legal origin of the current parcel configuration is uncertain and may require additional investigation as deemed necessary by Humboldt County staff review.

Topography/Landscape: The subject parcels total approximately 240 acres; one third (located in the south east portion) consists of grassland hillsides with seasonal watercourses. The remaining portion of the parcels is forested. GIS imagery is include showing gently sloped (<15%) areas on the subject parcel(s) shaded turquoise.

Surface Water Features: Branches of Buck Mountain Creek and associated drainage features bisect portions of the parcel(s).

Roads/Stream Crossings/Easements: The subject parcel is accessed off of Upper Tooby Ranch Road via private road network passing through neighboring parcels. A Road Evaluation Report is included with this submission. Interior roads and stream crossings will be evaluated and addressed as prescribed under current SWRCB Cannabis Cultivation Policy.

Utilities: The subject parcels are only used for seasonal cultivation and are not developed for occupancy. The applicant intends to limit outdoor cultivation to a single area – using no lights or fans. If electrical power is needed to operate tools or machinery a portable generator will be utilized.

The applicant intends to cultivate in a single area and utilize onsite well water and water from a neighboring well(s) permitted through the Humboldt County Division of Environmental Health.

Copies of the Well Permits and Well Completion Reports are included with this submission.

No other utilities are in place on the parcels.

Water Supply: The Cultivation and Operations Plan initially submitted indicated water was/is supplied from a 200,000 +/- gallon rain catchment pond which was/is used to fill storage tanks having a storage capacity of 8,825 gallons.

It is the applicants' intent to use an onsite well (APN: 223-071-005) and two permitted wells on neighboring parcels (under the same ownership) to support cultivation. The neighboring wells also supply water for proposed cultivation under APPS: 12913 (223-071-018).

A review of the Well Completion Reports for each of the two neighboring wells shows that water was first encountered at a depth of 140 feet below the ground surface; this depth is where a blue sandstone formation was first reported.

Each of the wells is located atop a westerly ridge no closer than 500 feet from any recognizable Class II watercourse. The **likelihood** of the aforementioned wells having any **hydrological connection** to surface waters is negligible given the elevation of the wells, the depth of the water bearing formation and the proximity to surface waters.

Appropriate water rights and easements shall be established for the continued use of off-site wells upon determination that compliance with other aspects of the proposed development is feasible.

Water Storage: At this time there is 8,825 gallons of hard plastic tank water storage

2 - 3,000 gallon

1 - 2,825 gallon

200,000 +/- gallon Rain Catchment Pond

Cultivation Area(s): CAV imagery prepared by Humboldt County Planning staff shows four (4) cultivation areas within small forest clearings distributed across three (3) separate parcels. The parcels, as shown on Humboldt County GIS are: APN: 223-072-010 (additional 223-071-005 & 006). Decommissioning, restoration and relocation of existing cultivation areas to an **environmentally superior** site is proposed under this application. The relocation site is atop a gently sloped grassland hill area comprised of *Prime Agricultural Soils* at the northeast corner of APN: 223-071-005.

A professionally prepared geologic report included indicates approximately 5 acres of *Prime Agricultural* soils exist at the proposed relocation area.



The image above shows the relocated cultivation area. All parts of the proposed cultivation will be greater than 200 feet to any delineated **Historic Landslide** and located where native ground slopes are 15% or less. Furthermore, the aforementioned geologic assessment which included the subject area, did not mention any observation of unstable land forms within the assessed area. Proposed outdoor cultivation is the only development proposed - and given the features/conditions in the location proposed - the likelihood of any adverse impacts to the development or, from the development is negligible.

The decommissioning of peripheral cultivation areas for relocation to a well planned cultivation/development area is an **environmentally superior** approach to agricultural activity in this specific context. Planned features at the proposed relocation area address drainage, storm-water runoff and erosion control; whereas historic cultivation areas scattered around the property lacked these critical features and do not warrant continued use.

State Water Board Orders addresses historical cannabis cultivation practices proven to have detrimental impacts on water resources/environment. The Orders calls for corrective action, implementation of BMP's and site monitoring. A single, appropriately designed cultivation area **will facilitate efficient implementation of BMP's and site monitoring** as compared to piecemeal gardens spread around hillsides; thereby significantly reducing the risk of adverse environmental impacts.

In this particular case, the discontinued use of extended lengths of substandard roads to attend remote cultivation areas reduces the overall disturbance area and significantly reduces impacts of erosion/sediment transport into surface waters.

Cultivation relocation will allow removal and proper disposal of plastic water-line previously spread around the hillsides along with other cultivation waste materials thereby preventing unwanted materials from being transported by animals/weather to sensitive locations or impacting habitat.

The use of agricultural fertilizers and petroleum products associated with cannabis cultivation limited to a single cultivation location completely eliminates the risk of spillage and/or unwanted discharge from needlessly transporting to remote areas around the hillsides.

Appropriate cultivation relocation prevents ongoing habitat fragmentation and reduces the total disturbance footprint from scattered gardens.

A recent **evaluation of decommissioned cultivation areas** in the development of a Site Management Plan concluded that there are no manmade or natural features present at the sites contributing to unwanted erosion/sediment transport. Removal and proper disposal of all cultivation related materials shall be ensured by the applicant.

Cultivation Areas and surrounding ground surfaces were evaluated in the development of a site-specific Site Management Plan (SMP). The SMP prescribes corrective measures to address conditions which may adversely impact water resources and establishes a timeline in which to complete corrections. A copy of the SMP is included with this submission. Corrective measures prescribed in the SMP do not preclude the need for Cultivation Areas and other man-made features to be brought into compliance with all applicable state and local grading, excavation and erosion/sediment control regulations/requirements.

Peak Water Demand: Monthly water usage estimates are shown in the table below. Totalizing flow meters shall be incorporated into the irrigation system enabling accurate monitoring and recording of water usage in compliance with applicable regulations.

There is no agricultural water use during the months not shown

Month	Gallons
<i>April</i>	<i>14,000</i>
<i>May</i>	<i>32,500</i>
<i>June</i>	<i>43,450</i>
<i>July</i>	<i>54,000</i>
<i>August</i>	<i>54,000</i>
<i>September</i>	<i>38,000</i>
<i>October</i>	<i>10,600</i>

Irrigation Method(s): Irrigation is accomplished by use of drip lines. The flow to drip lines is regulated by timers and adjusted for maximum efficiency taking into consideration temperature, plant demand etc. Water delivery throughout the system is carefully monitored on a regular basis to ensure proper function and responsible water use. Mulch is carefully placed as a top dressing to optimize soil water retention. Occasional hand watering may be employed if needed.

Irrigation Runoff/Erosion control: The use of carefully regulated drip irrigation minimizes the chance of overwatering or residual discharge of irrigation solutions outside of the “targeted” root zone. In the unlikely event that residual discharge did occur it would contact permeable soil on nearly level ground in and around cultivation areas and be rapidly absorbed. **Lateral movement/irrigation runoff** of any irrigation solutions away from the point of ground contact is very unlikely. The ground surface in and around cultivation areas is proactively managed to prevent any unwanted migration of entrained constituents such as fine sediment, fertilizer or other organic particles.

Watershed Protection: The Cultivation Area on the subject parcel meets applicable setback requirements to watercourses, riparian zones or wetlands (see site plan). Natural vegetative buffers surrounding clearings/Cultivation Areas remain undisturbed. The applicant ensures BMP’s related to storage, use and disposal of cultivation related materials/products in and around cultivation areas are adhered to at all times. This includes limiting cultivation activities to the immediate area where cultivation occurs and keeping products/materials securely confined so spreading due to weather or

pests does not occur. **Watershed protection** will be ensured by adherence to measures prescribed in the Site Management Plan developed specifically for this parcel.

Water Board enrollees are required to engage in ongoing monitoring, reporting and maintenance including periodic site inspections and reviews of operational practices to ensure regulatory requirements related to the following listed items are being met:

<i>Site maintenance, erosion control, and drainage features</i>	<i>Stream crossing maintenance</i>
<i>Riparian and wetland protection and management</i>	<i>Spoils management</i>
<i>Water storage and use</i>	<i>Irrigation runoff</i>
<i>Fertilizers and soil amendments</i>	<i>Pesticides and herbicides</i>
<i>Petroleum products and other chemicals</i>	<i>Cultivation-related wastes</i>
<i>Refuse and human waste</i>	

Additionally, participants ensure that management measures and controls are effectively protecting water resources, and that any newly developing problems representing a water quality concern are identified and corrected quickly.

Fertilizers, Pesticides, and other Regulated products:

List and describe machinery and equipment used for cultivation and associated activities.

Rototiller, Small Tractor

Describe equipment service and maintenance; including where it is done.

Oil changes may take place on site utilizing appropriately sized oil drip trays. Used Oil will be retained in plastic containers with secure caps and brought to Redway Transfer Station for recycling.

List and describe petroleum products and automotive fluids used onsite.

Gasoline is stored in conventional 10 gallon canisters which will be kept inside a water-tight storage container equipped with secondary containment along with spill kits. A few gallons of motor oil from retail sources retained in original containers may also be stored at times.

List and describe compressed gases, cleaners, solvents and sanitizers; indicate amounts normally stored and how/where they are stored. N/A

Generator usage at this site will be minimal as the outdoor cultivation will not include the use of lights or fans. Drying harvested plants will take place on the adjoining parcel (223-071-018) to the east which is under the same ownership and has a pending CMMLUO permit APPS: 12913. If a portable generator were to be used at the cultivation area it would be 500 feet to the nearest neighboring parcel which is under the same ownership and has a pending CMMLUO permit as previously mentioned. The attenuated sound pressure level at the nearest property line from use of a portable generator would be negligible under the aforementioned conditions.

Fertilizers, Pesticides, other Regulated products: The fertilizers/amendments listed below are used at the start of the grow season; only quantities needed are purchased and brought to the site. The applicant shall complete annual reporting/monitoring of usage in accordance with measures prescribed in the Site Management Plan.

Mixing of the products listed below takes place only within a small area near cultivation sites and the products are kept protected from accidental spillage or disturbance from wildlife while mixing takes place.

Products	The products listed are primarily used at the start of the cultivation season. Any product remaining after initial start-up is kept securely protected in original packaging/containers atop pallets inside the Ag shed. Quantities of products stored should range from 50- 100 pounds total.
Diamond K's Sulfate of Potash	
Earth Juice SeaBlast Transition	
Peak Monopotassium Phosphate	
Brandt 6-30-30 Micro	
YaraLiva CALCINT 15 5-0-0	
Peters Professional 5-11-26 Hydroponic Special	

The applicant acknowledges that the storage and/or use of certain materials in specified volumes and/or weights will be subject to regulation through Humboldt County Division of Environmental Health CUPA and may require: submittal of inventories for those materials, documentation of emergency and training procedures, maintenance of hazardous waste disposal records, obtaining an EPA generator ID number and be subject to site inspection. The applicant will obtain verification of ongoing compliance with CUPA requirements.

Cultivation related wastes are sorted such that compostable materials are recycled/composted onsite within a small area equipped with perimeter and top containment to prevent unwanted movement of materials due to weather conditions or animals/pests. Other materials, unsuitable for composting, are stored in conventional trash containers with tight fitting lids and hauled to an approved transfer station as needed.

Soils Management: The applicant shall refurbish existing soil to the greatest extent practicable upon completion of cultivation. The goal is to use 100% organic amendments in the refurbishment process. An appropriate "cover-crop" shall be sown in and around the cultivation area following completion of crop harvest.

If it becomes necessary, exhausted soil will be removed from cultivation beds and carefully mixed and spread over and into native top-soils on level ground at select locations to initiate microbial reconditioning and prevent unwanted constituent migration. No spent soil shall be dumped off-site. Spent growth medium containing inorganic substances such as perlite, will be stored in weatherproof containers and hauled to an approved waste facility as needed.

Human Waste: There is no residential development in the vicinity of the cultivation area(s); use is limited to intermittent occupancy over a single season. Cultivation areas shall be served by portable toilets equipped with hand-wash stations.

	Cultivation Practices: There will be four (4) individuals normally engaged in operations with seasonal increase to seven (7). Two harvests are planned	Back-Up Generator Hours/day	Lights On Hours/day
January	No cultivation activities, site monitoring and planning		
February	Implement control measures if needed, site preparation		
March	Prepare gardens and agricultural infrastructure; initiate propagation		
April	Continue garden preparations and Ongoing site maintenance.		
May	Ongoing garden care - continue overall property maintenance		
June	General garden care, pull tarps where applicable		
July	Continue garden care and maintenance, initiate 1 st round harvest, set plants to dry on 223-071-018 (APPS: 12913)		
August	1 st round harvest/dry complete, offsite processing, ongoing garden care.		
September	Continue garden care and site maintenance		
October	Finish cultivation – initiate final harvest set plants to dry, offsite processing		
November	Clean up cultivation sites, winterize roads etc.		

Processing: Plants are periodically inspected to ensure that any indication of pests, molds, mildews or disease are immediately addressed and crop quality is maintained. When ready, individual plants are hand harvested, placed inside clean transport containers and immediately transferred to the Ag Hoop Tent where they are set to dry. The drying area is cleaned thoroughly prior to placement of any harvested plants therein to minimize potential contaminant contact. Natural air flow may be supplemented with careful use of household fans and dehumidifiers to facilitate drying and maintain product quality control.

When plants have achieved optimal dryness, they will be removed from the drying section and carefully placed into clean containers/plastic bags for delivery to an approved off-site processing facility.

Security: Access to the subject parcel is restricted by placement of locked metal gates at entrance roads. Cultivation areas are fenced. There is usually one or more persons present at the cultivation area.



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



ZONING CLEARANCE CERTIFICATE FOR INTERIM PERMIT

Project: Pursuant to the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO), Section 314-55.4.1 et seq., specifically Section 314-55.4.8.11, a Zoning Clearance Certificate for an Interim Permit may be issued for an Existing Cannabis Cultivation and ancillary activities. An application has been submitted for the location and cultivation area shown below.

Project Location:

The project is located in Humboldt County, in the Garberville area, on the east side of Tooby Ranch Road, approximately 1 mile south from the intersection of Alderpoint Road and Tooby Ranch Road, on the property known to be in Sections 21 and 28 of Township 04 South, Range 04 East, Humboldt Base & Meridian.

34,000 square feet of existing outdoor cultivation.

Present General Plan Designation: AG **Present Zoning:** AE-B-5(160)

Application Number: 12986

Key Parcel Number: 223-072-010-000 **Additional Parcel Number(s):** 223-071-005-000
223-072-006-000

APPLICANT

Bonus Entertainment
Sean Devito
PO Box 491
Whitethorn CA 95589

OWNER

Devito Sean B

Po Box 491
Whitethorn CA 95589

AGENT

Eugene Denson
PO Box 158

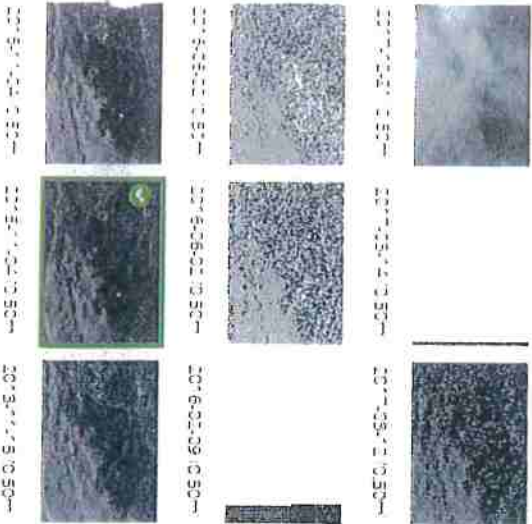
Alder Point CA 95511

Latitude: 40.0959 Longitude: -123.0000

LAT: 40.09134 N LONG: -122.74491 W



All images



APN: 223-072-10, 223-072-006, 223-071-005

GH #1 = ~3,000 (sf)
GH #2 = ~1,000 (sf)
1A = ~13,000 (sf)
2B = 0
3C = ~17,000 (sf)

Total Cultivation: ~34,000 (sf)

GH Total = ~4,000 (sf)
O.D. Total = ~30,000 (sf)

All outdoor

MOTHER SMITH

Armed



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: DYLAN CARR (BONUS ENTERTAINMENT) APN: 223-072-010/

Planning & Building Department Case/File No.: 12986 CUP 16-947

Road Name: TOOBY RANCH ROAD (complete a separate form for each road)

From Road (Cross street): ALDERPOINT ROAD (COUNTY CH. 4)

To Road (Cross street): SUBJECT PARCEL

Length of road segment: 2 miles Date Inspected: _____

Road is maintained by: ☐ County ☒ Other _____
(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.

Dylan Carr
Signature

8/8/19
Date

DYLAN CARR
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.



APPS: 12986

Tooby Ranch Road off of Alderpoint Road – extended shoulder area shown at left side of image.



APPS: 12986

Typical road configuration – area shown at left allows for pull-out if needed.



APPS: 12986

Typical Road Visibility.



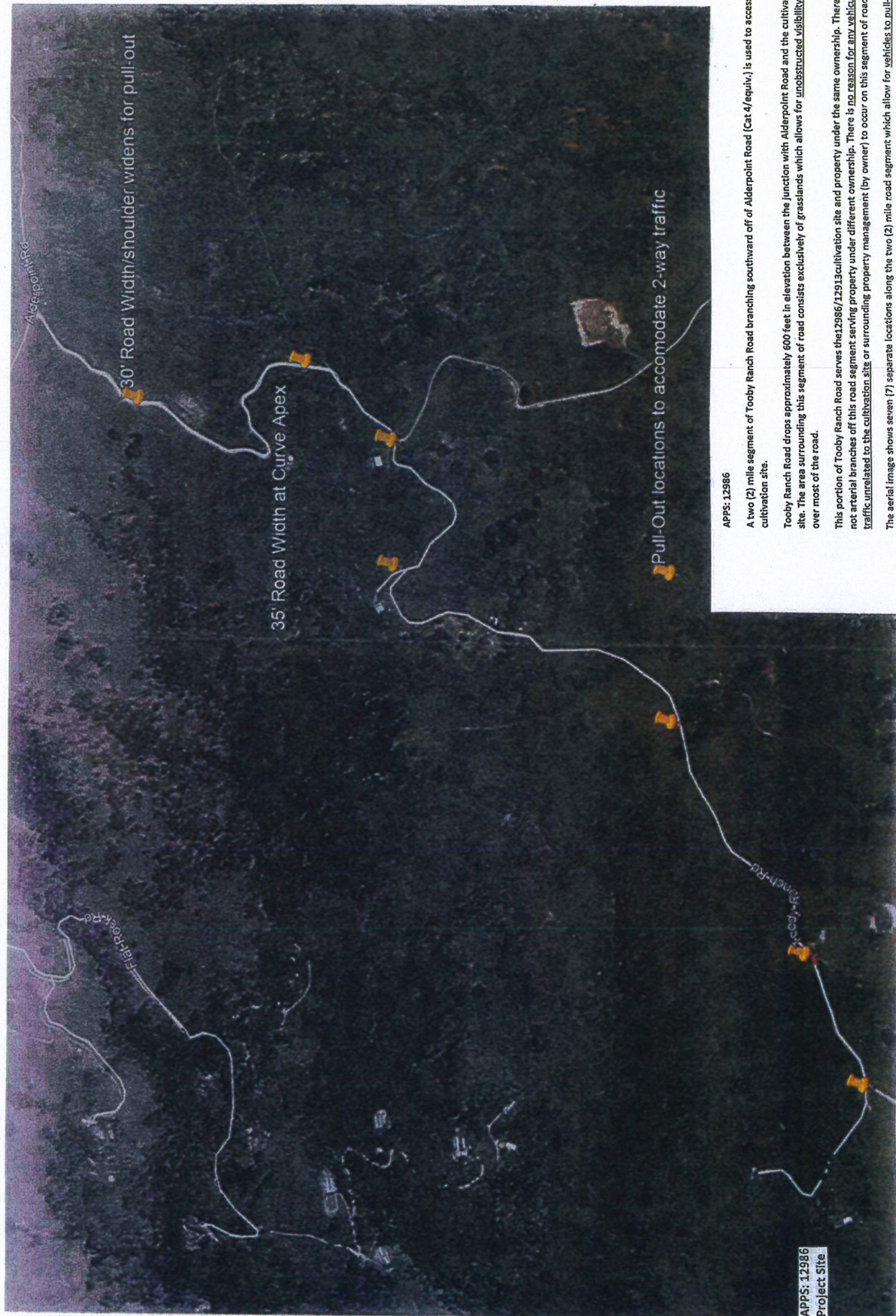
APPS: 12986

Tooby Ranch Road segment showing typical width and visibility.



APPS: 12986

Segment of Tooby Ranch Road approaching project site.



APPS: 12986

A two (2) mile segment of Tooby Ranch Road branching southward off of Alderpoint Road (Cat 4/equiv.) is used to access the cultivation site.

Tooby Ranch Road drops approximately 600 feet in elevation between the junction with Alderpoint Road and the cultivation site. The area surrounding this segment of road consists exclusively of grasslands which allows for unobstructed visibility over most of the road.

This portion of Tooby Ranch Road serves the 12986/12913 cultivation site and property under the same ownership. There are not arterial branches off this road segment serving property under different ownership. There is no reason for any vehicular traffic unrelated to the cultivation site or surrounding property management (by owner) to occur on this segment of road.

The aerial image shows seven (7) separate locations along the two (2) mile road segment which allow for vehicles to pull-out should the need ever arise.

File Original with DWR

Page _____ of _____

Owner's Well Number _____

Date Work Began 5-18-17

Date Work Ended 5-18-17

Local Permit Agency DHHS

Permit Number 16/17-1178

Permit Date 5.19.17

State of California Well Completion Report

Refer to Instruction Permit No. 200000001

No. 200000001

actually drilled on 223-015
check to get a new log
shows at S/E corner



Geologic Log

Orientation ☒ Vertical ☐ Horizontal ☐ Angle Specify _____

Drilling Method _____ Drilling Fluid _____

Depth from Surface

Description

Feet to Feet Describe material, grain size, color, etc

0	40	Brown Sandstone
40	80	FRAC Sandstone
80	120	" "
120	140	Franciscan Shale Frac quartz
140	160	FRAC Blue Sandstone
160	200	Solid Blue Sandstone

RECEIVED

NOV 17 2017

HUMBOLDT CO DIVISION
OF ENVIRONMENTAL HEALTH

Well Owner

Name _____

Mailing _____

City _____

Well Location

Address _____

City GARBA

County Humb

Latitude _____

Dec. Min. Sec. _____

N Longitude _____

Dec. Min. Sec. _____

Datum _____

Dec. Lat. _____

Dec. Long. _____

APN Book _____

Page _____

Parcel 223-016-009

Township _____

Range _____

Section _____

Location Sketch

(Sketch must be drawn by hand after form is printed)

North

West

South

Sketch or describe distance of well from roads, buildings, fences, rivers, etc. and attach a map. Use additional paper if necessary. Plans be accurate and complete.

Activity

- ☒ New Well
- ☐ Modification/Repair
 - ☐ Deepen
 - ☐ Other _____
- ☐ Destroy
 - Describe procedure and materials under "GEOLOGIC LOG"

Planned Uses

- ☐ Water Supply
 - ☐ Domestic ☐ Public
 - ☐ Irrigation ☐ Industrial
- ☐ Cathodic Protection
- ☐ Dewatering
- ☐ Heat Exchange
- ☐ Injection
- ☐ Monitoring
- ☐ Remediation
- ☐ Sparging
- ☐ Test Well
- ☐ Vapor Extraction
- ☐ Other _____

Water Level and Yield of Completed Well

Depth to first water 140 (Feet below surface)

Depth to Static _____

Water Level 140 (Feet) Date Measured 5-18-17

Estimated Yield * 1.0 (GPM) Test Type AIR LIFT

Test Length 1 (Hours) Total Drawdown _____ (Feet)

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

Casings

Depth from Surface Feet to Feet	Borehole Diameter (Inches)	Type	Material	Wall Thickness (Inches)	Outside Diameter (Inches)	Screen Type	Slot Size If Any (Inches)
0 <u>0</u>	12" <u>12"</u>	FCSD <u>FCSD</u>	PVC <u>PVC</u>	1/2" <u>1/2"</u>	5" <u>5"</u>	BINK <u>BINK</u>	
120 <u>120</u>	11" <u>11"</u>	" <u>"</u>	" <u>"</u>	" <u>"</u>	" <u>"</u>	Perf <u>Perf</u>	<u>0.3D</u>
160 <u>160</u>	11" <u>11"</u>	" <u>"</u>	" <u>"</u>	" <u>"</u>	" <u>"</u>	BINK <u>BINK</u>	

Annular Material

Depth from Surface Feet to Feet	Fill	Description
<u>0</u> <u>20</u>	<u>Bentonite</u>	
<u>20</u> <u>200</u>	<u>3/8 PEA</u>	

Attachments

- ☐ Geologic Log
- ☐ Well Construction Diagram
- ☐ Geophysical Log(s)
- ☐ Soil/Water Chemical Analyses
- ☐ Other _____

Attach additional information, if it exists.

Certification Statement

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

Name Richard Enterprises

Person, Firm or Corporation Richard Enterprises

Address 649 Gasconade Rd

Signed Angie Hall

C-57 Licensed Water Well Contractor

Garberville

City

CA 95842

State

11-17-17

Date Signed

403708

C-57 License Number

Reset Form

File Original with DWR

State of California Well Completion Report

Refer to Instruction Pamphlet
No. 90000000

Page _____ of _____

Owner's Well Number _____

Date Work Began 5-22-17

Date Work Ended 5-22-17

Local Permit Agency _____

Permit Number 14/17 1188

Permit Date 5-19-17

Shows up just over (East) of
Clio to Get a New Log Number
prop. line on 223
016-009

Geologic Log

Orientation ☐ Vertical ☐ Horizontal ☐ Angle Specify _____

Drilling Method _____

Drilling Fluid _____

Depth from Surface
Feet to Feet

Description

Describe material, grain size, color, etc

0	40	Sanfriscoan Shale
40	60	Frac Brown Sandstone
60	70	Blue Clay
70	120	Frac Brown Sandstone
120	140	Solid Blue Sandstone w/ streaks of quartz
140	200	Solid Blue Sandstone

RECEIVED

NOV 17 2017

HUMBOLDT CO. DIVISION
OF ENVIRONMENTAL HEALTH

Well Owner

Name _____

Mail _____

City _____

Well Location

Address _____

City Gardn

County Humb

Latitude _____

Dec. Min. Sec.

N Longitude _____

Dec. Min. Sec. W

Datum _____

Dec. Lat _____

Dec. Long. _____

APN Book 223

Page 071

Parcel 016

Township _____

Range _____

Section _____

Location Sketch

(Sketch must be drawn by hand after form is printed.)

North

Was moved
to Cor
223-071-018

South

Indicate or describe distance of well from roads, buildings, fences,
dams, etc. and attach a map. Use additional paper if necessary.
Please be accurate and complete.

Activity

- ☒ New Well
- ☐ Modification/Repair
 - ☐ Deepen
 - ☐ Other
- ☐ Destroy

Describe procedures and materials under "GEOLOGIC LOG"

Planned Uses

- ☒ Water Supply
 - ☒ Domestic ☐ Public
 - ☐ Irrigation ☐ Industrial
- ☐ Cathodic Protection
- ☐ Dewatering
- ☐ Heat Exchange
- ☐ Injection
- ☐ Monitoring
- ☐ Remediation
- ☐ Sparging
- ☐ Test Well
- ☐ Vapor Extraction
- ☐ Other

Water Level and Yield of Completed Well

Depth to first water 140 (Feet below surface)

Depth to Static _____

Water Level 140

(Feet)

Date Measured 5-22-17

Estimated Yield 15

(GPM)

Test Type Air Lift

Test Length 1

(Hours)

Total Drawdown _____ (Feet)

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

Casings

Depth from Surface Feet to Feet	Borehole Diameter (Inches)	Type	Material	Wall Thickness (Inches)	Outside Diameter (Inches)	Screen Type	Slot Size if Any (Inches)
0	12.125	F480	PVC	1/60	5 1/2	RVNA	
140	200	"	"	"	"	Perf. .030	

Annular Material

Depth from Surface Feet to Feet	Fill	Description
0	20	Bentonite
20	200	3/8 pea

Attachments

- ☐ Geologic Log
- ☐ Well Construction Diagram
- ☐ Geophysical Log(s)
- ☐ Soil/Water Chemical Analyses
- ☐ Other _____

Attach additional information, if it exists.

Certification Statement

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

Name Richard C. Anderson

Person, Firm or Corporation _____

Address 649 Base Line Rd

Signed Richard C. Anderson

C-57 Licensed Water Well Contractor

Garderville

City

CA

State

Zip

95042

Date Signed 11-14-17

C-57 License Number 403708

Off-Site Water Wells used in support of APPS: 12986



ATTACHMENT 5

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Public Works/Land Use Division	✓	Conditional approval	Attached
Division Environmental Health	✓	Conditional approval	Attached
CAL FIRE	✓	Comments	Attached
NWIC	✓	Further study requested	On file with Planning
Bear River Band of the Rohnerville Rancheria	✓	Conditional approval – survey and Inadvertent Discovery Protocol	On file with Planning
Building Inspection Division		Conditional approval	Attached
Department of Fish & Wildlife		No Response-staff sent out an email requesting for comments on 4/13/2020	
Humboldt County Sheriff		No response	
Intertribal Sinkyone Wilderness Council		No response	
RWQCB		No response	
Humboldt County District Attorney		No response	
Humboldt County Ag Commissioner		No response	
Southern Humboldt Unified School District		No response	



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

9/22/2017

PROJECT REFERRAL TO: Building Inspection Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Intertribal Sinkyone Wilderness Council, SWRCB - Division of Water Rights, Sheriff, Southern Humboldt Joint Unified School District

Applicant Name Bonus Entertainment **Key Parcel Number** 223-072-010-000

Application (APPS#) 12986 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-947

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

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

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

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

Return Response No Later Than 10/7/2017

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501

E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

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

- ☐ Recommend Approval. The Department has no comment at this time.
- ☐ Recommend Conditional Approval. Suggested Conditions Attached.
- ☒ Applicant needs to submit additional information. List of items attached.
- ☐ Recommend Denial. Attach reasons for recommended denial.
- ☐ Other Comments: _____

DATE: 6/26/18

PRINT NAME: Rudy Marengli

223-072-010



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

3015 H STREET EUREKA CA 95501
PHONE: (707) 445-7245 FAX: (707) 445-7446

Building Division's Referral Comments for Cannabis Operations:

Application No.: 46813/12986
Parcel No.: 223-072-010
Case No.: CUP16-947

The following comments apply to the proposed project, (check all that apply).

- ☐ Site/plot plan appears to be accurate.
- ☒ Submit revised site/plot plan showing all of the following items: all grading including ponds and roads, location of any water course including springs, all structure including size and use and all setbacks from the above stated to each other and property lines.
- ☐ Existing operation appears to have expanded, see comments: _____

- ☐ Existing structures used in the cannabis operation shall not to be used/occupied until all required permits have been obtained.
- ☐ Proposed new operation has already started.
- ☒ Recommend approval based on the condition that all required grading, building, plumbing electrical and mechanical permits and or Agricultural Exemption are obtained.

☒ Other Comments: Revise plot plan to show field 3 CA sqft (on parcel 223-072-010) and water tank, 6ft w/ dimensions at SE corner of parcel (223-072-006) and water tanks near this parcel, outdoor CA SE of 8x20 shed w/ sqft, field 1 with dimensions north of cabin, pond north of cabin, property line setbacks to cabin and CA 1, all streams with setbacks to CA, CA at SW corner of parcel 223-072-006, cabin in correct location, all grading over 50 cubic yards, and all grading over 15% slope.

Name: Rudy Marenghi

Date: 6/26/18

Note: Remember to take photographs and then save them to the Planning's case number. File location J, Current Planning, Projects, (CUP, SP, ZCC) Case number.

Zander, AnaCena

From: Lake, M. Isaac@CALFIRE <M.Lake@fire.ca.gov>
Sent: Monday, October 09, 2017 12:31 PM
To: Planning Clerk; HUU CEQA@CALFIRE
Subject: APN: 223-072-010-000 Bonus Entertainment



No additional comments from B-1211

M. Isaac Lake

Battalion Chief

CAL FIRE

HUMBOLDT-DEL NORTE UNIT

Battalion 1

Alderpoint~Garberville~Thorn

Cell (707) 499-2249

Office (707) 923-3446

Schedule Thrs, Fri, Sat

MLake@fire.ca.gov

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Humboldt – Del Norte Unit

118 Fortuna Blvd.
Fortuna, CA 95540
Website: www.fire.ca.gov
(707) 726-1272



Ref: 7100 Planning
Date: October 5, 2017

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

Attention: Cannabis Planner (CPOD)
Applicant: Bonus Entertainment
APN: 223-072-010-000
Area: Garberville
Case Numbers: CUP16-947

Humboldt County Application #: 12986
Type of Application: Conditional Use Permit
Date Received: 9/25/2017
Due Date: 10/6/2017

Project Description: An application for a Conditional Use Permit for 41,688 square feet of existing, outdoor, medical cannabis cultivation is requested. Water for irrigation is sourced from rainwater catchment. Water is stored in a pond (200,000 gallons) and hard tanks (73,000 gallons), for a total of 273,000 gallons of available water storage. Processing, including drying and trimming, occurs on-site in shipping containers. Electricity source is unknown.

Mr. Ford,

The California Department of Forestry and Fire Protection (CALFIRE) provides these standard project review comments on the above noted project for the following subject matter:

- Fire Safe
- Resource Management
- Cannabis

The following pages address these concerns directly.

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

By: Planning Battalion
CALFIRE Humboldt – Del Norte Unit

For **Hugh Scanlon**, Unit Chief

FIRE SAFE

General:

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

Local Responsibility Areas:

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

State Responsibility Areas:

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

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

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

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

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

Subdivisions increase fire risks from additional people and increase probable dollar losses in the event of fire due to added structures and improvements.
5. If the project expects to produce densities consistent with a major subdivision, the impacts on all infrastructures should be mitigated. Local government more appropriately provides the responsibility for high-density area protection and services. Annexation or inclusion into Local Responsibility Area should be studied as well.

6. CALFIRE does not support development in areas where there is no local agency fire service for structure fires and emergency medical response. Fire services should be extended into service gap areas as a condition of development. New development can adversely impact existing fire services. Careful consideration must be given where development may overload the local fire service's ability to respond.

RESOURCE MANAGEMENT

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

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

1. If this project reduces the amount of timberland, by policy, the Board of Forestry and CALFIRE cannot support any project that will reduce the timberland base of California. "Timberland" means land which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees regardless of current zoning (PRC 4526). However, if the zoning and intended use are consistent with the county's general plan; and if no land other than timberland can be identified to site the project; then CALFIRE may choose not to oppose the project.
2. If **any** commercial timber operations are involved with a project, the timber operations cannot be conducted without a CAL FIRE permit. Commercial timber operations include the cutting or removal of trees offered for sale, barter, exchange, or trade or the conversion of timberlands to land uses other than the growing of timber (PRC 4527). Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
3. If **any** timberlands are being converted to a non-timber growing use by this project, the conversion operations cannot be conducted without a CAL FIRE permit (PRC 4621). Conversion of timberland takes place when trees are removed and the land use changes, even without the sale, barter, exchange, or trade of the trees. Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
4. If timberland is in the viewshed of a project, the current and future owners should be overtly notified that changes will occur to their views due to timber management activities. Further, no project should be allowed to negatively affect access to timberland for timber management purposes; neither on the project parcel(s) nor any other timberland parcels.
5. If timber harvesting has occurred and post-harvest restocking and prescribed erosion control maintenance obligations have not been met on a parcel, future owners should be overtly notified (14 CCR 1042). The current owner of a parcel is responsible for restocking requirements and maintenance of roads whether or not they were involved in the actual harvest plan.
6. If the project involves the development of parcels zoned as Timber Production Zone (TPZ), CALFIRE cannot support the project. Dividing TPZ land into parcels of less than 160 acres requires a Joint Timber Management plan prepared by a Registered Professional Forester (RPF), recorded as a deed restriction for a minimum of 10-years on all affected parcels, and approved by a four – fifths vote of the full board (Govt. Code 51119.5). TPZ may be rezoned using a "Ten Year Phase Out," which precludes the need for a Timberland Conversion Permit. CALFIRE opposes immediate rezoning of TPZ land.

CANNABIS PROJECTS

Local Responsibility Areas:

CAL FIRE is the primary command and control dispatch center for many local agency fire districts and departments. Potential life hazard threats associated with a project must be identified and documented for the protection of the public and first responders. Projects which include timber harvesting or conversion of timberland are subject to the Forest Practices Act and Rules, regardless of wildland fire responsibility area.

State Responsibility Areas:

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

Conversion of timberland to a non-timber producing use is subject to permit from CAL FIRE. Commercial timber harvesting operations to facilitate cannabis cultivation and processing are subject to permitting and regulation under the Forest Practice Act and Rules. Please refer to the RESOURCE MANAGEMENT comments.

General Recommendations:

The following recommendations are made by CAL FIRE with the understanding that most areas of Humboldt County do not have a paid fire department providing fire prevention services.

1. Cannabis growing operations shall have easily accessible safety data sheets (SDS) for all chemicals and hazardous materials on site. Commercial operations must have a current Hazardous Materials Business Plan on file with Humboldt County Environmental Health, where applicable.
2. California Health and Safety Code (HSC 11362.769.) Requires that indoor and outdoor medical marijuana cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.
3. Cannabis growing and extraction shall be in accordance with Chapter N101.1 of the International Fire Code, the International Building Code, and the International Mechanical Code. Hazardous materials shall comply with Chapter 50. Compressed gases shall comply with Chapter 53. Cryogenic fluids shall comply with Chapter 55. Flammable and combustible liquids shall comply with Chapter 57. LP-gas shall comply with Chapter 61 and the International Fuel Gas Code. All applicable California State Fire Marshal standards and regulations for the designated occupancy must be met.
4. Growing and processing of cannabis is generally an agricultural operation. However, manufacture of marijuana extracts and concentrates are commercial or industrial activities, and may be subject to the county's SRA Fire Safe Ordinance. Any new residential units associated with cannabis cultivation and processing may also be subject to the SRA Fire Safe Ordinance. All materials hazardous and non-hazardous associated with the extraction process shall be utilized in conformance of the law and fire safe codes.



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

ARGATA-EUREKA AIRPORT TERMINAL
MCKINLEYVILLE
FAX 839-3599

AVIATION 839-5401

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

ADMINISTRATION 445-7401
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MAINTENANCE 445-7453

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

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

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

DATE: 4-26-18

RE:

Applicant Name	<i>Bonus Entertainment</i>	
APN	<i>223-072-010</i>	
APPS#	<i>12986</i>	<i>CUP16-947</i>

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

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

*Note: Exhibits are attached as necessary.

Additional comments/notes:

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 12986

☐ **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 ALDERPOINT 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 //

Exhibit "D"

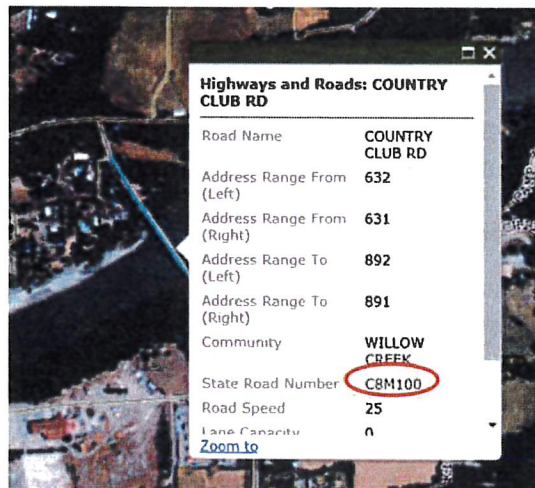
Road Evaluation Reports

1. **ROADS – Road Evaluation Reports.** Planning and Building Department staff shall request that the applicant provide Road Evaluation Reports for the project. The particular roads that require a Road Evaluation Report is to be determined by following the guidance shown below.

The Department has developed a *Road Evaluation Report* form so that an applicant can address the adequacy of the various roads used by their project. Most projects will require that a *Road Evaluation Report* form be completed.

When viewing the project site on google earth, if the County maintained road (or other publicly maintained road) has a centerline stripe, the road is adequate. If there is no centerline stripe, then the roads leading from the nearest publicly maintained road with a paved centerline stripe (or a known category 4 road) must be evaluated. A separate *Road Evaluation Report* form is needed for each road. This applies to all roads regardless if they are publicly or privately maintained. The Department has prepared a "approved list" of known County maintained roads that are category 4 (or are equivalent to category 4) standards for cannabis projects. The Department has also prepared a list of roads that are known to not meet road category 4 of equivalent. Both of these lists will be updated as the County information regarding the County maintained roads becomes available.

The *Road Evaluation Report* form needs to be provided to applicants to complete. It is important that Planning and Building Department staff provide the applicant with a map that has the roads to be evaluated highlighted. This will most likely include a combination of County maintained roads and non-County maintained roads. This will give the applicant clear direction on which roads need to be evaluated.



Above: screenshot from the WebGIS showing County Road Number circled in RED.

A County maintained road will have a 5 or 6 character identifier. The general format is ABCDDD where:

- A is an optional identifier for the functionality of the road (A=Arterial, C=Collector, F=Federal Aid)
- B is a grid identifier number for the X-axis of a "battleship" style grid that was drawn on a county map to divide the county into a series of squares.
- C is a grid identifier letter for the Y-axis for the grid.
- DDD is a three digit road identification number within a particular grid. Each grid can have up to 999 roads in them

Examples:

ABCDDD

A 3 M 0 2 0 Murray Road
F 6 B 1 6 5 Alderpoint Road
6 C 0 4 0 Thomas Road

Exhibit "D"

Road Evaluation Reports

The Department is working towards identifying which County maintained roads meet (or are equivalent to) Road Category 4 standards for cannabis projects. Two lists are being prepared: the first list with the **green** heading shows which roads (or portions thereof) meet or are equivalent to Road Category 4 standard (AKA "Approved List"); and the second list with the **red** heading shows which roads (or portions thereof) that do not meet or are not equivalent to Road Category 4 standards. These lists will be updated as information becomes available. **This list will be updated frequently. Make sure you are using the most up to date list.**

On occasion there may be more than one road that has the same name; in these instances check the road number to ensure that you are referencing the correct road. Until such time as the GIS roads layer has been proofed by the Department, the GIS is not to be used for this task. Use the paper road maps to check road numbers.

If the subject property takes direct access from a road on the "approved list", no further road evaluation needs to be done.

"APPROVED LIST"		
List of County Maintained Roads that meet (or are equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range meeting (or equivalent to) Road Category 4 standard
Alderpoint Road	F6B165	All
Bair Road	C6L300	All
Bair Road	6L300	All
Bald Hills Road	F4R300	All
Benbow Drive	6B180	Oakcrest Drive to State Hwy 101
Blue Slide Road	F2G100	All [Grizzley Bluff Rd to City limits of Rio Dell]
Brannon Mountain Road	7M100	State Hwy 96 to Creekside Lane
Briceland Thorne Road	F5A010	All
Burrell Road	3D030	From Mattole Rod to P.M. 067
Cathey Road	6D050	State Park to P.M. 0.87 [End of County maintained]
Chemise Mountain Road	C4A030	Shelter Cove Road to P.M. 3.0
Eel Rock Road	7D010	All
Eighth Avenue	4N080	All
Ettersburg Honeydew Road	F5A010	All
Fickle Hill Road	C5J040	PM 1.55 [end of centerline stripe] to P.M. 8.00
Fieldbrook Road	C4L760	All
Freshwater Road	F6F060	All
Friday Ridge Road	8L100	State Hwy 299 to PM 3.37[End of County maintained] then becomes USFS Road
Greenwood Heights Drive	C4K160	All
Grizzley Bluff Road	F2G100	All [City limits of Ferndale to Blue Slide Rd]
Jacoby Creek Road	C4K230	Old Arcata Road to P.M. 2.50
Jacoby Creek Road	4K230	From P.M. 2.5 to P.M. 2.69
Kneeland Road	F6F060	Freshwater Road to Mountain View Road
Maple Creek Road	5L100	All
Mattole Road	F3D010	All
Mattole Road	F3C010	All
McCann Road	6D090	Dyerville Loop Road to P.M. 1.0
McCellan Mtn Road	7F010	State Hwy 36 to P.M. 3.57[End of County maintained]
Mountain View Road	6H010	All
Murray Road	C3M020	All
Old Three Creeks Road	6L250	State Hwy 299 to P.M. 2.8 [End of County maintained]
Panther Gap Road	4D010	Mattole Road to P.M. 1.83[End of County maintained] continues as a non- County maintained road
Patterson Road	C3M130	All
Salmon Creek Road	6C030	Hwy 101 to P.M. 5.39 [Gate]
Shelter Cove Road	C4A010	All
Sprowel Creek Road	C6B095	PM 0.0 to PM 2.11
Sprowel Creek Road	6B095	PM 2.11 to PM 4.00
Thomas Road	6C040	Salmon Creek Road to P.M. 4.03 [End of County maintained] continues as a non- County maintained rd
Titlow Hill Road	7K100	Hwy 299 to PM 4.7[End of County maintained] then becomes USFS Road
West End Road	5L010	PM 0.0 at Arcata City Limits to Warren Creek Road
Wilder Ridge Road	C5B010	All

Exhibit "D"**Road Evaluation Reports**

List of County Maintained Roads that do not meet (or are not equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range not meeting (or not equivalent to) Road Category 4 standard
Bark Shanty Road	9R105	All
Benbow Drive	6B180	Oakcrest Dr to end of County maintained
Brannon Mountain Road	7M100	Creekside Lane to PM 5.0 [End of County maintained] then becomes USFS Road
Burrell Road	3D030	P.M. 067 to P.M. 2.22 [End of County maintained]
Butte Creek Road	6H020	All
Chemise Mountain Road	C4A030	P.M. 3.0 to P.M. 4.09 [Mendocino County Line]
Essex Lane	C4L780	P.M. 0.2 to P.M. 0.9 [End of County maintained]
Fickle Hill Road	C5J040	P.M. 8.0 to P.M. 11.72
Kings Peak Road	C4A020	P.M. 1.0 to P.M. 12.20
McCann Road	6D090	P.M.1.0 to P.M.2.6 [End of County maintained]
Mill Street	3G305	Country Club Estates to P.M. 0.49[End]
Old Eel Rock Road	7D025	All
River Bar Road	4G010	Hwy 36 to P.M. 1.76 [End of County maintained]
Salmon Creek Road	6C030	P.M. 5.39 to P.M. 5.88[End of County maintained]
Sprowel Creek Road	6B095	P.M 4.00 to PM 7.22 [End of County maintained]
Stapp Road	7H010	P.M 0.00 to 3.25[End of County maintained]
Warren Creek Road	5L740	P.M 0.0 to PM 0.95 [End of County maintained]
Williams Creek Road	2G045	All

// END //

