



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: July 09, 2020

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Humboldt High Club, LLC Zoning Clearance Certificate and Special Permits**
Record Number: PLN-2018-15250
Assessor's Parcel Number: 219-011-008
3506 Thomas Road, Miranda area

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Please contact Liza Welsh Planner by email at lwelsh@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date July 09, 2020	Subject Zoning Clearance Certificate and Special Permits	Contact Liza Welsh
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Project Description: A Zoning Clearance Certificate for 1,825 square feet of mixed light and 1,550 square feet of outdoor commercial cannabis cultivation supported by a Special Permit for minor site reconfiguration and a Special Permit for activity within a Streamside Management Area to restore decommissioned cultivation sites. The applicant anticipates one outdoor harvest and four mixed light harvests per year. The water source for the project is rain catchment. The total existing and proposed water storage capacity is 65,900 gallons. Water will be delivered to the cannabis plants via a metered drip irrigation system with timers. The applicant's estimated annual water use is 45,947 gallons. The power source to the project will be Pacific Gas & Electric (PG&E) via the Solar Choice program. Harvested cannabis will be dried on site and will be taken off site for further processing. The project is family operated with no employees.

Project Location: The project is located in the Miranda area, on the north side of Thomas Road, approximately 1000 feet southwest from the intersection of Thomas Road and Lower Thomas Road, on the property known as 3506 Thomas Road.

Present Plan Designations: Residential Agriculture (RA40), 2017 General Plan, Density: 40 acres per unit, Slope Stability: High Instability (3)

Present Zoning: Forestry Recreation (FR), Minimum building site area is 40 acres (B-5(40))

Record Number: PLN-2018-15250

Assessor's Parcel Numbers: 219-011-008

Applicant

Humboldt High Club, LLC
PO Box 338
Redway, CA 95560

Owner

Devin Carstensen &
Justin and Laura Clary
PO Box 338
Redway, CA 95560

Agent

Green Road Consulting
1650 Central Ave
Suite C
McKinleyville, CA 95519

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

Major Issue: None.

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

Humboldt High Club, LLC Zoning Clearance Certificate and Special Permits

Record Number: PLN-2018-15250

Assessor's Parcel Number: 219-011-008

Recommended Zoning Administrator Action:

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

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

Executive Summary

On 12/28/2018, an application was submitted to the Planning Division for a Zoning Clearance Certificate for 1,825 square feet of mixed light and 1,550 square feet of outdoor commercial cannabis cultivation. This commercial cannabis activity is authorized by Sections 314-55.4.6.1.2 of the Commercial Cannabis Land Use Ordinance (CCLUO). The application meets the requirements of zoning, siting criteria (55.4.6.4.1, 55.4.6.4.2, 55.4.6.4.3), setbacks from property lines and listed incompatible uses (e.g., schools), and is accompanied by the documentation, plans, descriptions, and agency clearances set forth in the CCLUO.

A review of aerial imagery using Google Earth Pro indicates that prior to 2016, there was approximately 3,530 square feet of cannabis cultivation on the subject parcel consisting of 2,450 square feet of mixed light cultivation in two greenhouses and 1,080 square feet of full sun outdoor cultivation. The applicant is not currently cultivating cannabis. Upon project approval, the applicant proposes to cultivate cannabis using mixed light cultivation in one greenhouse measuring 1,825 square feet and outdoors in one area measuring 1,550 square feet. The areas proposed for cultivation meet the requirements of slopes, setbacks from property lines, setbacks from watercourses, and setbacks from other sensitive areas established in the CCLUO and the proposed project will comply with the Performance Standards established in the CCLUO.

The site contains the following existing features which are ancillary to the cannabis cultivation: a 120-square-foot junior barn used for pesticide storage (12' X 10'), three 160-square-foot cargo containers used for drying and harvest storage (20' X 8' each), and a 600-square-foot shop building used for propagation (20' X 30'). The applicant will obtain the appropriate permits or clearances from the Building Division for these features.

The site also contains features with no nexus to cannabis, including an on-stream pond, an inhabited residence and an abandoned residence. The water source for the inhabited residence is a point of diversion on an adjacent parcel to which the subject parcel has deeded access. These are neither considered nor authorized through the subject permit.

The applicant anticipates one outdoor harvest and four mixed light harvests per year. The water source for the project is rain catchment. Water will be captured off of the roof of the shop building used for propagation, the residence, and the mixed light greenhouse. There are currently 15 hard tanks with a total capacity of 28,400 gallons on the parcel and an additional 15 water tanks with a

total capacity of 37,500 gallons are proposed. The total existing and proposed water storage capacity is 65,900 gallons. Water will be delivered to the cannabis plants via a metered drip irrigation system with timers. The applicant's estimated annual water use is 45,947 gallons. Conditions of approval require the applicant to enroll in the State Waterboard's Cannabis Waste Discharge Program, to implement their Site Management Plan (See Attachment 4), and to submit a Final Streambed Alteration Agreement once issued by CDFW.

The power source to the project will be Pacific Gas & Electric (PG&E) via the Solar Choice program. Conditions of approval require the applicant to submit evidence of enrollment prior to commencing operations that require power including mixed light cultivation. A propane tank serves the residence on the subject parcel. The mixed light greenhouse and the shop building used for propagation will be shielded between 30 minutes prior to sunset and 30 minutes after sunrise such that no light escapes at a level visible from neighboring properties in compliance with International Dark Sky Standards.

Harvested cannabis will be dried on site and will be taken off site for further processing. The project is family operated with no employees. The project was reviewed by the Department of Environmental Health, which recommended conditional approval with the note that the applicant must demonstrate that a properly functioning onsite wastewater treatment system serves the operation. This can be accomplished by either installing a new, permitted septic system; or by providing DEH with an assessment of the existing system performed by a qualified professional engineer, geologist, soil scientist, or REHS that certifies that the existing system complies with the State RWQCB definition of a Tier 0 system - not impairing groundwater or surface water resources.

The subject parcel is accessed from a private-driveway off the County-maintained portion of Thomas Road. This access route complies with the Road Performance Standards established in the CCLUO. The project was reviewed by the Department of Public Works, which recommended conditional approval. The applicant shall pave their driveway apron for a minimum width of 18 feet and a length of 50 feet at the point where it intersects with Thomas Road. Additionally, the applicant will maintain the intersection between their driveway and Thomas Road in compliance with County Code Section 341-1 (Sight Visibility Ordinance).

The subject parcel is in the Salmon Creek watershed (HUC 12) and the South Fork Eel Watershed. It is primarily composed of mixed evergreen forest. Cultivation occurs in open meadow areas on the parcel and no timber conversion occurred or is proposed on the parcel. A Class II watercourse and a Class III watercourse run through the parcel. A 648-square-foot decommissioned cultivation area in the Streamside Management Area of the Class III watercourse is proposed for relocation to Cultivation Area #1 along with an 882-square-foot decommissioned historic outdoor cultivation area. In addition, a portion of an existing greenhouse is located within 50-feet of the head of a Class III ephemeral watercourse. The structure will be moved roughly 50-feet to the east so that all cultivation will occur outside of the required buffer. The proposal to consolidate and relocate the decommissioned areas requires a Special Permit for site reconfiguration and a Special Permit for activity within a SMA associated with the restoration work. Evidence provided by the applicant supports approval of this proposal. Cultivation Area #1 is environmentally superior because it is outside of Streamside Management Areas and because consolidating the cultivation makes managing sediment runoff more efficient and practical. The cannabis is to be consolidated around an existing cultivation area and will meet the requirements for slopes and setbacks found in the CCLUO. The decommissioned cultivation areas will be restored. As no grading or deforestation occurred at the decommissioned areas, restoration will be minimal. Any remaining areas of bare soil will be covered with straw and seeded with native plant species.

A review of data from the California Natural Diversity Database (CNDDDB) using Humboldt County WebGIS demonstrates that the nearest mapped Northern Spotted Owl siting is approximately 2.76 miles away from the subject parcel and the nearest mapped Northern Spotted Owl activity center is approximately 3 miles away. The nearest mapped Marbled Murrelet habitat is approximately 2.5 miles away. Per the applicant's Sound Evaluation Report prepared by TY R. Collins, a Registered Professional Engineer, ambient noise levels at the site across all recording points are between 36-40 dba. After cannabis cultivation has commenced, the applicant will submit a second sound study, which will be used to identify if there is an increase of three decibels or more. If an increase of over three decibels is observed, changes will be made to reduce sound levels. At no point will noise levels produced by cannabis cultivation result in an increase of greater than three decibels above ambient noise levels.

The project was referred to the California Fish and Wildlife Department (CDFW) and they have not provided comments. The applicant has applied for a Lake or Streambed Alteration Agreement with the California Department of Fish and Wildlife and shall adhere to the terms and reporting requirements established through their Final Streambed Alteration Agreement once issued, or through any future Streambed Alteration Agreement. The applicant shall leave wildlife on the subject parcel undisturbed and shall allow wildlife to leave the work site unharmed. To minimize the risk of wildlife entrapment, the applicant shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves. Finally, all refuse shall be contained in wildlife proof storage containers and shall be disposed of at an authorized waste management facility.

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

Staff recommends that the Zoning Administrator describe the application as a part of the consent agenda, survey the audience to see if any person would like to discuss the application and, if no one requests discussion, make all the required findings based on the evidence in the record and approve the application subject to the recommended conditions.

Alternatives: Several alternatives may be considered: 1) The Zoning Administrator could elect not to hear this item and put the decision making in front of the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Zoning Administrator could elect to add or delete conditions of approval; 3) The Zoning Administrator could deny approval of the requested permits if you are unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

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

Resolution Number 20-

**Record Number: PLN-2018-15250
Assessor's Parcel Number: 219-011-008**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Humboldt High Club, LLC, Zoning Clearance Certificate and Special Permits request.

WHEREAS, Humboldt High Club, LLC, submitted an application and evidence in support of approving a Zoning Clearance Certificate for 1,825 square feet of mixed light and 1,550 square feet of outdoor commercial cannabis cultivation with water sourced from rainwater catchment, with power provided by the PG&E Solar Choice Program, with drying occurring on site and all other processing offsite, and with no employees working on site.

WHEREAS, Humboldt High Club, LLC, submitted an application and evidence in support of approving a Special Permit for minor site reconfiguration.

WHEREAS, Humboldt High Club, LLC, submitted an application and evidence in support of approving a Special Permit for activity in a Streamside Management Area associated with the decommissioning and relocation of historic cannabis cultivation sites.

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

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

WHEREAS, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Zoning Clearance Certificate and Special Permits (Record Number PLN-2018-15250); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Zoning Administrator on July 09, 2020.

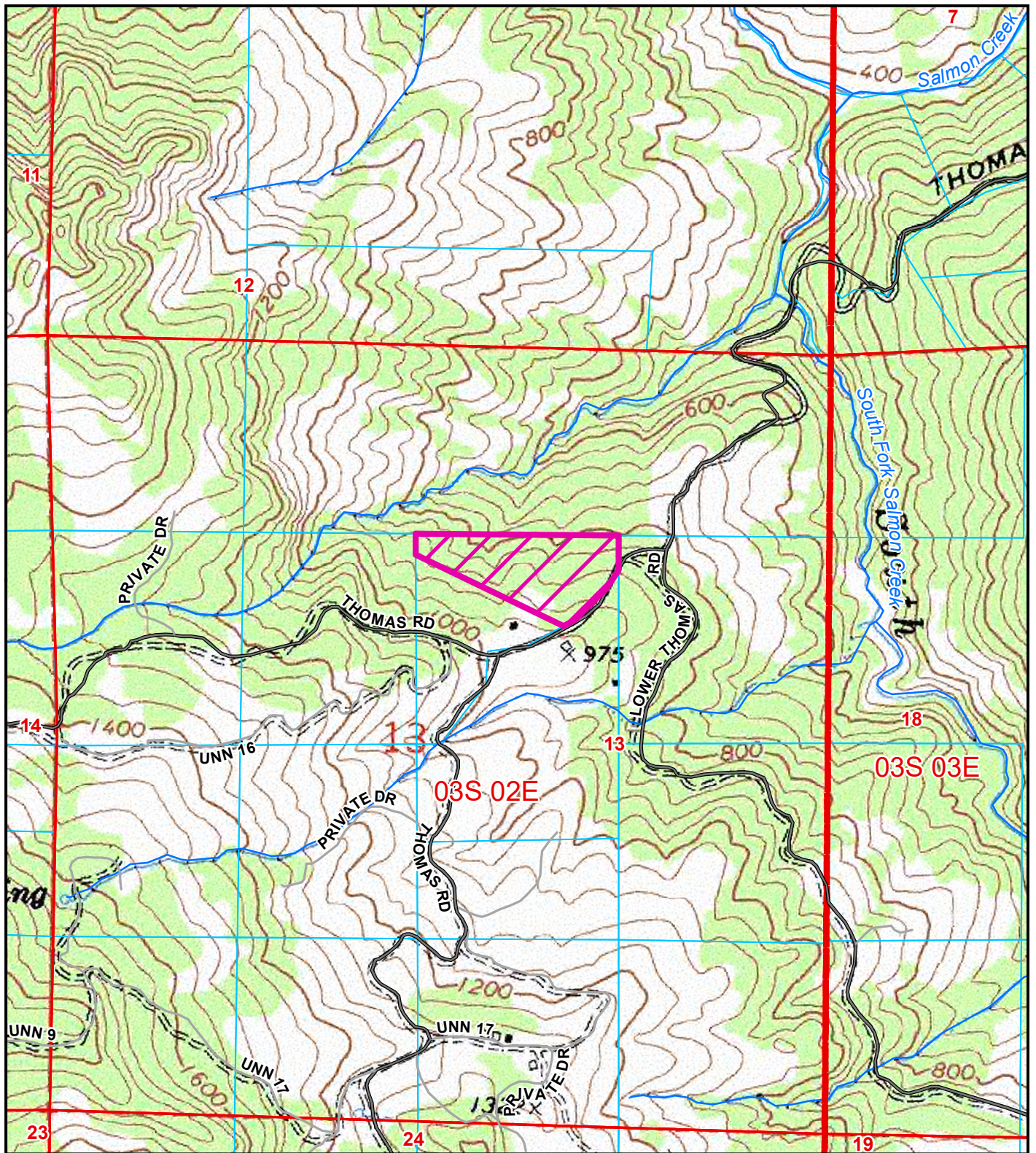
NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Zoning Administrator that:

1. The Zoning Administrator considered the Addendum to the Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance; and
2. The Zoning Administrator makes the required findings for approval in Attachment 2 of the Planning Division staff report based on the submitted substantial evidence; and
3. Zoning Clearance Certificate and Special Permits Record Number PLN-2018-15250 are approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on July 09, 2020.

I, John Ford, Zoning Administrator of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Zoning Administrator at a meeting held on the date noted above.

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



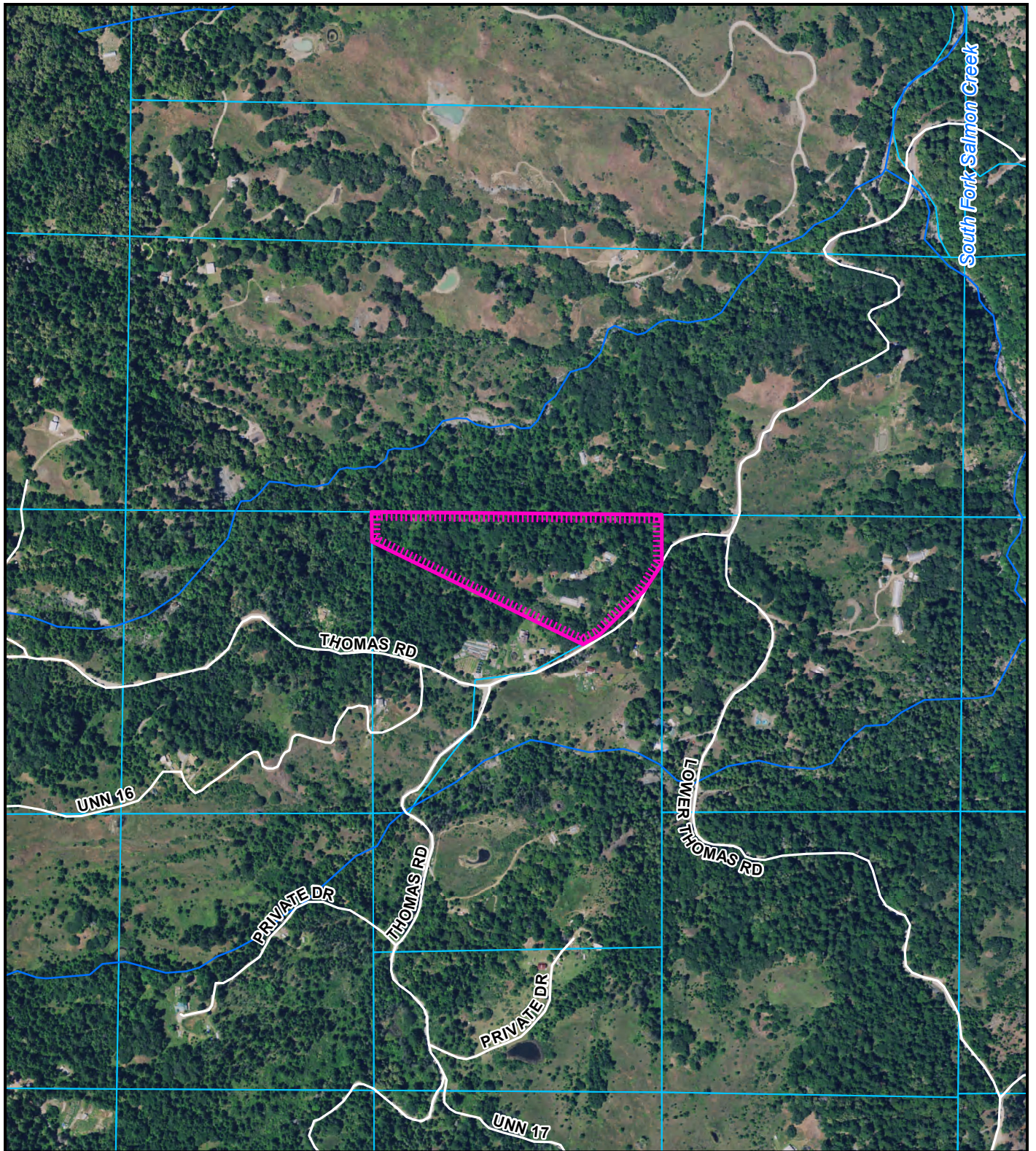
Project Area = 

TOPO MAP
PROPOSED HUMBOLDT HIGH CLUB LLC
Miranda AREA
PLN--2018-15250
APN: 219-011-008-000
T03S R02E S13 HB&M (ETTERSBURG)

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

0 1,000 2,000 Feet





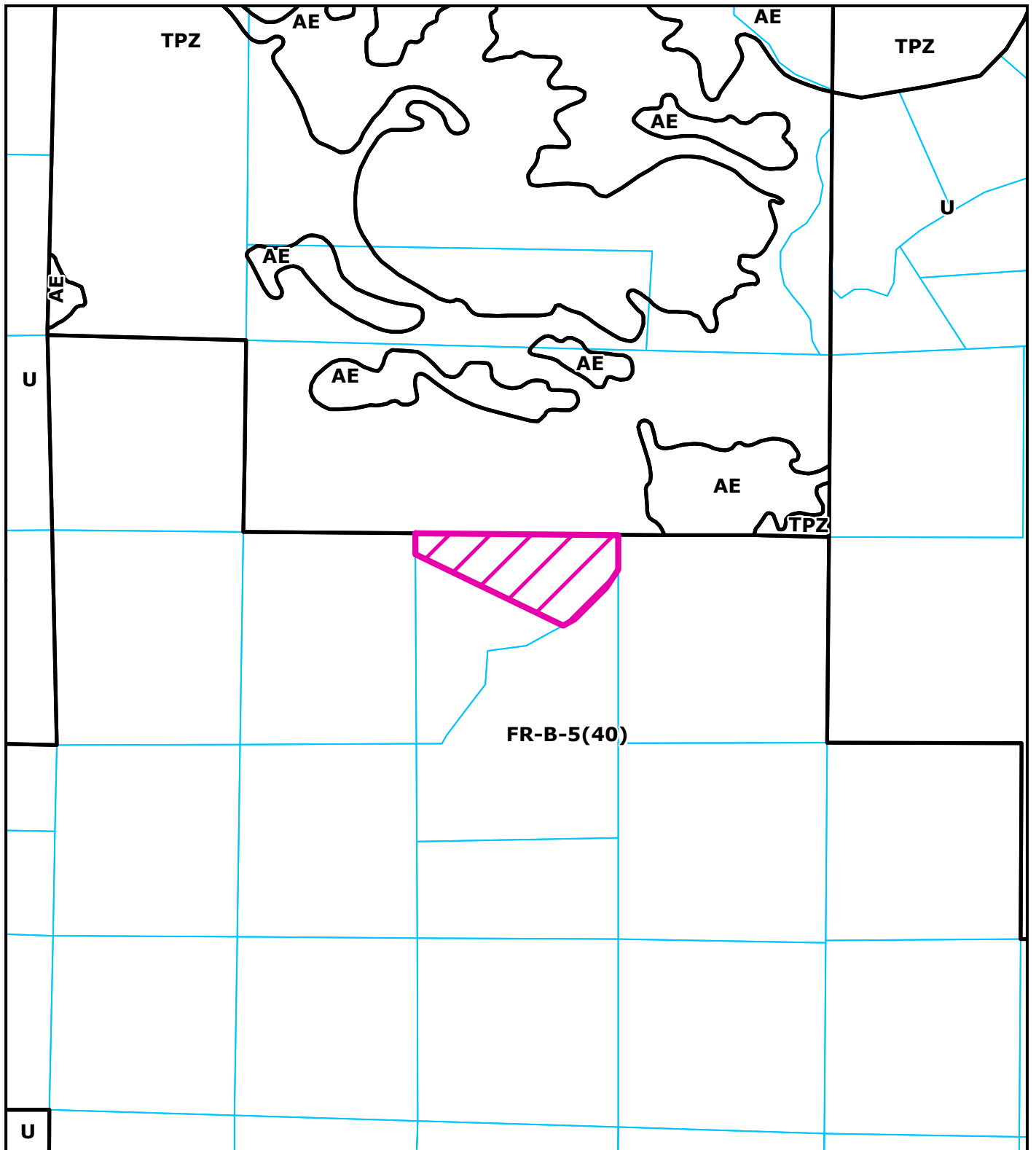
Project Area = 

**AERIAL MAP
PROPOSED HUMBOLDT HIGH CLUB LLC
Miranda AREA
PLN--2018-15250
APN: 219-011-008-000
T03S R02E S13 HB&M (ETTERSBURG)**

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

0 850 1,700 Feet





Project Area =

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

ZONING MAP
PROPOSED HUMBOLDT HIGH CLUB LLC
Miranda AREA
PLN--2018-15250
APN: 219-011-008-000
T03S R02E S13 HB&M (ETTERSBURG)

0

1,000

2,000

Feet

HUMBOLDT HIGH CLUB

APN: 219-011-008

VICINITY MAP

NOT TO SCALE



IMAGE SOURCE: ESRI 2018

PROJECT DIRECTIONS

FROM: EUREKA, CA

- HEAD SOUTH ON US-101 S (49.3 MI)
- TAKE EXIT 653 FOR SALMON CREEK ROAD (0.2 MI)
- TURN RIGHT ONTO SALMON CREEK RD (0.8 MI)
- TURN LEFT TO STAY ON SALMON CREEK RD (2.0 MI)
- TURN LEFT ONTO THOMAS RD (3.9 MI)

TRAVEL TIME

APPROXIMATELY: 1 H 5 MIN (56.2 MI)

SHEET INDEX

CP-COVER PAGE
PO-PARCEL OVERVIEW

PROJECT INFORMATION

LAT/LONG: 40.2044, -123.8992
APN: 219-011-008
APPLICANT: HUMBOLDT HIGH CLUB
PARCEL SIZE: ± 12 ACRES
ZONING: FR-B-5(40)
APPLICATION TYPE:

COASTAL ZONE: **N**
100 YEAR FLOOD: **N**

AGENT:

KAYLIE SAXON
GREEN ROAD CONSULTING INC
1650 CENTRAL AVE. SUITE C
MCKINLEYVILLE, CA 95519
707-630-5041

AERIAL MAP

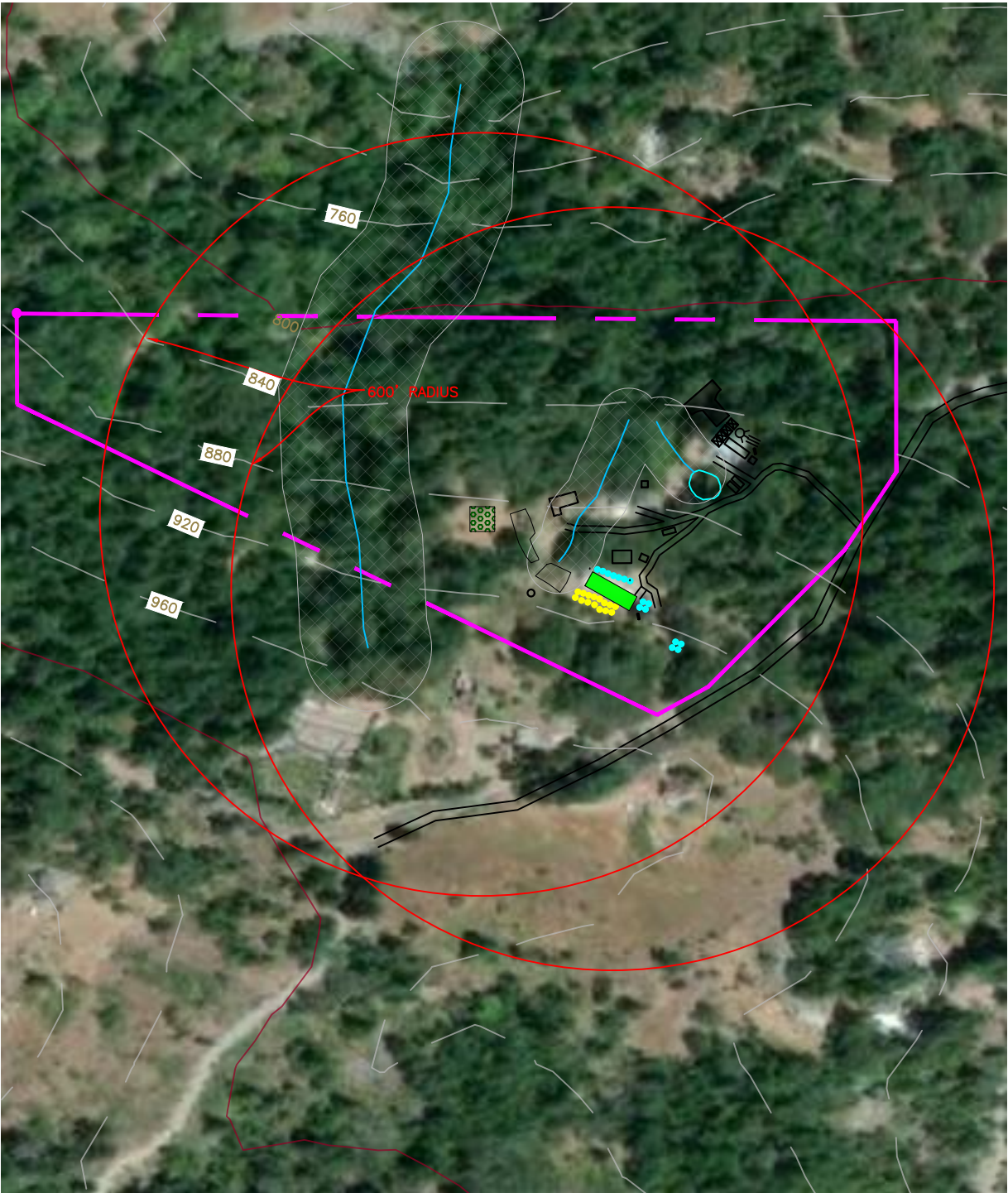


IMAGE SOURCE: BING 2018

PROPERTY LINES, DISTANCES, AND BUILDING LOCATIONS ARE APPROXIMATE AND BASED ON AERIAL MAPS AND GPS DATA TAKEN IN THE FIELD.



PROJECT INFORMATION

DEVIN CARSTENSEN, JUSTIN CLARY,

LAURA CLARY

APN: 219-011-008

COVER PAGE

PROPERTY OWNER
ADDRESS
SHEET INFO

REVISIONS		
NO.	NOTES	DATE
1	NOTES-INITIALS	00-00-18

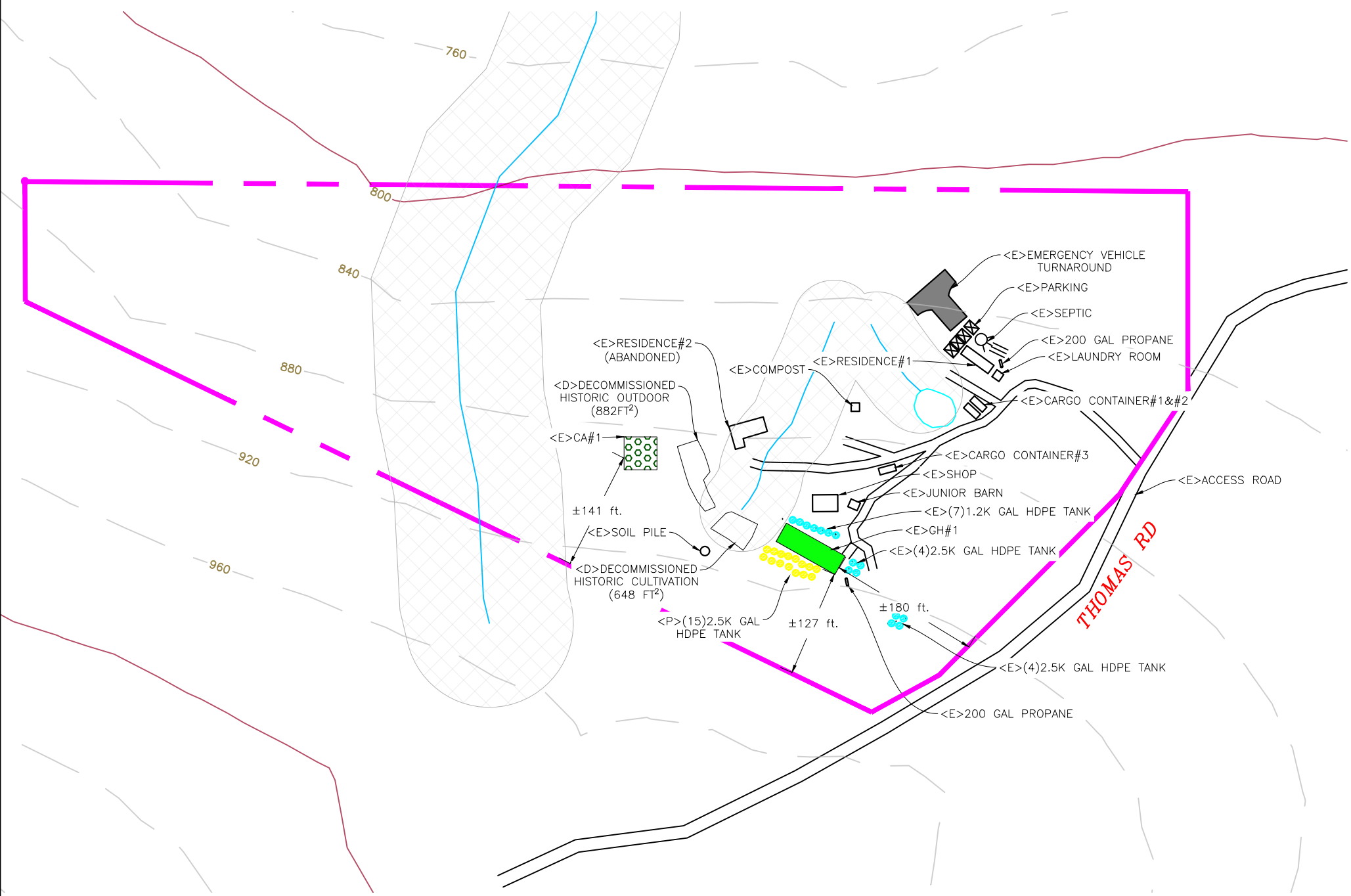
DATE 4/29/20
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SHEET
CP

4/29/2020 - X:\Projects\Car-Hu-Mv\18.11 Devin\CAD\CAR-011-008-CUL.dwg - 12:35 PM - GRC

PARCEL OVERVIEW

APN: 219-011-008



CULTIVATION INFORMATION

MIXED LIGHT CULTIVATION AREA				
<u>GH</u>	<u>LENGTH</u>		<u>WIDTH</u>	<u>SQ FT</u>
1	25	X	80	2,000
TOTAL MIXED LIGHT CULTIVATION AREA =				2,000 SQ FT

OUTDOOR CULTIVATION AREA				
CA	LENGTH		WIDTH	SQ FT
1	39.11	X	39.11	1,530
TOTAL OUTDOOR CULTIVATION AREA =				1,530 SQ F

CULTIVATION BUILDINGS AND USE			
BUILDINGS	USE	SIZE	YEAR
JUNIOR BARN	PESTICIDE STORAGE	12'x10'	2014
CARGO CONTAINER #1	DRYING/HARVEST STORAGE	20'x8'	2014
CARGO CONTAINER #2	DRYING/HARVEST STORAGE	20'x8'	2014
CARGO CONTAINER #3	DRYING/HARVEST STORAGE	20'x8'	2014
SHOP	PROPAGATION	20'x30'	2014

DOMESTIC BUILDINGS AND USE			
BUILDINGS	USE	SIZE	YEAR
RESIDENCE #1	DOMESTIC LODGING	12'x40'	2012
RESIDENCE #2	ABANDONED	800 FT²	PRE 1950

WATER STORAGE AND USE			
TYPE	QUANTITY	GALLONS	TOTAL GALLONS
HDPE TANK	7	1,200	8,400
HDPE TANK	8	2,500	20,000
TOTAL AMOUNT OF WATER STORAGE=			28,400 GALLONS

PROPOSED WATER STORAGE AND USE			
TYPE	QUANTITY	GALLONS	TOTAL GALLONS
HDPE TANK	15	2,500	37,500
TOTAL AMOUNT OF PROPOSED WATER STORAGE=			37,500 GALLONS

WATER SOURCE
RAIN CATCHMENT (ROOF OF SHOP, RESIDENCE #1, GH #1. SURFACE AREA=3,080 FT²)

POWER SOURCE
PG&E

UNNAMED CLASS II STREAM WITH REQUIRED 100 FT BUFFER
UNNAMED CLASS III STREAM WITH REQUIRED 50 FT BUFFER

SURROUNDING BUILDINGS
THERE ARE NO SCHOOLS, BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF THE CULTIVATION SITE.
THERE ARE NO OFF SITE RESIDENCES WITHIN 300 FEET OF THE CULTIVATION SITE.

LEGEND		
	CLASS II WATERCOURSE	
	UNNAMED CLASS III STREAM WITH REQUIRED 50 FT BUFFER	

NOTE:
PROCESSING OCCURS OFFSITE



PROJECT INFORMATION
DEVIN CARSTENSEN, JUSTIN CLARY,
LAURA CLARY
APN: 219-011-008
PARCEL OVERVIEW

PROPERTY OWNER
DEVIN CARSTENSEN, JUSTIN CLARY,
LAURA CLARY
ADDRESS
APN: 219-011-008
SHEET INFO
PARCEL OVERVIEW

REVISIONS		
NO.	NOTES	DATE
1	NOTES-INITIALS	00-00-18

DATE 4/29/20
DRAFTER DDV
SCALE AS SHOWN

SHEET
PO

ATTACHMENT 1
Recommended Conditions of Approval

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

1. The applicant shall execute a Compliance Agreement with the Humboldt County Planning Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #2-17. 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 obtain all necessary building permits and grading permits from the Building Inspection Division (BID) for all structures related to the commercial cannabis cultivation operation, including all greenhouses, agricultural buildings, sheds, and barns used in cultivation. The applicant shall submit floor plans including dimensions with electrical, mechanical and plumbing details for all existing Agriculture Exempt Structures and an Agriculture Exempt letter of intent for each. The applicant shall submit two complete sets of construction plans developed by a California-licensed engineer for the building permits. All building plans submitted for approval shall be consistent with those approved by the Zoning Administrator.
3. The applicant shall submit evidence of enrollment in the Pacific Gas & Electric Solar Choice Program prior to commencing operations that require power, including mixed light cultivation.
4. Prior to the use of supplemental lights in the mixed light cultivation and/or ancillary propagation areas, the applicant shall demonstrate conformance with shielding standards. This measure shall be satisfied by providing photographs or other evidence of measures in place to prevent light spillage.
5. The applicant shall provide noise survey post-project demonstrating that project activities do not increase noise level by more than three decibels over pre-project noise levels.
6. The applicant shall provide a copy of the Notice of Applicability from the SWRCB.
7. The applicant shall provide a copy of the Final Streambed Alteration Agreement from the CDFW,
8. The applicant shall implement the Site Management Plan (See Attachment 4) developed for the parcel prepared pursuant to Tier 1 enrollment under the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy, General Order. The applicant shall provide substantial evidence that all corrective actions detailed within the Site Management Plan have been completed.
9. The applicant shall provide photographic evidence demonstrating that their water source is metered.
10. The applicant must demonstrate that a properly functioning onsite wastewater treatment system serves the operation. This can be accomplished by either installing a new, permitted septic system; or by providing DEH with an assessment of the existing system performed by a

qualified professional engineer, geologist, soil scientist, or REHS that certifies that the existing system complies with the State RWQCB definition of a Tier 0 system - not impairing groundwater or surface water resources.

11. The subject parcel is accessed from a private-driveway off the County-maintained portion of Thomas Road. Per the Department of Public Works, the applicant shall apply for and obtain an encroachment permit to pave their driveway apron for a minimum width of 18 feet and a length of 50 feet at the point where it intersects with Thomas Road.
12. 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 is to be satisfied with confirmation from Public Works.
13. The applicant shall maintain the intersection between their driveway and Thomas Road in compliance with County Code Section 341-1 (Sight Visibility Ordinance).
14. The applicant shall contact the local fire service provider [Salmon Creek Volunteer Fire Company] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
15. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
16. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding any hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
17. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

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

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

11. Pay all applicable application, review for conformance with conditions and annual inspection fees.
12. Power is to be supplied by Pacific Gas and Electric (PG&E). If the project is modified to use a generator for cannabis operations or if one is used on a temporary or backup basis, the noise from the generator or fans shall not be audible by humans from neighboring residences. The decibel level for generators measured at the property line shall be no more than 50 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 50 decibels as measured at 100 feet from the generator or at the edge of the nearest Marbled Murrelet or Spotted Owl habitat, whichever is closer.
13. 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.
14. The Master Log-Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
16. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Section 719-1 et seq.).
17. Participate in and bear costs for permittee's participation in the Cannabis Track and Trace and METRC Program administered by the State of California.
18. The use of monofilament netting for all uses, including but not limited for erosion control, shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.
19. Leave wildlife unharmed. If any wildlife is encountered during the Authorized Activity, Permittee shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed.
20. The environmental impacts of improper waste disposal are significant and well documented. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
21. All mixed light cultivation used in the operation shall comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare (BUG). International Dark Sky Association standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. Should the Humboldt County Planning Division receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected, and corrected as necessary.

Performance Standards for Cultivation and Processing Operations

22. Pursuant to the MAUCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking

a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."

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

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

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

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

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

Permittee further acknowledges and declares that:

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

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

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

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

Informational Notes:

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

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

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

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

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

5. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions on a time and material basis as set forth in the schedule of fees and

charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will send a bill to the Applicant for all staff costs incurred for review of the project for conformance with the conditions of approval. All Planning fees for this service shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

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

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

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

ATTACHMENT 2

Required Findings for Approval

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

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

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

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

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations 4.8</p>	<p>Residential Agriculture (RA40): This designation applies to large lot residential uses that typically rely upon on-site water and wastewater systems.</p> <p>Density range is 40-160 acres/unit.</p>	<p>The proposed project includes 1,825 square feet of mixed light and 1,550 square feet of outdoor commercial cannabis cultivation on lands designated as Residential Agriculture. General agriculture is allowable use type for this designation.</p>
<p>Circulation Chapter 7</p>	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1,CT-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County. (C-G4, C-G5)</p> <p>Related policies: C-P3. Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>The project is located in the Miranda area, on the north side of Thomas Road, approximately 1000 feet southwest from the intersection of Thomas Road and Lower Thomas Road, on the property known as 3506 Thomas Road. It is accessed from a private-driveway off of the County-maintained portion of Thomas Road. This access route complies with the Road Performance Standards established in the CCLUO. The project was reviewed by the Department of Public Works, which recommended conditional approval. The applicant shall pave their driveway apron for a minimum width of 18 feet and a length of 50 feet at the point where it intersects with Thomas Road. Additionally, the applicant will maintain the intersection between their driveway and Thomas Road in compliance with County Code Section 341-1 (Sight Visibility Ordinance). These requirements have been included in the Conditions of Approval for the project.</p>
<p>Housing Chapter 8</p>	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p>	<p>The project does not involve residential development, nor is the project site part of the Housing element Residential Land Inventory. However, the project will not preclude any future residential development. The project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in</p>

	Related policies: H-P3, Development of Parcels in the Residential Land Inventory.	determining compliance with housing element law.
Conservation and Open Space Chapter 10 Open Space Section 10.2	Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces. (CO-G1, CO-G3) Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program.	The proposed project is located within an Open Space Land Plan because the project site has project elements within a Streamside Management Area and has a geologic rating of high instability. See Streamside Management Area and Geologic & Seismic sections below. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.
Conservation and Open Space Chapter 10 Biological Resources Section 10.3	Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources) Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.	The subject parcel is in the Salmon Creek watershed (HUC 12) and the South Fork Eel Watershed. It is primarily composed of mixed evergreen forest. Cultivation occurs in open meadow areas on the parcel and no timber conversion occurred or is proposed on the parcel. A Class II watercourse and a Class III watercourse run through the parcel. Following relocation of all cannabis cultivation and ancillary structures, project elements will be outside of the Streamside Management Area. A review of data from the California Natural Diversity Database (CNDDB) using Humboldt County WebGIS demonstrates that the nearest mapped Northern Spotted Owl siting is approximately 2.76 miles away from the subject parcel and the nearest mapped Northern Spotted Owl activity center is approximately 3 miles away. The nearest mapped Marbled Murrelet habitat is approximately 2.5 miles away. Per the applicant's Sound Evaluation Report prepared by TY R. Collins, a Registered Professional Engineer, ambient noise levels at the site across all recording points are between 36-40 dba. After cannabis cultivation has commenced, the applicant

		<p>will submit a second sound study, which will be used to identify if there is an increase of three decibels or more. If an increase of over three decibels is observed, changes will be made to reduce sound levels. At no point will noise levels produced by cannabis cultivation be greater than 50 db.</p> <p>A Biological Resource Assessment was prepared for the site by Trans Terra Consulting, received on April 29, 2020. The report evaluated the presence of and habitat for rare and sensitive species in the project area. No special status wildlife was observed on the site. The report identified the potential for five (5) botanical species and six (6) wildlife species to be on site based on required or preferred habitat present. The report concludes that no direct or cumulative impacts to habitat would result from project activities.</p> <p>The project was referred to the California Fish and Wildlife Department (CDFW) and they have not provided comments. The applicant has applied for a Lake or Streambed Alteration Agreement with the California Department of Fish and Wildlife and shall adhere to the terms and reporting requirements established through their Final Streambed Alteration Agreement once issued, or through any future Streambed Alteration Agreement. The applicant shall leave wildlife on the subject parcel undisturbed and shall allow wildlife to leave the work site unharmed. To minimize the risk of wildlife entrapment, the applicant shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves. Finally, all refuse shall be contained in wildlife proof storage containers and shall be disposed of at an authorized waste management facility.</p>
Conservation and Open Space	Goals and policies contained in this Chapter relate to the	The project was referred to the Northwest Information Center (NWIC), the Bear River

<p>Chapter 10</p> <p>Cultural Resources</p> <p>Section 10.6</p>	<p>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>Band of the Rohnerville Rancheria and Intertribal Sinkyone Wilderness Council. NWIC responded indicating a Cultural Resource Survey may be needed. In December 2018, Archaeological Research and Supply Company visited the site and conducted a Cultural Resources Investigation. No historic or cultural resources were identified as a result of this investigation. The project was referred to the Bear River Band of the Rohnerville Rancheria, and the Tribal Historic Preservation Officer reviewed the results of the Cultural Resources Investigation. The THPO had no concerns and requested that the applicant adhere to the inadvertent discovery protocol and notify the Bear River Band if any artifacts or potential cultural resources are uncovered on the parcel.</p>
<p>Conservation and Open Space</p> <p>Chapter 10</p> <p>Scenic Resources</p> <p>Section 10.7</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-G2)</p> <p>Related policies: SR-S4. Light and Glare</p>	<p>The project is not located off a designated scenic highway. The agricultural operation and appurtenant infrastructure do not conflict with the viewshed. When supplemental lighting is used in the mixed light cultivation area and in the shop used as an ancillary propagation space, it shall be shielded such that no light escapes between 30 minutes prior to sunset and 30 minutes after sunrise at a level visible from neighboring properties. All security and safety lighting shall be angled to prevent light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). The operation will comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate International Dark Sky Association Standards exceed the requirements of Scenic Resources Standard SR-4. The applicant is required to demonstrate compliance with this condition prior to using artificial light in the mixed-light cultivation area or in the ancillary propagation area.</p>
<p>Water Resources</p> <p>Chapter 11</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance</p>	<p>Upon project approval, the applicant will enroll in the State Cannabis Discharge program. Conditions of approval require the applicant to submit evidence of this enrollment and to submit a Notice of</p>

Stormwater Drainage	<p>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-42 Erosion and Sediment Control Measures.</p>	<p>Applicability once provided for the site. A Site Management Plan has already been prepared for the site. Improvements include an upgrade to a stream crossing culvert to pass a 100-year storm event. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.</p>
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution. (WR-G6, WR-G9, WR G10)</p> <p>Related policies: WR-IM7. Basin Plan Septic Requirements; and IS-P20. On-Site Sewage Disposal Requirements.</p>	<p>The site is developed with a single-family residence but does not have a permitted Onsite Wastewater System. The project was reviewed by the Department of Environmental Health, which recommended conditional approval with the note that the applicant must demonstrate that a properly functioning onsite wastewater treatment system serves the operation. This can be accomplished by either installing a new, permitted septic system; or by providing DEH with an assessment of the existing system performed by a qualified professional engineer, geologist, soil scientist, or REHS that certifies that the existing system complies with the State RWQCB definition of a Tier 0 system - not impairing groundwater or surface water resources.</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,</p>	<p>The subject parcel is not located in an area that requires special noise attenuation measures due to proximity to known noise sources. Power is provided by the Pacific Gas and Electric (PG&E) solar choice program. The closest Northern Spotted Owl (NSO) activity center is 2.76 miles to the southeast of the subject parcel. Marbled murrelet habitat is approximately 2.5 miles to the south of the subject parcel. Potential impacts to habitat are minimized as power to the subject parcel is provided by PG&E. The applicant provided a Sound Evaluation Report stating that ambient</p>

	Protection from Excessive Noise.	noise levels on the parcel range between 36 and 40 decibels. On-going conditions of approval require noise from the operation not to exceed an increase in three decibels above ambient noise levels.
<p>Safety Element Chapter 14</p> <p>Geologic & Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury. (S-G1, S-G2)</p> <p>Related policies: S-P11. Site Suitability, S-P7. Structural Hazards.</p>	<p>The parcel is mapped as having high geologic instability. The project site is not located in a mapped Alquist-Priolo fault zone or subject to liquefaction. There are no mapped historic landslides on the parcel. According to USGS data layer on Humboldt County WebGIS, the slopes where cultivation occur are variable from less than 15% to 30%. No new structures are proposed. The existing uses, which are proposed to continue, are not expected to be affected by geologic instability. The project does not pose a threat to public safety related from exposure to natural or manmade hazards.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.</p>	<p>The subject site is outside any mapped flood hazard areas. The project site is not within a mapped dam or levee inundation area and is outside the areas subject to tsunami run-up.</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>The subject parcel is located within an area with a high fire hazard severity. The subject property is located within the Salmon Creek Volunteer Fire Company response area and within the State Fire Responsibility Area for fire protection (CAL-FIRE). California Department of Forestry and Fire Protection comments recommended compliance with the requirements of the County's Fire Safe Regulations. The</p>

	<p>Related policies: S-P15, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>Humboldt County Fire Safe Ordinance (Section 3111-1 et seq.) establishes development standards for minimizing wildfire danger in state responsibility designated areas.</p> <p>With respect to the Fire Safe Ordinance (Section 3111-1 et seq.), all existing and proposed improvements are setback at least 30 feet from all property lines. The applicant has a designated fire turn-around and pullout area for emergency vehicles and 2,500 gallons of water storage dedicated for fire suppression.</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 acknowledgment of available emergency response and fire suppression services from the local fire agency, including any 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 [Salmon Creek Volunteer Fire Company] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. 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-G3)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading</p>	<p>Applications for grading and/or building permits shall be referred to the North Coast Unified Air Quality Management District (NCUAQMD) for review and consultation. Dust control practices during construction and grading shall achieve compliance with NCUAQMD fugitive dust emission standards.</p>

	Dust Control, AQ-P7. Interagency Coordination.	
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2. Zoning Compliance and 3. Conforms with applicable standards and requirements of these regulations: The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section	Summary of Applicable Requirements	Evidence That Supports the Zoning Finding
§312-1.1.2 Legal Lot Requirement	Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	The subject parcel was lawfully created in its current configuration and can be developed as proposed. APN 219-011-008 is a legal parcel created in 1972 by court order. This action created parcel size substandard to zoning regulations, however, the action was exempt from subdivision regulations per local Ordinance 776, Section 120 (d). The property is not subject to an approved land use permit or subdivision to which terms and conditions apply to new development. The proposed development is not located on property where one or more violations of the Humboldt County Code exist.
314-7.3 Forestry Recreation	Forestry Recreation (FR): The Forestry Recreation or FR Zone is intended to be applied to forested areas of the County in which timber production and recreation are the desirable predominant uses and agriculture is the secondary use.	The applicant is seeking a Zoning Clearance Certificate for 1,825 square feet of mixed light and 1,550 square feet of outdoor commercial cannabis cultivation supported by a Special Permit for minor site reconfiguration and a Special Permit for restoration activity in a Streamside Management Area on a property zoned FR-B5(40). The proposed use is specifically allowed with a Zoning Clearance Certificate and Special Permits in this zoning district and under Sections 314-7.3 and 314-17.1 of the Zoning Code.
Special Building Site B-5(40)	The Special Building Site Combining Zone or B Zones and subzones thereunder are intended to be combined with any principle zone in which sound and orderly planning indicate that lot area and yard requirements should be modified.	
Min. Lot Size	One acre	11.04 acres
Min. Lot Width	200 feet	1,383 feet
Max. Ground Coverage	None specified	Not applicable
Max. Lot Depth	None specified	Not applicable

Minimum Yard Setbacks: (Through the SRA requirements)	Front: 20 feet Rear: 20 feet Side: 10 feet SRA: 30 feet, all sides	>30 feet all sides
Max. Building Height	35 feet	<35 feet
§314-61.1 Streamside Management Area (SMA)	Purpose: To provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.	<p>A Class II watercourse and a Class III watercourse run through the parcel. A 648-square-foot decommissioned cultivation area in the Streamside Management Area of the Class III watercourse is proposed for relocation to Cultivation Area #1 along with an 882-square-foot decommissioned historic outdoor cultivation area. In addition, a portion of an existing greenhouse is located within 50-feet of the head of a Class III ephemeral watercourse. The structure will be moved roughly 50-feet to the east so that all cultivation will occur outside of the required buffer.</p> <p>The proposal to consolidate and relocate the decommissioned areas requires a Special Permit for site reconfiguration and a Special Permit for activity within a SMA associated with the restoration work. Evidence provided by the applicant supports approval of this proposal. Cultivation Area #1 is environmentally superior because it is outside of Streamside Management Areas and because consolidating the cultivation makes managing sediment runoff more efficient and practical. The cannabis is to be consolidated around an existing cultivation area and will meet the requirements for slopes and setbacks found in the CCLUO. The decommissioned cultivation areas will be restored. As no grading or deforestation occurred at the decommissioned areas, restoration will be minimal. Any remaining areas of bare soil will be covered with straw and seeded with native plant species.</p>
Off-Street Parking §314-109.1	Off Street Parking: Multiple Use and Joint Use: whenever more than one use is proposed for a development site, the total off-street parking spaces required shall be the sum of	4 spaces

	<p>the spaces required for each use.</p> <p>Agricultural use*: Parking space per employee at peak shift. A minimum of three parking spaces are required.</p> <p><i>*Use for this activity is not specified. Per Section 314-109.1.2.9, the Director may fix the required number of parking spaces based on standards for most comparable use.</i></p>	
314-55.4 Commercial Cultivation, Processing, Manufacturing and Distribution of Commercial Cannabis Inland Land Use Regulation (CCLUO)		
§314-55.4.5.4 Permit Limits and Permit Counting	<p>No more than eight acres of Commercial Cannabis permits may be issued to a single Person. No more than ten (10) Persons shall be granted permits authorizing three (3) or more acres of cultivation pursuant to the provisions of 55.4.6.1.2(c).</p>	<p>According to records maintained by the Planning Department, Humboldt High Club, LLC has only this application for 1,825 square feet of mixed light and 1,550 square feet of outdoor commercial cannabis cultivation.</p>
§314-55.4.6.0 Conversion of Timberland	<p>Cultivation sites may only be located within an Non-Forested area that was in existence prior to January 1, 2016.</p>	<p>A review of aerial imagery on the Humboldt County WebGIS and Google Earth shows the parcel has naturally open areas where cultivation will occur. No timber conversion is evident in aerial imagery. This conclusion is supported by a memo from Blair Forestry Consulting dated April 11, 2019 and stating that Thomas F. Blair, Registered Professional Forester 2607 reviewed relevant imagery and did not identify any potential timber conversion on the site. No timber is proposed to be removed as part of the project.</p>

§314-55.4.6.4.4 Standard Setbacks	The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, 300 feet from any residence on an adjacent parcel or 270 feet from any undeveloped adjacent parcel, 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs) and 1,000 feet from all Tribal Ceremonial Sites.	The applicant's site plan shows that the cultivation area conforms to the 600-foot setback for schools, school bus stops, parks, or places of religious worship. A review by the Tribal Historic Preservation Officer indicated that there are not any nearby Tribal Cultural Resources or Tribal Ceremonial Sites. After relocation of decommissioned cultivation areas, all cultivation areas and ancillary structures will be outside of Streamside Management Areas and will be at least 30 feet from property lines.
§314-55.4.11 Application Requirements	Identifies the Information Required for All Applications	Attachment 4 identifies the information submitted with the application and shows all the required information was received.
§314-55.4.12 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities.	All the applicable performance standards are included as conditions of project approval. They are required to be met throughout the timeframe of the permit.
§314-55.4.12.1.8 Performance Standards– Road Systems	Roads providing access to any parcel(s) or premises on which commercial cannabis activities occur must comply with standards regarding dead-end road length, functional capacity and private road systems.	The project is located in the Miranda area, on the north side of Thomas Road, approximately 1000 feet southwest from the intersection of Thomas Road and Lower Thomas Road, on the property known as 3506 Thomas Road. It is accessed from a private-driveway off of the County-maintained portion of Thomas Road. This access route complies with the Road Performance Standards established in the CCLUO. The project was reviewed by the Department of Public Works, which recommended conditional approval. The applicant shall pave their driveway apron for a minimum width of 18 feet and a length of 50 feet at the point where it intersects with Thomas Road. Additionally, the applicant will maintain the intersection between their driveway and Thomas Road in compliance with County Code Section 341-1 (Sight Visibility Ordinance). These requirements have been included in the Conditions of Approval for the project.

<p>§314-55.4.12.1.10 Performance Standards–</p> <p>Biological Resource Protection</p>	<p>Projects proposing new development activities shall provide the necessary information to implement Mitigation Measures 3.4-1a – 3.4-1i, 3.4-3a, 3.4-4, 3.4-5 and 3.4-6 from the Final Environmental Impact Report.</p>	<p>The subject parcel is in the Salmon Creek watershed (HUC 12) and the South Fork Eel Watershed. It is primarily composed of mixed evergreen forest. Cultivation occurs in open meadow areas on the parcel and no timber conversion occurred or is proposed on the parcel. A Class II watercourse and a Class III watercourse run through the parcel. The project includes the decommissioning and relocation of historic cultivation areas within Streamside Management Area buffers and the restoration of their footprints.</p> <p>A review of data from the California Natural Diversity Database (CNDDDB) using Humboldt County WebGIS demonstrates that the nearest mapped Northern Spotted Owl siting is approximately 2.76 miles away from the subject parcel and the nearest mapped Northern Spotted Owl activity center is approximately 3 miles away. The nearest mapped Marbled Murrelet habitat is approximately 2.5 miles away. Per the applicant's Sound Evaluation Report prepared by TY R. Collins, a Registered Professional Engineer, ambient noise levels at the site across all recording points are between 36-40 dba. After cannabis cultivation has commenced, the applicant will submit a second sound study, which will be used to identify if there is an increase of three decibels or more. If an increase of over three decibels is observed, changes will be made to reduce sound levels. At no point will noise levels produced by cannabis cultivation be greater than 50 db.</p> <p>The project was referred to the California Fish and Wildlife Department (CDFW) and they have not provided comments. The applicant has applied for a Lake or Streambed Alteration Agreement with the California Department of Fish and Wildlife and shall adhere to the forbearance requirements established through their Final Streambed Alteration Agreement once issued, or through any</p>
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		<p>future Streambed Alteration Agreement. The applicant shall leave wildlife on the subject parcel undisturbed and shall allow wildlife to leave the work site unharmed. To minimize the risk of wildlife entrapment, the applicant shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves. Finally, all refuse shall be contained in wildlife proof storage containers and shall be disposed of at an authorized waste management facility.</p>
<p>§314-55.4.12.2 Performance Standards–</p> <p>Commercial Cannabis Cultivation</p>	<p>Identifies the Performance Standards for Cannabis Cultivation Activities.</p>	<p>The project as proposed and conditioned meets all the requirements stipulated in the cited section. In Attachment 1, these performance standards have been incorporated into the On-going Conditions of Approval that must be satisfied for the life of the project.</p>
<p>§314-55.4.12.4 Performance Standards–</p> <p>Light Pollution Control</p>	<p>a) Structures used for Mixed Light Cultivation and Nurseries shall be shielded so that no light escapes between sunset and sunrise.</p> <p>b) Where located on a Parcel abutting a residential Zoning District or proposed within Resource Production or Rural Residential areas, any Security Lighting for Commercial Cannabis Activities shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses.</p>	<p>The project includes 1,825 square feet of mixed light commercial cannabis cultivation in an existing greenhouse. Ongoing conditions of approval for the project require that the greenhouse be covered such that no light escapes between 30 minutes prior to sunset and 30 minutes after sunrise. All exterior and security lighting is shielded to prevent backlight, up light and glare (BUG). All operations will comply with International Dark Sky Standards. The applicant is required to demonstrate compliance with this condition prior to using artificial light in the mixed-light cultivation area or in the ancillary nursery/propagation area.</p>

<p>§314-55.4.12.5 Performance Standards– Energy Use</p>	<p>All electricity utilized by Commercial Cannabis Cultivation, Manufacturing or Processing activities shall conform to one or more of the following standards:</p> <ul style="list-style-type: none"> • Grid power supplied from 100% renewable source; and • On-site renewable energy system with twenty percent net non-renewable energy use <p>Grid power supplied by partial or wholly non-renewable source with purchase of carbon offset credits.</p>	<p>The power source for the project will be the Pacific Gas and Electric (PG&E) solar choice program. Demonstration of enrollment is required prior to using any supplemental lighting for the mixed light or propagation areas on the site. Therefore, the project conforms with the standard.</p>
<p>§314-55.4.12.6 Performance Standards– Noise</p>	<p>Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site. Existing ambient noise levels shall be determined by take twenty-four measurements on three or more property lines when all cannabis related activities are not in operation.</p>	<p>The subject parcel is not located in an area that requires special noise attenuation measures due to proximity to known noise sources. Power is provided by the Pacific Gas and Electric (PG&E) solar choice program. The closest Northern Spotted Owl (NSO) activity center is 2.76 miles to the southeast of the subject parcel. Marbled murrelet habitat is approximately 2.5 miles to the south of the subject parcel. Potential impacts to habitat are minimized as power to the subject parcel is provided by PG&E. The applicant provided a Sound Evaluation Report stating that ambient noise levels on the parcel range between 36 and 40 decibels. On-going conditions of approval require noise from the operation not to exceed an increase of three decibels above ambient noise levels.</p>

<p>§314-55.4.12.7 Performance Standards – Cannabis Irrigation</p>	<p>A Special Permit shall be required where Irrigation of Commercial Cannabis Cultivation Activities occurs wholly or in part using one or more Diversionary sources of water. All Cannabis Irrigation, regardless of cultivation area, shall be subject to documentation of water use, forbearance periods and storage requirements, metering and recordkeeping.</p>	<p>The applicant anticipates one outdoor harvest and four mixed light harvests per year. The water source for the project is rain catchment. Water will be captured off of the roof of the shop building used for propagation, the residence, and the mixed light greenhouse. There are currently 15 hard tanks with a total capacity of 28,400 gallons on the parcel and an additional 15 water tanks with a total capacity of 37,500 gallons are proposed. The total existing and proposed water storage capacity is 65,900 gallons. Water will be delivered to the cannabis plants via a metered drip irrigation system with timers. The applicant's estimated annual water use is 45,947 gallons. Water use shall be metered, and monthly records kept on site as an ongoing operational condition of approval.</p>
<p>314-55.4.12.10 Performance Standards – Soils Management</p>	<p>A soils management plan shall be provided detailing the use of imported and native soil on the Parcel(s) or Premises. The plan shall provide accounting for the annual and seasonal volume of soil that is imported and exported and documentation of the approved location of any Parcel(s) used for off-site disposal of spent soil if this occurs or is proposed.</p>	<p>Per the Soil Management plan provided by the applicant (See Materials Management Plan in Attachment 4), the applicant requires roughly 46,5 yards of soil annually for cultivation. The Applicant reamends their soil for each cultivation cycle in order to reduce the amount of imported soil the cultivation activity may take. Should the soil ever be found no longer viable, it will be removed and disposed of at an approved waste management facility's green waste center. Should the Applicant utilize a green waste center, they will obtain a receipt and store it with their records.</p>

314-55.4.12.11 Performance Standards – Existing Site Reconfiguration	Where an existing site does not conform to one or more performance standards or eligibility criteria, or cannot comply with local, state, or federal regulatory requirements, reconfiguration of the cultivation site and associated infrastructure may be permitted, provided that the reconfiguration results in an improvement in the environmental resources of the site.	The cultivation that historically occurred on the parcel prior to January 1, 2016 is proposed to be relocated and consolidated. A 648-square-foot decommissioned cultivation area in the Streamside Management Area of the Class III watercourse is proposed for relocation to Cultivation Area #1 along with an 882-square-foot decommissioned historic outdoor cultivation area. The proposal to consolidate and relocate the decommissioned areas requires a Special Permit for site reconfiguration and a Special Permit for activity within a SMA associated with the restoration work. Evidence provided by the applicant supports approval of this proposal. Relocating the historic outdoor cultivation areas to Cultivation Area #1 results in an improvement to the environmental resources on the site because it is outside of Streamside Management Areas and because consolidating the cultivation makes managing sediment runoff more efficient and practical. The cannabis is to be consolidated around an existing cultivation area and will meet the requirements for slopes and setbacks found in the CCLUO.
314-55.4.12.13 Performance Standards – Remediation Activities	All remediation activities shall be conducted in accordance with the requirements for Mitigation and Monitoring Plans described within 314-61.1 of the Humboldt County Code, including the standards for documentation, reporting, and adaptive management.	As no grading or deforestation occurred at the decommissioned areas, restoration will be minimal. Any remaining areas of bare soil will be covered with straw and seeded with native plant species.
314-55.4.12.16 Performance Standards – Invasive Species Control	It is the responsibility of a certificate or permit holder to work to eradicate invasive species.	Submission of an Invasive Species Plan is a condition of project approval.

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

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

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

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

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

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

ATTACHMENT 3

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

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

APN 219-011-008, Salmon Creek, County of Humboldt

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

June 2020

Background

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

The modified project involves a Zoning Clearance Certificate for 1,825 square feet of mixed light and 1,550 square feet of outdoor commercial cannabis cultivation supported by a Special Permit for minor site reconfiguration and a Special Permit for activity within a Streamside Management Area to restore a decommissioned cultivation site. The applicant anticipates one outdoor harvest and four mixed light harvests per year. The water source for the project is rain catchment. The total existing and proposed water storage capacity is 65,900 gallons. Water will be delivered to the cannabis plants via a metered drip irrigation system with timers. The applicant's estimated annual water use is 45,947 gallons. The power source to the project will be Pacific Gas & Electric (PG&E) via the Solar Choice program. Harvested cannabis will be dried on site and will be taken off site for further processing. The project is family operated with no employees. A Biological Report was prepared for the site by Trans Terra Consulting received January 2019. No special status wildlife was observed on the site. The project would not impact any biological resources.

The modified project is consistent with the adopted EIR for the CCLUO because it complies with all standards of the CCLUO which were intended to mitigate for impacts of new and existing cannabis operations. These include complying with County Fire Safe regulations, noise and light attenuation measures to limit disturbance to wildlife, supplying irrigation water from a non-diversionary source and electricity from renewable sources.

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

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

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the Final EIR recommended mitigations. The proposal to authorize 1,825 square feet of mixed light and 1,550 square feet of outdoor commercial cannabis cultivation is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

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

- Cultivation and Operation Plan prepared by Green Road Consulting, received May 19, 2020
- Addendum to Cultivation and Operations Plan by Green Road Consulting received April 29, 2020
- Materials Management Plan prepared by Green Road Consulting received January 07, 2019.
- Sound Evaluation Report prepared by Green Road Consulting received December 27, 2018.
- Site Plan prepared by Green Road Consulting, received May 19, 2020.
- Site Management Plan prepared by Green Road Consulting received May 19, 2020.
- Road Evaluation Report received December 28, 2018 stating that the project is off the County-maintained section of Thomas Road.
- Memo by Blair Forestry stating that no timber conversion was identified on the subject parcel, received April 29, 2020.
- Biological Report prepared by TransTerra Consulting received January 2019.
- Cultural Resources Study prepared by Archaeological Resources And Supply Company received December 2018.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See Purpose statement above.

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

FINDINGS

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

CONCLUSION

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

ATTACHMENT 4

APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Site Plan prepared by Green Road Consulting, received May 19, 2020 - Attached)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; water source; irrigation plan; projected water usage; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operation Plan prepared by Green Road Consulting, received May 19, 2019 - Attached)
5. Description of water source, storage, irrigation plan, and projected water usage. (On file).
6. Addendum to Cultivation and Operations Plan by Green Road Consulting received April 29, 2020 (Attached)
7. Materials Management Plan prepared by Green Road Consulting received January 07, 2019. (Attached)
8. Sound Evaluation Report prepared by Green Road Consulting received December 27, 2018. (Attached)
9. Cultivation Area Verification Memo by Green Road Consulting received December 13, 2018. (Attached)
10. Site Management Plan prepared by Green Road Consulting received May 19, 2019. (Attached)

11. Road Evaluation Report received December 28, 2018 stating that the project is off the County-maintained section of Thomas Road. (Attached)
12. Memo by Blair Forestry stating that no timber conversion was identified on the subject parcel, received April 29, 2020. (Attached)
13. Inspection Memo by Devin Sutfin, Cannabis Planner for PLN-2018-15250 dated February 24, 2020. (Attached)
14. Biological Report prepared by TransTerra Consulting received January 2019. (On file)
15. Division of Environmental Health Worksheet. (On file)
16. 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)
17. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
18. 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)
19. Notification of Lake and Streambed Alteration received April 29, 2020. (On file)
20. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under Senate Bill 18 (Burton) and Assembly Bill 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to tribal cultural resources (see Informational Note #3 for examples of resources). Examples of mitigation include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)



Site Plan Overview and Cultivation and Operations Plan

Applicant/Owner

Humboldt High Club, LLC

PO Box 338

Redway, CA 95519

APN: 219-011-008

Phone Number: 707-223-4485

Agent

Kaylie Saxon

Green Road Consulting

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McKinleyville, CA 95519

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I. Site Plan Overview

1.0 Project Information

Humboldt High Club, LLC (“Applicant”) is submitting this application for a Zoning Clearance Certificate for 1,550-square feet of existing Outdoor and 1,825-square feet of Mixed Light commercial cannabis cultivation on a 12-acre parcel, located near Miranda, CA (“Parcel”), Assessor’s Parcel Number 219-011-008.

There is one, 1,825 ft² greenhouse that was in existence prior to January 1, 2016 and approximately 1,550 ft² area of full-term outdoor cultivation that was also in existence prior to January 1st 2016.

The Applicant will be sourcing irrigation water from a rainwater catchment system on the parcel. The system utilizes the Shop, Residence and Greenhouse as a catchment area, and then pipes the water to the storage tanks. A drip irrigation system is set up for all cultivation areas.

There are currently fifteen (15) HDPE tanks totaling 28,400-gallons of water storage. The Applicant is proposing the addition of fifteen (15) additional HDPE tanks, providing an additional 37,500-gallons of storage, for a total of 65,900-gallons of water storage for the parcel. The Applicant estimates their annual water use to be 45,947-gallons.

There are six (6) buildings on site. Residence #1 is a 12’x40’ place of living that was constructed in 2012. Residence #2 is an abandoned home that was built pre-1950 that is unfit for living and will be demolished with the proper permitting. Residence #1 and Residence #2 do not have a nexus to cannabis activity.

The Shop is a 20’x40’ structure that was built in 2014. It is used for the propagation of immature plants. The Junior Barn is a 12’x10’ shed that is used to store nutrients and pesticides for the cultivation activities. Cargo Containers #1 - #3 are 20’x8’ containers that will be used to dry and store harvested cannabis.

Power is provided to the parcel by PG and E. There are two (2) 200-gallon propane tanks on site, one that serves Residence #1 and one that serves the Greenhouse. There is both a compost and a soil pile on site. Trash and refuse are stored in water tight containers within the Shop.

This parcel has not garnered any code enforcement action; however, all cultivation activities have ceased, and cultivation medium has been removed until this Application is approved. The Applicant is anticipating 4 harvests annually from the mixed light greenhouse and one harvest annually from the full-sun, outdoor canopy area. The Applicant will be machine processing on site.

This application is submitted through their agent, Kaylie Saxon of Green Road Consulting, Inc., and has been prepared in accordance with Humboldt County’s (“County”) Commercial Medical Marijuana Land Use Ordinance (“CCLUO”).

The Zoning Clearance Certificate would achieve the following results for the Applicant:

- a. Permit 1,550 square feet of outdoor and 1,825 square feet of mixed light commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CMMLUO.

- b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the State Water Resources control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near Miranda, CA. The Parcel is comprised of 12-acres and is identified by Assessor's Parcel Number ("APN") 219-011-008. There is no street address for the parcel.

2.1 Zoning Classification

The County's Zoning Classification of the Parcel is FR-B-5 (40) with a Current General Plan Framework of RA40. The CCLUO permits existing commercial cannabis cultivation on land zoned as FR with open air cultivation sites up to 10,000 square feet with a Zoning Clearance Certificate.

2.2 Site Topography

A map of the Parcel's topography is included as Attachment "A."

3.0 Easements

The following information is taken from Exhibit "A" of the Grant Deed, a copy of which is included in Evidence of Ownership and Authorization section of this application.

Exhibit A

DESCRIPTION

That real property situate in the County of Humboldt, State of California, described as follows:
PARCEL ONE:

A portion of the Northeast Quarter of Section 13, Township 3 South, Range 2 East, Humboldt Meridian more particularly described as follows:

BEGINNING at a point on the West line of Parcel 4, as said parcel is numbered and delineated on Parcel Map No. 22, filed in Book 1 of Parcel Maps, page 34 through 37 inclusive in the Humboldt County Recorded Office which bears South 0 degrees 23 minutes 57 seconds East, 181.89 feet from the Northwest corner of said Parcel 4 and which also bears North 65 degrees 59 minutes 30 seconds West, 110 feet from a 5/8 inch diameter reinforcing bar with aluminum cap stamped "Griffith 1973 LS 3318"; thence South 65 degrees 59 minutes 30 seconds East, 110 feet to the aforesaid 5/8 inch diameter reinforcing bar, thence continuing in a straight line South 65 degrees 59 minutes 30 seconds East, 450 feet to a 5/8 inch diameter reinforcing bar with aluminum cap stamped "Griffith 1973 LS 3318 P. C."; thence South 74 degrees 21 minutes 14 seconds East, 457.06 feet to a 5/8 inch diameter reinforcing bar with aluminum cap stamped "Griffith 1973 LS 3318" set to mark a 60 foot non-exclusive easement as delineated in the said Parcel Map; thence continuing in a straight line South 74 degrees 21 minutes 13 seconds East, 42.44 feet to a point on an angle in the centerline of said 60 foot non-exclusive easement; thence Northeasterly along the said

centerline the following three courses and distances: North 36 degrees 56 minutes 45 seconds East, 187.02 feet, thence North 26 degrees 57 minutes 30 seconds East, 296.28 feet, thence North 80 degrees 23 minutes 37 seconds East, 86.69 feet to a point on the East line of said Parcel 4; thence leaving said centerline of the 60 foot non-exclusive easement, North 0 degrees 18 minutes 59 seconds

East along the East line of Parcel 4, 118.4 feet to the Northeast corner thereof, thence South 89 degrees 56 minutes 23 seconds West along the North line of said Parcel 4, 1,325.27 feet to the Northwest corner of said Parcel 4; thence South 0 degrees 20 minutes 57 seconds East, along the West line of said Parcel 4, 181.89 feet more or less to the point of beginning.

PARCEL TWO

A non-exclusive easement for ingress and egress, pipelines for conveying water, and for public utilities over the strips of land 60 feet in width the centerlines of which are described and delineated on said Parcel Map as centerlines of 60 foot right of way together with the right to convey said easements to others.

PARCEL THREE:

The non-exclusive right to install, maintain or replace a water supply system with necessary pipelines for conveying water within the East 10 feet and that portion of the Northerly 20 feet of Parcel 3 as shown and delineated on said Parcel Map lying Easterly of the creek shown on said Parcel Map and known as Mineral Creek, together with the right to take water for the benefit of the parcel subject of this description or any portion thereof.

4.0 Natural Waterways

There is one (1) Class II Watercourse and two (2) Class III drainages that run through the parcel. There is also an off-stream, catchment pond that is not used for any cultivation purposes. The cultivation resides more than 50-feet away from any drainage and more than 100-feet away from any water course.

5.0 Location and Area of Existing Cultivation

Outdoor, Open-Air Cultivation – 1,550 ft²

*The Applicant anticipates one harvest annually from their full-term cultivation area.

Cultivation Area #1

Cultivation Area #1 will be a 1,550' square foot area of full-sun, outdoor canopy.

Mixed Light, Open-Air Cultivation – 1,825 ft²

*The Applicant anticipates four (4) harvests annually from the mixed light cultivation area.

Greenhouse #1

Greenhouse #1 is a 73'x25' greenhouse totaling 1,825 ft² of mixed light canopy area.

6.0 Setbacks of Cultivation Area

Cultivation Area #1

Cultivation Area #1 is setback from the closest parcel line by 141 feet. Because this is within 300 feet of a developed parcel, the Applicant will be obtaining consent from the neighboring parcel owner.

Greenhouse #1

Greenhouse #1 is setback from the closest parcel line by 127 feet. Because this is within 300 feet of a developed parcel, the Applicant will be obtaining consent from the neighboring parcel owner.

7.0 Access Roads

The following details regarding the Access Roads, Stream Crossings and Legacy Waste Discharges was gathered from an initial site investigation conducted by environmental scientists, which was conducted in accordance with SWRCB Order WQ 2017-0023-DWQ. A Site Management Plan will be completed prior to cultivation activities beginning.

The permanent roads on the site are maintained by the property owner and are generally in good condition. The road surface is rocked and well drained. The initial site investigation determined that no major road work is required at this time. Annual monitoring of the roads should be conducted by the property owner in order to maintain their integrity and anticipate any contingencies (i.e. erosion, road failure, undersized/plugged culverts) if they shall arise. All roads shall be maintained and designed in accordance to the Pacific Watershed Associates (PWA) "Handbook for Forest, Ranch, and Rural Roads"

There is one (1) stream crossing located on the parcel that will require permitting through the California Department of Fish and Wildlife via a Lake and Streambed Alteration Agreement (CDFW LSAA). All stream crossings will need to be sized to withstand the anticipated 100-year storm event.

8.0 Graded Flats

There are two graded areas that were in existence prior to January 1, 2016.

9.0 Existing Buildings

Domestic Buildings

Residence #1

Residence #1 is a 12'x40" home located on the parcel. It does not have a nexus to the cannabis cultivation activity.

Residence #2

Residence #2 is an 800 ft² home that was built some time before 1950. Because the structural integrity of the home has been compromised, it has been abandoned and will be removed with the proper permitting.

Cultivation Related Buildings

Shop

The Shop is a 20'x30' building that was constructed in 2014. It is used to propagate immature plants for the onsite cultivation and for general refuse storage.

Junior Barn

The Junior Barn is a 12'x10' building that was constructed in 2014. It is used to store nutrients and pesticides for the cultivation within secondary containment.

Cargo Container #1 - #3

Cargo Container #1 - #3 are 20'x8' containers that were placed in 2014. They are used to dry and store harvested cannabis.

10.0 Water Source, Storage, Irrigation Plan and Projected Water Use

10.1 Water Source

Water used for cannabis irrigation is sourced from the rainwater catchment system on site. The following formula was used to ascertain whether or not the Applicant would be able to collect enough rainwater for their cultivation. The roof of the Shop, the Residence and the Greenhouse are used as catchment areas, which total 3,080 ft². The average annual rainfall for Humboldt County, CA is 42 inches and was sourced from usclimatedata.com

Catchment Area (ft²) x Rainfall Depth (in.) x 0.623 (conversion factor) = Harvest Water (gal)

$$3,080 \text{ ft}^2 \times 42 \text{ in} \times 0.623 = 80,591 \text{ gallons}$$

The estimated annual water use is approximately 45,947-gallons. The Applicant will be able to store enough water to forebear during the dry season with their rainwater catchment system. The Applicant is also in progress on completing a Small Irrigation Use Registration as a back up water source.

10.2 Water Storage

The Applicant has fifteen (15) HDPE tanks totaling to 28,400-gallons of water storage in place and is proposing fifteen (15) additional tanks totaling 37,500-gallon, for a parcel water storage total of 65,900-gallons. The tanks are outlined below.

Existing Water Tanks

- Eight (8) 2,500-gallon HDPE tanks
- Seven (7) 1,200-gallon HDPE tanks

Proposed Water Storage

- Fifteen (15) 2,500-gallon HDPE tanks

10.3 Irrigation Plan

The Applicant uses a drip irrigation system at an agronomic rate. A Water Use Assessment including a water budget that outlines projected monthly irrigation demands broken out by each discrete cultivation site and the monthly water demands. The Water Use Assessment is included as Attachment, "B."

10.4 Projected Water Use

The amount of water used for the cultivation of cannabis will vary throughout the year, with peak periods of water use occurring during the summer months. The Applicant's cultivation and water use is outlined in the Cultivation and Water Usage Chart, attached as Attachment "B."

10.5 On-Site Water Conservation Measures

All irrigation infrastructure will be regularly inspected for leaks and immediately repaired if any are found. Weed free mulch or straw will be used in cultivation areas that do not have ground cover to reduce evaporation and conserve water. Water conservation such as water timing and drip irrigation will be implemented to ensure water is applied at agronomic rates. The cultivator will record daily irrigation water usage and maintain records on site for a minimum of 5 years.

10.6 Water Use Record Keeping Practices

Per Sections 55.4.12.7.5 through 55.4.12.7.7, the applicant will adhere to the following metering and record keeping practices.

- A metering device shall be installed and maintained on all discrete points of diversion or other locations of water withdrawal (in this case, the Applicant's well). The meter shall be located at or near the point of diversion or withdrawal.
- A metering device shall be installed and maintained at or near the outlet of all water storage facilities utilized for Irrigation.
- Operators shall maintain a weekly record of water collected from Diversionary sources, as well as a record of all water used in Irrigation of permitted Cultivation Areas. A copy of these records shall be stored and maintained at the cultivation site and kept separately of differentiated from any record of water use for domestic, fire protection, or separately or differentiated from any record of water use for domestic, fire protection, or other irrigation purposes. Irrigation records shall be reported to the County on an annual basis, at least thirty (30) days prior to the date of each annual permit inspection. Records shall also be made available for review during site inspections by local and state officials.

11.0 Site Drainage, Runoff, Erosion Control Measures and Watershed Protection

The following details gathered from an initial site investigation conducted by environmental scientists, which was conducted in accordance with SWRCB Order WQ 2017-0023-DWQ. A Site Management Plan will be completed prior to cultivation activities beginning.

The applicant has an existing rainwater catchment system which consists of fifteen (15) HDPE tanks totaling to 28,400-gallons.

The applicant is proposing fifteen (15) additional tanks totaling 37,500-gallon, for a parcel water storage total of 65,900-gallons.

The following formula was used to ascertain whether or not the applicant would be able to collect enough rainwater for their cultivation. The roof of the Shop, the Residence and the Greenhouse are used as catchment areas, which total 3,080 ft². The average annual rainfall for Humboldt County, CA is 42 inches and was sourced from usclimatedata.com

Catchment Area (ft²) x Rainfall Depth (in.) x 0.623 (conversion factor) = Harvest Water (gal)

$$3,080 \text{ ft}^2 \times 42 \text{ in} \times 0.623 = 80,591 \text{ gallons}$$

The estimated water use during the forbearance period is approximately 22,611-gallons. The applicant will be able to store enough water to forebear during the dry season with their rainwater catchment system. However, the applicant would also like to secure a Small Irrigation Use Registration (SIUR) through the State Water Resources Control Board Division of Water Rights (SWRCB DWR) as a backup water source and has contracted GRC to complete the registration.

All fertilizers, Pesticides, Herbicides and Rodenticides will be mixed or prepared in locations where they cannot enter a waterbody (surface or groundwater). Fertilizers, Pesticides, Herbicides and Rodenticides shall be applied at agronomic rates specified on the product label. The enrollee will keep a log of their fertilizers, pesticides and herbicides use for annual reporting. All labels will be kept, and directions followed when amendments and fertilizers are applied. All liquid chemicals will be stored in **separate** secondary containment. During the off season all chemicals will be stored in a locked building. **Agricultural chemicals will not be applied within 48-hr of a predicted rain event with a 50% or greater chance of 0.25-inches.** Disposal of unused products will be consistent with labels on containers. Empty containers will be disposed of at an authorized recycling center. A spill clean-up kit will be stored in the garage/shop. No restricted materials or pesticides will be used or stored on site. No greater than 319 pounds of nitrogen per acre per year shall be applied.

A spill cleanup kit will be located in areas where chemicals are stored. If the applicant wishes to use generators, they will be located outside of riparian areas and stored in a covered building when not in use.

All trash on site will be contained in bins with lids, outside of riparian areas until they can be removed to an approved waste facility on a weekly basis.

Compostable cultivation waste will be stored in a location and manner where it cannot be transported to surface waters. Spent growth medium (e.g. soil) shall either be reused, disposed of at an appropriate waste site, or be spread outside of riparian setbacks and planted with native vegetation.

The applicant is currently utilizing a portable toilet on site until a permitted septic can be installed. Portable toilets will be serviced regularly and located outside of riparian setbacks and away from unstable areas.

Winterization

It is required that winterization measures be completed annually **before** the onset of the winter rainy season. The SWRCB has defined the winter season as beginning **November 1st** and concluding **April 1st**. Winterization measures apply to cultivation areas, any additional disturbed areas including roads, and stream crossings. These measures aim to prepare the site for an extended period of heavy precipitation during which frequent access, monitoring, and maintenance can be challenging or infeasible. The end goal is to reduce the erosion of unstable areas and prevent the delivery of eroded sediment to sensitive waterways.

One of the primary techniques of winterization consists of stabilizing all bare soils with straw and seed. Fiber rolls shall additionally be installed at grade breaks and along slopes of disturbed areas to break up flow paths, thereby reducing the speed and erosive energy of runoff. No heavy machinery shall be used during the winter season to avoid the degradation of saturated roadways and unstable surfaces. Soil stock piles shall be guarded before the onset of winter with a cover and/or perimeter controls such as fiber rolls. Culverts shall be inspected and maintained to ensure integrity during winter. This includes clearing inlets and outlets of sediment and/or debris and ensuring that sufficient energy dissipation exists at outlets to reduce bank erosion. Seasonal access roads shall be locked to ensure that roads are not in use during the wet season by trespassers.

Aside from the erosion control components to winterization, a general and thorough site cleanup will be performed to remove all refuse from the site. Additionally, all fertilizers and petroleum products to be left on site will be stored in secondary containment and locked in the shipping container to avoid spillage and discharge to surface or groundwater.

Monitoring will be broken up into 3 reports; Facility Status, Site Maintenance, and Storm Water Runoff Monitoring. For Low Risk sites the only monitoring report required is the Facility Status Report. For Moderate and High-Risk sites all three monitoring reports need to be completed. See "Site Erosion and Sediment Control Plan" for details on the Site Maintenance and Storm Water Runoff Monitoring.

Annual reports for the cultivation site will be submitted to the North Coast Regional Water Quality and Control Board (NCRWQCB) prior to March 1 of the following year. The annual report shall include the following:

Facility Status, Site Maintenance, and Storm Water Runoff Monitoring

Name and contact information for the person responsible for operation, maintenance, and monitoring. Reporting documents can be emailed to northcoast@waterboards.ca.gov or mailed to 5550 Skylane Blvd., Ste. A, Santa Rosa, CA 95403.

12.0 Biological Assessment

A full biological assessment was completed for the parcel by a qualified biologist. The report is expected to be completed sometime during January 2019 and will be provided to Humboldt County once available.

13.0 Stormwater Management Plan

Stormwater on the Parcel should be fully contained by the rainwater catchment system used for cultivation. There also will not be any additional buildings proposed that will alter the stormwater.

14.0 Energy Use

Cultivation Activities are served by PG and E grid power. The Applicant will enter the Solar Choice program to off set 100% of energy used.

15.0 Timber Conversion Evaluation

The Applicant has contracted Blair Forestry Consultants to complete a Timber Conversion Evaluation.

16.0 Distances from Significant Landmarks

There are no schools, school bus stops, places of worship, or state parks within 600 feet of the cultivation site. There are also no Tribal Lands, areas of Traditional Tribal Cultural Affiliation within 1,000 feet of the cultivation site. The Applicant has a report with a licensed archaeologist in process.

II. Cultivation and Operations Plan

1.0 Materials Storage

All fertilizers and amendments are located in the Junior Barn on the Parcel. Fertilizers and amendments are placed on the shelves and floor where any spill will be contained. All labels are kept and directions are followed when nutrients are applied. The storage area is in need of posted instructions for storing fertilizers and amendments, instructions for cleaning up spills and a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (kitty litter).

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis. The Applicant will be using items that were accepted under Legal Pest Management Practices for Marijuana Growers in California.

The Applicants Materials Management Plan is included with the Application further detailing their waste management practices.

1.1 On-Site Waste Treatment System Information

The Applicant has an unpermitted septic system on-site. They are contracted to have this system evaluated and permitted through the Humboldt County Department of Environmental Health.

The system currently only is used for domestic purposes, should employees be on site, the Applicant will first have portable toilets and handwashing stations delivered for use.

2.0 Cultivation Activities

The Applicants Cultivation Chart is included as Attachment “B.”

Mixed Light Cultivation

- Structures used for Mixed Light Cultivation and Nurseries shall be shielded to that no light escapes between sunset and sunrise. The Applicant will ensure this by covering the greenhouses with blackout plastic during the hours between sunset and sunrise while artificial lighting is in use.
- The lighting will comply with the 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).
- Should the Humboldt County Planning Division receive complaints that the lighting is out of alignment or not complying with these standards, the Applicant will provide written verification that the lights’ shielding, and alignment has been repaired, inspected and corrected as necessary.

Cultivation Standards

The Applicant will adhere to and uphold the following cultivation standards:

- Maintain compliance with all applicable state laws and County ordinances
- Maintain valid licenses issued by the appropriate state licensing authority or authorities for the type of activity being conducted, as soon as such licenses become available.
- Where subject to state licensures, participate in local and state programs for “Track and Trace” once available.
- Maintain a current, valid business license at all times.
- 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).
- Pay all applicable application and annual inspection fees.
- Comply with any special conditions applicable to the permit or Premises which may be imposed.

3.0 Processing Practices

Plants will be harvested one at a time using hand shears and taken into the Cargo Containers #1 - #3 where it will be dried and cured. Harvested cannabis will be processed by hiring a licensed, 3rd party processor.

All work surfaces and equipment are maintained in a clean, sanitary condition. Protocols to prevent the spread of mold are strictly followed. The final cannabis product is stored in a secure location.

The Applicant will be utilizing any Track and Trace program the County seeks to implement, abiding by all appropriate record keeping practices.

While the Applicant is currently not anticipating the use of any employees, the following standards will be upheld if employees are hired.

- Applicant 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.)
- 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:
 - Emergency action response planning as necessary;
 - Employee accident reporting and investigation policies;
 - Fire prevention;
 - Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - Materials handling policies;
 - Job hazard analyses; and
 - Personal protective equipment policies, including respiratory protection.
- Applicant will visibly post and maintain an emergency contact list which includes at a minimum:
 - Operation manager contacts;
 - Emergency responder contacts;
 - Poison control contacts.
- 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.
- On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

The Applicant will ensure the 3rd party processing company adheres to the following standards.

- Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
- Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis
- Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
- Employees must wash hands sufficiently when handling cannabis or use gloves.

Parking and Public Accommodations

The Applicant does not intend to have their facility open to the public. There is enough space for 6 vehicles to park at any given time. Should employees be added, an additional 2 spaces per employee and compliance with the Americans with Disabilities Act will be maintained

4.0 Security Measures

The access road to the parcel is gated and locked.



Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

RE: Humboldt High Club – Humboldt County APPS 15250 – APN: 219-011-008

April 27th, 2020

To Whom It May Concern:

The following information should be added to the Cultivation and Operations Plan for Humboldt High Club, APPS #15250, APN: 219-011-019.

Cultivation Area

Mixed Light Cultivation

Greenhouses#1

Greenhouses #1 is an 80'x25' greenhouses structure, located in the southern section of the parcel. Greenhouse #1 was in existence prior to January 1st, 2016.

Outdoor Cultivation

CA#1

CA#1 will consist of 1,530 square feet of full-term (outdoor) cultivation near the middle of the parcel. The Applicant intends to consolidate the pre-existing outdoor cultivation to one location outside of the streamside management area.

Onsite Relocation

The historic cultivation was situated within an SMA. The new location will be out of the SMA and consolidated into one area thus making it environmentally superior. In addition, consolidating the cultivation to one general area will make managing sediment runoff more efficient and practical.

Green Road Consulting conducted a site visit on 11.8.18. It did not appear that any largescale grading (over 50 cubic yards) occurred at the site containing the historic cultivation. In addition, it is the opinion Blair Forestry that no tree clearing for cannabis cultivation has occurred on this property. Therefore, any serious reforestation is unnecessary. Any remaining areas of bare soil shall be covered with straw and seeded for stability.

Propane Tank

The propane tank is used by the residence for domestic purposes.

Waterboard Enrollment

The Applicant will enroll in the State Waterboard's Cannabis Waste Discharge program once the project is approved by the Planning and Building department but prior to applying for a CDFA (California Department of Food and Agriculture) cannabis cultivation license. Typically, enrollment in the State Waterboard Cannabis Waste Discharge Program is not required until the Applicant starts discharging cannabis waste. However, per the request of the Planning and Building department a Site Management Plan has been prepared in accordance with the SWRQB (state Water Resource Quality Control) guidelines.

PG&E

The Applicant will enroll in the PG&E Solar Choice program once they are legally able to commence operations.



**GREEN
ROAD**
CONSULTING

Materials Management Plan



Applicant

Humboldt High Club, LLC

PO Box 338

Redway, CA 95519

APN: 219-011-008

Phone Number: 707-223-4485

Agent

Kaylie Saxon

Green Road Consulting, Inc.

1650 Central Avenue, Suite C

McKinleyville, CA 95519

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1.0 Project Overview

Per Section 55.4.12.1.13 of the CCLUO, the Applicant must identify a plan for the disposal of project-related waste, including: solid waste such as plant material, greenhouse framing, plastics and tarpaulin use in greenhouse sheathing and coverings, household trash, product packaging and containers, irrigation tubing, pots and similar containers used for propagation and cultivation, lighting, water bladders or tanks, pond liners, electrical lighting fixtures, wiring and related equipment and fencing. Other forms of waste include effluent and byproducts from commercial activities (e.g. water or wastewater rich in plant chlorophyll or salts, spent fuels or solvents, etc.)

This Waste Management Plan describes methods that will be used to make cannabis waste unusable and unrecognizable, and how it will be stored prior to disposal. In addition, the Plan describes if or how cannabis waste will be transported from the cultivation site to a solid waste facility or landfill.

The Plan also describes procedures that the Applicant will implement to reduce waste and to ensure compliance in the storage and disposal of non-cannabis hazardous and universal waste, among other items.

The Applicant has developed waste disposal processes and procedures that will ensure compliance with storage and disposal requirements for all waste types, prevent waste from becoming a hazard to the facility or environment, and detect and prevent diversion of cannabis plant waste.

All waste types, including cannabis waste, will be securely stored, handled, recorded, transported, and disposed of in accordance with applicable local, state, and federal laws and regulations. The Applicant is committed to an approach that prevents the diversion of THC-containing materials from the site, protects the health and welfare of the community, mitigates the risk of water or air pollution, prevents the spread of disease and conserves natural resources.

The Applicant will maintain accurate and comprehensive records that account for and reconcile all waste activity related to the disposal of cannabis and cannabis products. Any cannabis waste will be recorded into Track and Trace System, in accordance with state and local regulations.

2.0 Methods for Cannabis Waste

California Code of Regulations Title 3. Food and Agriculture Division 8 Cannabis Cultivation Chapter 1 Cannabis Cultivation Program requires cannabis plant waste to be rendered unusable and unrecognizable before disposal. Licensees are able to dispose of cannabis waste in three ways: (1) on-site composting, (2) permitted waste hauler, or (3) self-hauling to a licensed solid waste facility.

The most sustainable way to render cannabis waste unusable and unrecognizable is by grinding plant debris with paper or cardboard waste, growing media or soil. By grinding the materials, it increases the decomposition process of the cannabis waste.

After each harvest the Applicant will grind cannabis stalks, leaves, and any flower that is unusable for sale with growing media to render all cannabis waste unusable and unrecognizable.

After cannabis waste is unrecognizable and unusable all cannabis waste is composted on site.

Any non-cannabis waste generated from business operations will be kept in water tight trash receptacles next to the garage. It will be hauled to the local waste facility.

All cannabis waste will be weighed and recorded into Track and Trace within three (3) business days of becoming waste.

3.0 Storage of Cannabis Waste

The Applicant will store all cannabis waste within the Shop. The Shop will be restricted to the Applicant, employees, and local agency.

A short training will be provided to all employees on the Applicant's cannabis waste system to ensure that recyclable material is not contaminated with other types of waste.

4.0 Disposal of Cannabis Waste

All cannabis waste will be placed in the onsite compost that is a limited access area to the Applicant, employees, and local agency. The compost will be The Applicant will be repurposing the compost product into the cultivation soil to improve soil fertility and microbial activity.

According to the United States Environmental Protection Agency, there are main areas to control when composting: particle size, temperature, moisture content, and oxygen flow.

By shredding the materials into a smaller particle size, they produce a more homogenous mixture and improves pile insulation to help maintain optimum temperature. Reaching the optimum temperature promotes rapid composting and destroys pathogens. Humboldt County's climate provides optimum conditions for the moisture content that is needed for the microorganisms that break down the waste. On dry weeks, the Applicant will apply a small amount of water if the compost pile is too dry. To improve oxygen flow, the Applicant will turn the pile or include woodchips to help aerate the pile to increase the decomposition process.

The Applicant will keep their compost less than 200 cubic yard in size. The compost area will be tarped and wattled to prevent runoff.

5.0 Soil Management

The use of Native Soil versus Imported soil for a cannabis farm is a decision based on a variety of factors, from soil type, location, cultivation style and climate. The Applicant imports soil (potting soil) for use in their cultivation practices.

The below table outlines the location of each cultivation area, the amount of Native Soil used for Cultivation annually, the amount of Existing Imported Soil used for Cultivation annually. The annual numbers for amendments is outlined at Attachment "A" of this document (please note, the amendment numbers are for the entire cultivation, not broken down by greenhouse).

Location (GH or CA)	Native Soil for Cultivation (Volume)	Imported Soil for Cultivation	Annual Amendment Total
Greenhouse #1	n/a	29.2 yd ³	See Attachment "A"
Cultivation Area #1	n/a	4.95 yd ³	See Attachment "A"
Propagation Area	n/a	12.35 yd ³	See Attachment "A"
<i>Total Soil Volume for Parcel</i>	46.5 yd ³		

The Applicant reamends their soil for each cultivation cycle in order to reduce the amount of imported soil the cultivation activities may take. Barring the use of salt-based fertilizers, soil may be re-amended for cultivation for years before it requires replacing, if ever.

Should the soil ever be found no longer viable for cultivation, it is removed and disposed of at an approved waste management facilities green waste center. Should the Applicant utilize a green waste center, they will obtain a receipt and store it within their records.

6.0 Nutrients, Fertilizer and Pesticide Storage

All labels are kept, and directions are followed when any pesticides are used. The Applicant will follow all precautionary statements on product labels for protecting human health and environmental health, storage and disposal, and directions for use. The Applicant will not be using pesticide products at a rate higher than the rates listed on the label. The Applicant will follow any agricultural use requirements including method of application, restricted entry interval, personal protective equipment, and pre-harvest interval.

All pesticides are located in the Junior Barn on the Parcel. Any pesticides are placed on the shelves and floor where any spill will be contained. All labels are kept and directions are followed when pesticides are applied. The storage area is in need of posted instructions for storing fertilizers and amendments, instructions for cleaning up spills and a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (kitty litter).

The Applicant will apply the minimum amount to target pests. The Applicant will not apply when pollinators are present, and no drift will be attractive to pollinators. The Applicant will not spray directly to surface water and will only spray when wind is blowing away from surface water bodies to prevent offsite drift. The Applicant will not apply pesticides when they may reach surface or ground water.

7.0 General Refuse and Recycling

General refuse and recycling will include, but is not limited to: plant material, greenhouse framing, plastics and tarpaulin use in greenhouse sheathing and coverings, household trash, product packaging and containers, irrigation tubing, pots and similar containers used for propagation and cultivation, water bladders or tanks, pond liners and fencing.

The Applicant will have designated general refuse and recycling bins that will be disposed of weekly to Eel River Recology in Redway, CA.

A short training will be provided to all employees and business members on the Applicant's cannabis waste system to ensure that recyclable material is not contaminated with other types of waste.

8.0 Disposal of Lightbulbs, Electrical Lighting Fixtures, Wiring and Related Equipment

Lightbulbs, electrical lighting fixtures, wiring and related equipment will be disposed of per the recommendations of the Humboldt Waste Management Authority.

With fluorescent bulbs containing trace amounts of mercury, the applicant will dispose of any lightbulbs appropriately at the correct disposal sites located in Eureka, CA.

Wiring, electrical lighting fixtures and related equipment is considered "e-waste" by the Humboldt Waste Management Authority and may contain trace amounts of lead, mercury, cadmium, chromium or other heavy metals. The Applicant will dispose of these products on the appropriate disposal days and at the appropriate facilities located around the county. The sites that will accept the items referenced in this section are outlined below.

Eureka Recycling Center	Humboldt Sanitation	Recology Eel River
1059 W Hawthorne Street Eureka, CA 95501	2585 Central Avenue McKinleville, CA 95519	965 Riverwalk Drive Fortuna, CA 95519

9.0 Hazardous Waste on Cannabis Facilities

Common hazardous materials at a cannabis facility include, but are not limited to: fertilizers, soil amendments, rodenticides, herbicides, fungicides, pesticides and insecticides, fuel stored onsite, and cleaners and sanitizers. Once these items become leftover or spent that require disposal they become hazardous waste.

For any herbicides, fungicides, pesticides or insecticides used on the property, the Applicant will inquire with their local waste facility on how to properly and safely dispose and keep separated from household and cultivation waste.

Any spent motor oil will be dropped off at a certified collection center nearest to the Applicant. If the Applicant has more than 5 gallons of spent motor oil, the Applicant will contact a registered California Hazardous Waste Transporter for the motor oil to be picked up. If the Applicant has any spent gasoline or cleaners/sanitizers that needs to be disposed, the Applicant will drop off materials to the Humboldt Waste Management Authority Household Hazardous Waste Facility in Eureka.

Should the project-related activities involve storage and use of hazardous materials at a reportable quantity, the Applicant will prepare a materials management plan which details: operating procedures and processes, associated equipment and cleaning procedures, chemical requirements and reactions, waste volumes, storage areas, chemical handling procedures, and emergency equipment. This will be completed by reporting through the Humboldt County Department of Environmental Health and by utilizing and registering with the California Environmental Reporting System (CERS).

10.0 Waste Reduction

Hazardous and universal wastes are present in most cannabis cultivation facilities. Reducing and managing these wastes can reduce risks to employees and the environment and is essential for maintaining compliance. Source reduction and substitution represent the best opportunities for reducing risk and saving money on hazardous waste management and disposal.

The best way to reduce the expense and risk associated with managing hazardous wastes is to reduce the amount of hazardous materials entering the facility. The Applicant will manage the amount of hazardous waste entering the facility by purchasing materials in smaller quantities and buy no more than a one-year supply of product to prevent excess material expiring or becoming obsolete as regulations change, and the Applicant will only prepare the amount needed for each pesticide application. If any lamps or ballasts are being used, the Applicant will purchase bulbs with the longest burn time possible to reduce the frequency of replacement, consider LED purchases, and recycle universal waste lamps, ballasts and batteries at a qualified facility.

References

Recycling/Disposal of Used Oil. (2018, January 2). Retrieved from CalRecycle:
<http://www.calrecycle.ca.gov/UsedOil/Recycle.htm>

Types of Composting and Understanding the Process. (2016, August 29). Retrieved from United States Environmental Protection Agency: <https://www.epa.gov/sustainable-management-food/types-composting-and-understanding-process>

Humboldt Waste Management Authority re: Lightbulb and e-waste disposal. Retrieved from:
<http://www.hwma.net>



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Attachment “A”

Annual Amendment List

*This list covers amendments for the entire cultivation and is not delineated by cultivation area.

Product Name	Chemical/Fertilizer Type	N-P-K or Active Ingredient	Annual Use (lbs. or gallons)
Dr Earth	Fertilizer	4-4-4	237.6 yd ³
Tea Lab Life Cube	Fertilizer	OMRI compost, OMRI Worm Castings, Bokashi, BioChar, Kelp Meal, Azomite, Alfalfa, Insect Frass, and our Soil Life Microbial Inoculant.	40 y ³
Plant Therapy	Pesticide	Peppermint Oil	10 gallons
Sulfur	Fungicide	Sulfur	15 gallons



Sound Evaluation Report

Prepared For:

Carstensen

APN: 219-011-008

Signature of Civil Engineer

Date



Seal

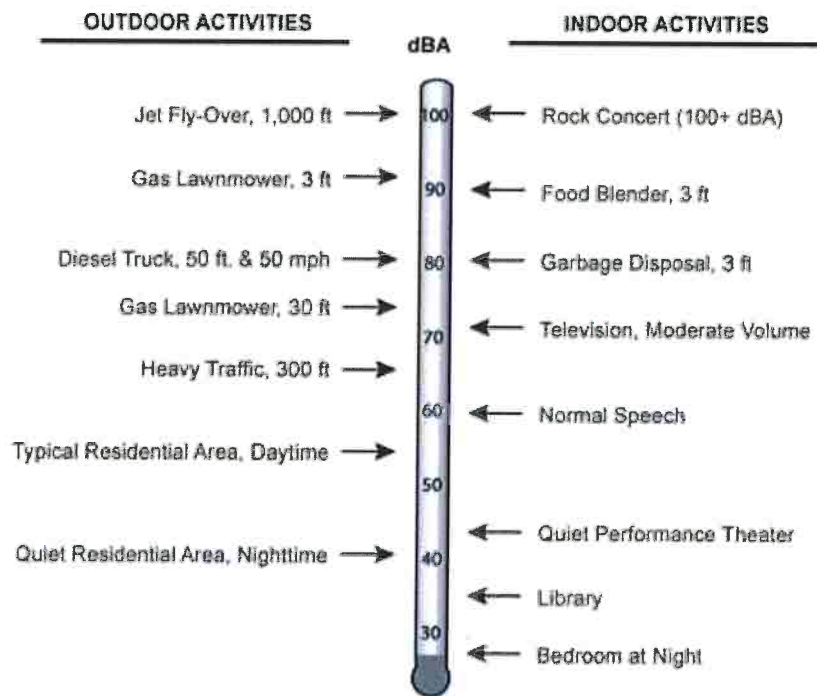
Introduction:

Green Road Consulting (GRC) performed a sound evaluation study to determine changes in ambient noise levels related to cannabis cultivation activities. Cannabis cultivation in Humboldt County is typically done in rural areas that require the use of off-grid power from diesel generators. The use of diesel generators in conjunction with cannabis cultivation activities has the potential to significantly alter natural sound levels and disturb native animals. However, parcels with zoning TPZ or U (with a General Plan Land Use Designation of “Timberland” or “Unclassified”) are prohibited from using generators.

Background:

On May 6, 2018, the Humboldt County Board of Supervisors passed Ordinance No. 2599 defining the rules and regulations of commercial cultivation, processing, manufacturing, distribution, testing and sale of cannabis for medicinal or adult use outside the coastal zone. Section 55.4.12 of the ordinance describes the performance standards related to all commercial cannabis activities at cultivation sites that must be met for the applicant to be eligible for a commercial cannabis cultivation permit issued by Humboldt County. As defined in Section 55.4.12.6 regarding noise, “Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site.”

Oxford Dictionary defines noise as “a sound, especially one that is loud or unpleasant or that causes disturbance” (Oxford Dictionary 2018). In terms of physics, sound is a mechanical disturbance from a state of equilibrium that propagates through an elastic material medium, such as water or air (Britannica 2018). Humans have evolved to be more receptive to sound frequencies between 500 Hz and 6 kHz (measured in decibels, dB), however, sounds can occur below or above the range of human hearing. To account for the full range of human hearing, the “A-weighted” scale was created to include a full range of frequencies, from 20 Hz up to 20 kHz and is measured in dBA (Britannica 2018). Several activities and their associated noise level for indoor and outdoor settings have been measured and are shown in Figure 1 for reference (West Los Angeles College ND).



Sources: FTA, 1995; ATS Consulting, 2005

Figure 1: Examples of noise levels for indoor and outdoor settings.

Site Summary:

APN: 219-011-008

Coordinates: <40.2055, -123.9001>

Acreage: 11.04

Zoning: FR-B-5(40)

Methods:

Two, 24-hour studies will be conducted by GRC on APN 219-011-008 using four CEM DT-8852 Industrial High Accuracy Digital Sound Noise Level Meter Data Loggers. These sound level data loggers feature a measurement range of 30-130 dB with an accuracy of ± 1.4 dB, and internal memory for standalone data recording. The first study was conducted before cannabis cultivation activities began on the parcel to establish a baseline ambient sound level to compare to future measurements. After cannabis cultivation activities begin, a second 24-hour study will be conducted to capture the increase, if any, of sound levels related to cannabis cultivation.

If the parcel is located within one mile of mapped critical habitat for Marbled Murrelet or Northern Spotted Owls, the maximum noise expose from background cultivation related noise cannot exceed 50 decibels at a distance of 100 feet from the noise source or edge of habitat, whichever is closer. If pre-existing cultivation sites submitted for permitting prior to December 31, 2019 are located within 0.7 miles of a known Northern Spotted Owl activity center a qualified biologist shall conduct a disturbance and habitat modification assessment to determine the presence of the species and whether the cultivation site can operate or have its operation modified to avoid take of the species.

Two sound monitoring studies are required to determine how cannabis cultivation activities effect the ambient noise levels on the property. For the duration of each study, one (1) noise level data logger was placed as close to each property boundary line as possible (minimum of 3) to capture the noise level being emitted from within the parcel (Figure 2). Data was collected every 6 seconds for at least 24 hours. The first 24-hour study was conducted from 11/8/2018 through 11/9/2018, before cannabis cultivation activities occurred on the property. The data was uploaded to Microsoft Excel, where a moving average was performed on 2,000 data points to relax any extreme short-term fluctuations in the time-series data. The second 24-hour study will be conducted when commercial cannabis activities begin.

Critical habitats for Marbled Murrelet and Spotted Owls have been mapped by California Department of Fish and Wildlife (CDFW) and were viewed using a commercial license to the California Natural Diversity Database (CNDDB). The CNDDB uses the Biogeographic Information and Observation System (BIOS) to project observed critical habitat for Marbled Murrelet and Spotted Owls in an online mapping tool. This online mapping program has a distance measuring tool that was used to find the distance from this parcel to the nearest marked critical habitat.

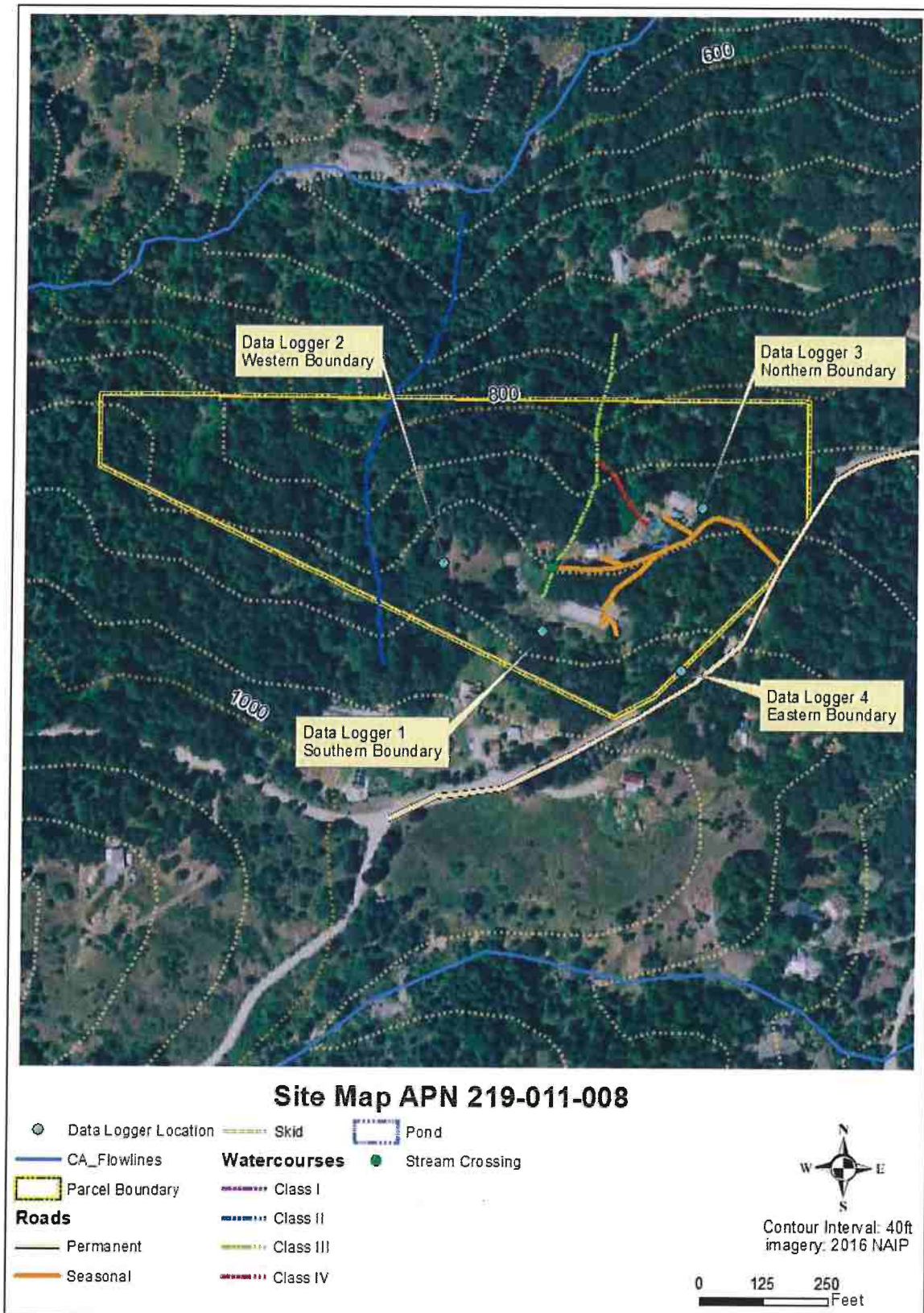


Figure 2: Location of the CEM DT-8852 Noise Level Data Loggers on APN 219-011-008.

Results:

Data from the sound study conducted during the no cultivation period were imported into excel and plotted on a line chart to visualize the measurements over time. Rolling averages were applied to groups of 2,000 data points, which were compared to the original data (Figures 3-6).

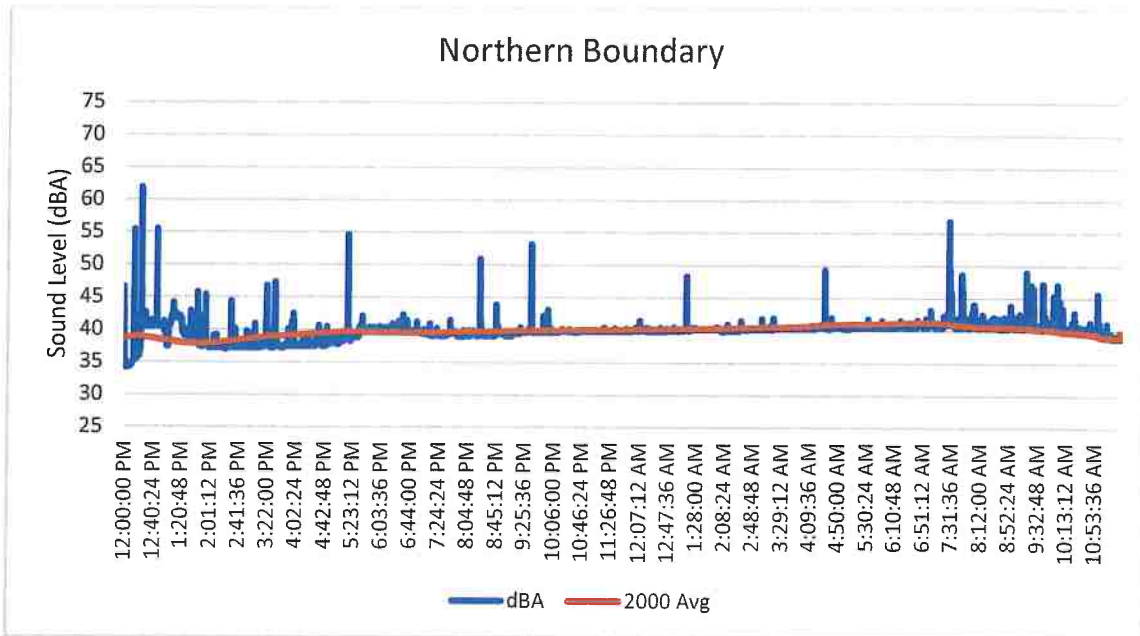


Figure 3: Results from 24 hours of sound data collected on 11/8/2018-11/9/2018 near the Northern parcel boundary. The 2,000 data point rolling averages are overlaid on the original data. **Average dBA: 39.83**

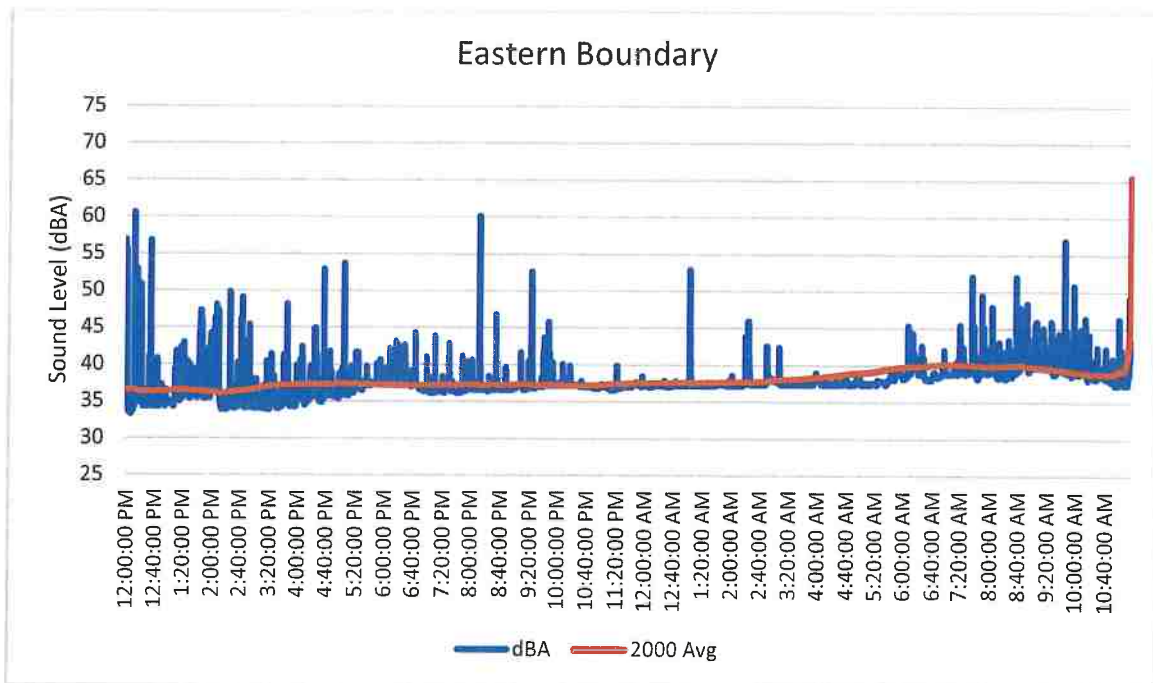


Figure 4: Results from 24 hours of sound data collected on 11/8/2018-11/9/2018 near the Eastern parcel boundary. The 2,000 data point rolling averages are overlaid on the original data. **Average dBA: 37.78**

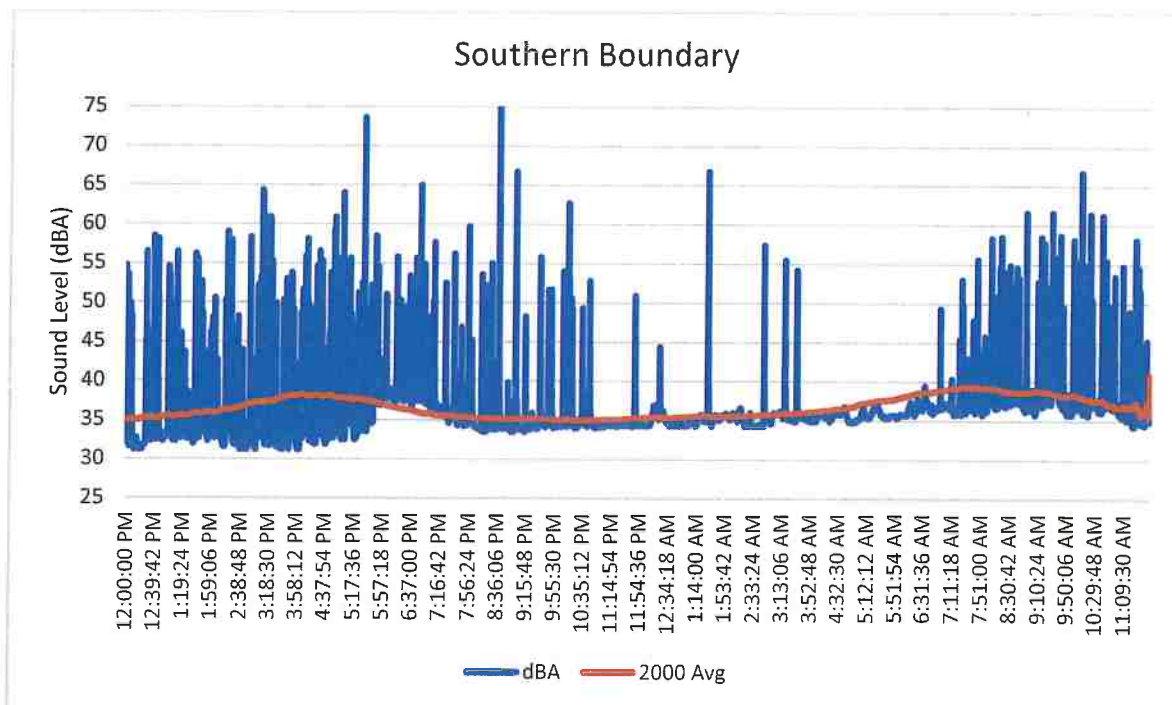


Figure 5: Results from 24 hours of sound data collected on 11/8/2018-11/9/2018 near the Southern parcel boundary. The 2,000 data point rolling average are overlaid on the original data. **Average dBA: 36.41**

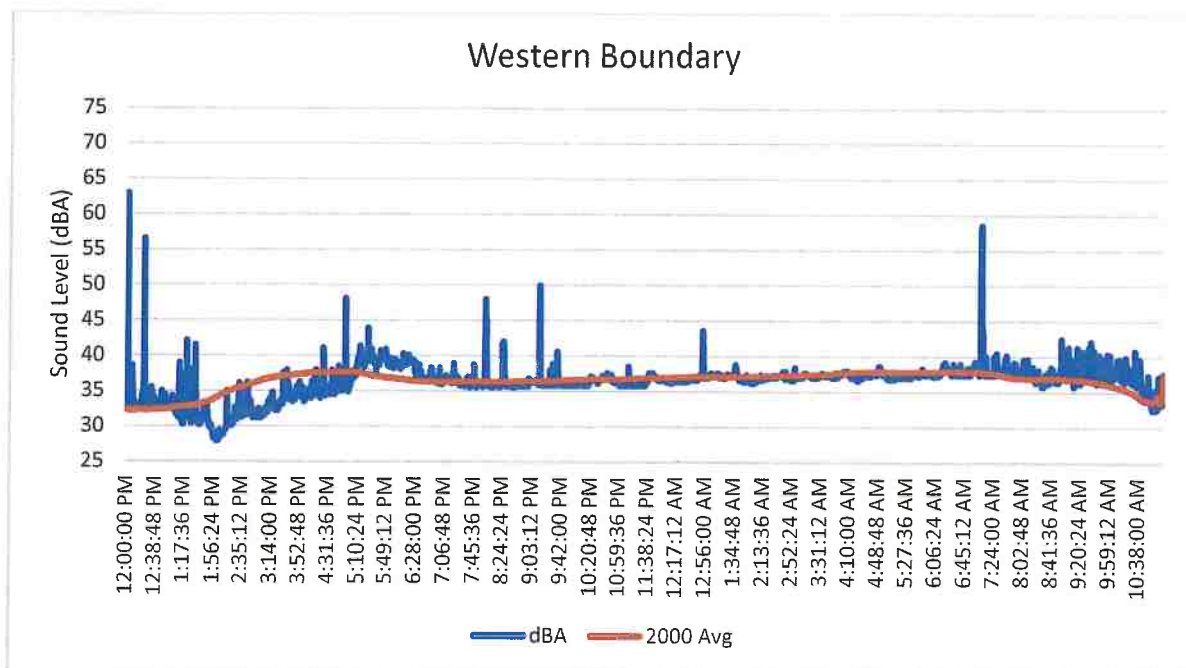


Figure 6: Results from 24 hours of sound data collected on 11/8/2018-11/9/2018 near the Western parcel boundary. The 2,000 data point rolling averages are overlaid on the original data. **Average dBA: 36.33**

The second sound study will be performed after Cannabis cultivation commences. That study will be used to identify if there is an increase of 3 decibels or more. If an increase of over 3 decibels is observed, changes will be made to reduce the sound levels.

Critical Habitat:

Considerations of noise levels affecting the Marbled Murrelet and Northern Spotted Owl was determined using the California Department of Fish and Wildlife's Biogeographic Information and Observation System (BIOS). This system utilizes the California Natural Diversity Database (CNDDDB) to visualize positive observations and critical habitat for rare and sensitive species.

The property is located nearly 2.5 miles South from mapped Marbled Murrelet critical habitat areas (Figure 11).

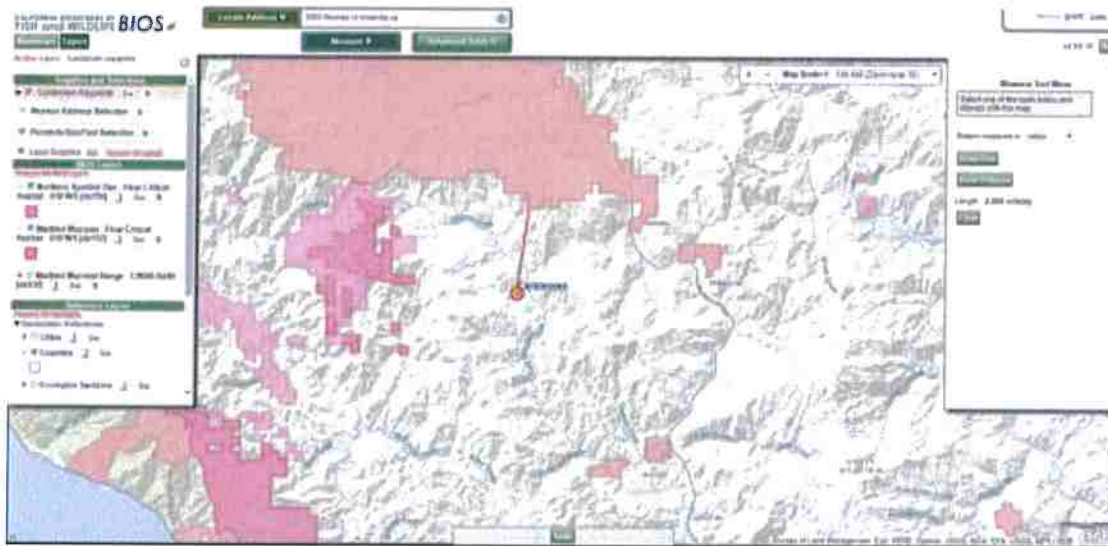


Figure 3: Screenshot of the CNDDDB BIOS Viewer used to determine the extent of critical habitat of Marbled Murrelet (red square) relative to the parcel (bright red circle). A distance of 2.466 miles was measured from the center of the parcel to the edge of the mapped critical area.

Critical habitat for the Northern Spotted Owl was observed 1.823 miles to the Southwest of APN 219-011-008 (Figure 12).

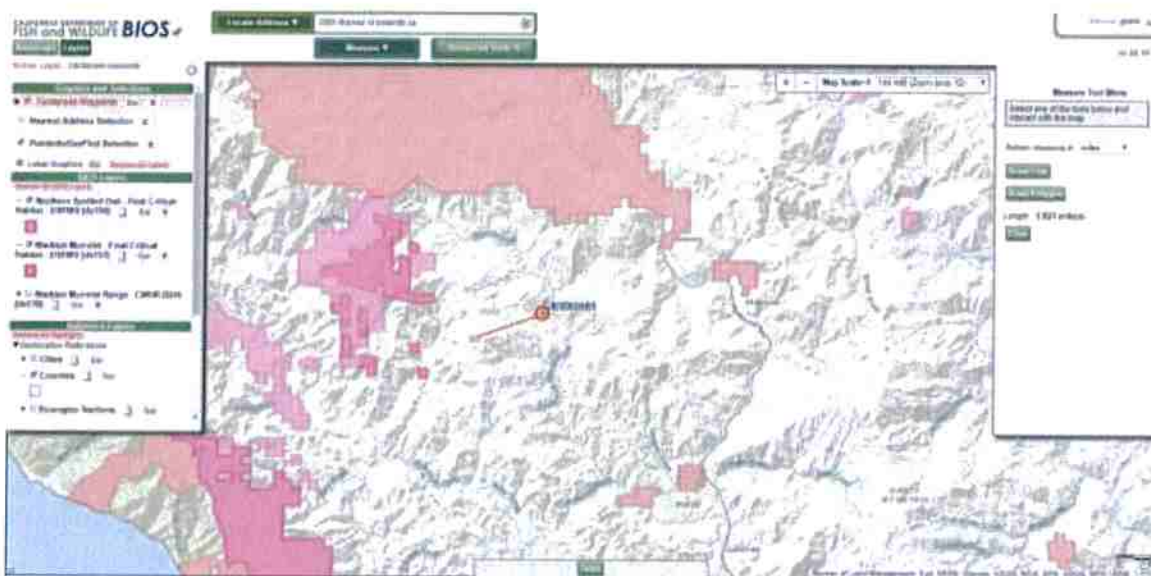


Figure 4: Snip of the CNDDDB BIOS Viewer used to determine the extent of critical habitat of Spotted Owls (pink square) relative to the parcel (bright red circle). A distance of 1.823 miles was measured from the center of the parcel to the edge of the mapped critical area Southwest of the property.

Activity centers for the Northern Spotted Owl have been observed in the Salmon Creek area of Humboldt County. Activity centers are historic nesting sites that have been observed by qualified professional and entered in the CNDDDB database. Two activity centers have been mapped near the parcel, one to the North and one to the South. The distance from the center of the parcel to the edge of the activity centers were measured using the embedded Measure Tool within the BIOS Viewer (Figure 13 and Figure 14).

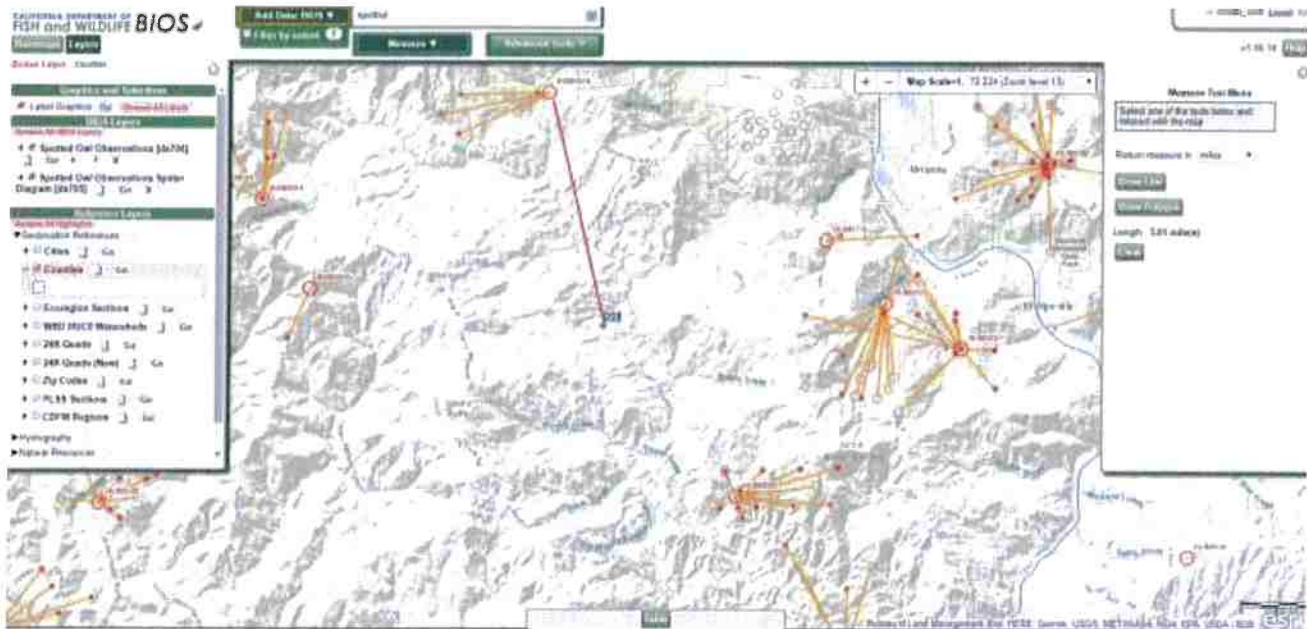


Figure 5: The Northern Spotted Owl activity center to the North of the property is located approximately 3.01 miles away from the property of interest.

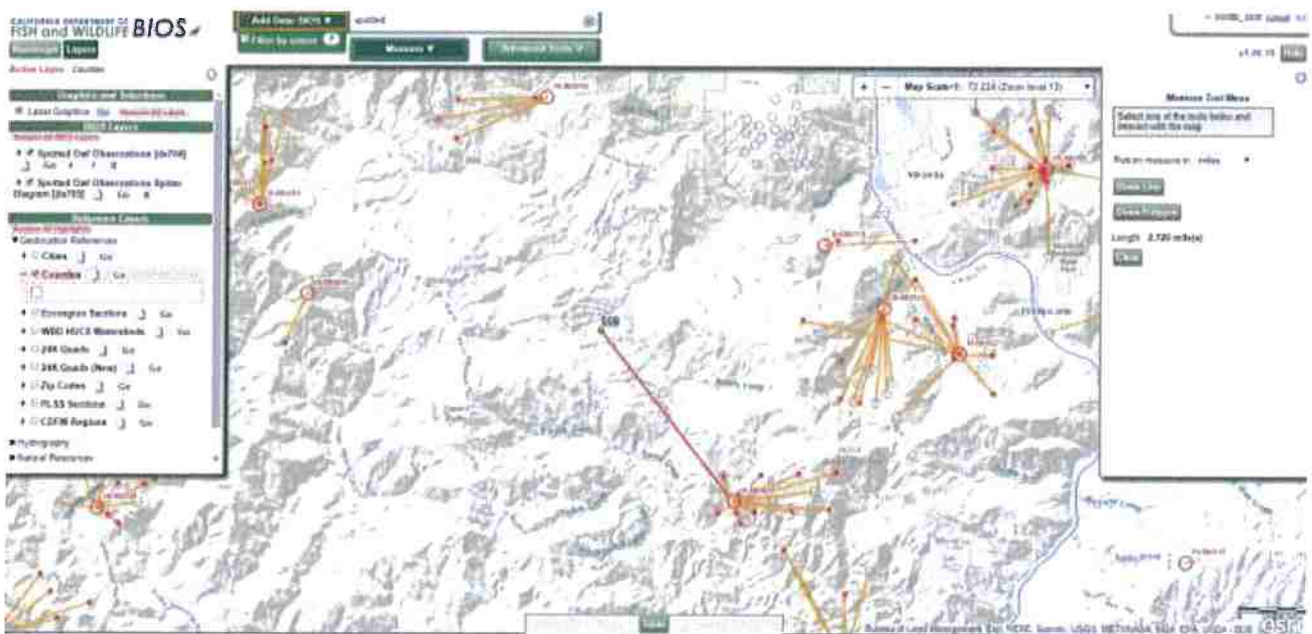


Figure 6: The Northern Spotted Owl activity center to the West of the property is located approximately 2.726 miles away from the property of interest.

Both Northern Spotted Owl activity centers are more than the required minimum .7 miles from the site, and do not require any qualified biological assessment.

Conclusion:

An initial sound study was conducted during a no-cultivation period on APN 219-011-008. During this study, the site was free of cultivation related activities, free of noise pollution, and produced no noise from any generators or fans. Only ambient noise from county roads and wildlife could be heard during this initial study. Data from this first study will be compared to a second sound study. The second study will take place once a cultivation permit has been issued by Humboldt County and cultivation begins in order to determine changes in ambient noise levels caused by cannabis cultivation activities. The Pre-cultivation and active cultivation studies will be compared for each Data Logger point (North, East, South, West) to assess if there is an average increase of 3 decibels or more from any pre-cultivation data logger average. If an increase of 3 decibels or more is observed after the second study, changes will be made to attenuate sound production at the site. See Appendix A for mitigation methods.

The North, East, South, and West Data Logger point measured average levels of 39.83 dBA, 37.78 dBA, 36.41 dBA, and 36.33 dBA, respectively. These measurements will serve as a baseline for ambient noise levels at the site. We would hope to find sound levels not exceeding 43 decibels in the following study due to the 3-decibel increase cap set forth by Humboldt County Ordinance 2.0 Performance Standards for Noise at Cultivation Sites.

The parcel is located 3.01 miles from a mapped Northern Spotted Owl activity center to the North and 2.726 miles from a mapped activity center to the South. Both activity centers are located outside of the 0.7-mile buffer set forth by California Department of Fish and Wildlife. Therefore, it is unlikely noise caused by cultivation operations on this parcel will negatively impact Northern Spotted Owl activity. A Biological Assessment Report prepared for this site by S.E. McAllister & Associates states, "Harassment associated with noise disturbance at the site is not expected. The project is proposed for permitting under Humboldt County Ordinance 2.0 and will, therefore, only be allowed to use generators for 20% of its power needs and will instead primarily use solar energy."

The parcel is located 2.466 miles from mapped critical habitat for the Marbled Murrelet. Critical habitat for the Northern Spotted Owl has been mapped 1.823 miles from the parcel. Because of this, there are no wildlife specific noise requirements on this parcel, but noise production must still comply with the 3 decibel Humboldt County standard.

References:

Humboldt County Ordinance No. 2599.

"Noise." Def.1. OxfordDictionaries.com. Oxford Dictionaries, 2018. Web. 5/31/18.

Berg, R. 2018. "Sound", Encyclopaedia Britannica, Inc., Encyclopaedia Britannica. 6/1/2018

"Noise Basics". West Los Angeles College Noise Monitoring Program. ND. 6/26/2018



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Appendix A

Methods for Reducing Cannabis Cultivation Related Noise

- Ensure ventilation fans do not contact greenhouse framework. This can reduce rattle and vibrations. Fans can be suspended from above to ensure limited structural vibrations.
- Air and water pumps and generators may be placed on one-inch rubber mats to reduce vibration.
- Use insulated ducting instead of bare metal.
- Outdoor generators may be placed in insulated sheds to reduce noise output.
- Place a muffler over greenhouse exhaust vents.
- Locate generators away from property lines, and place as centrally as possible.
- Use natural landscape features to block noise (Plant tall bushes or trees, locate generators behind natural soil berms, etc.)
- Consider the use of low noise fans and generators.



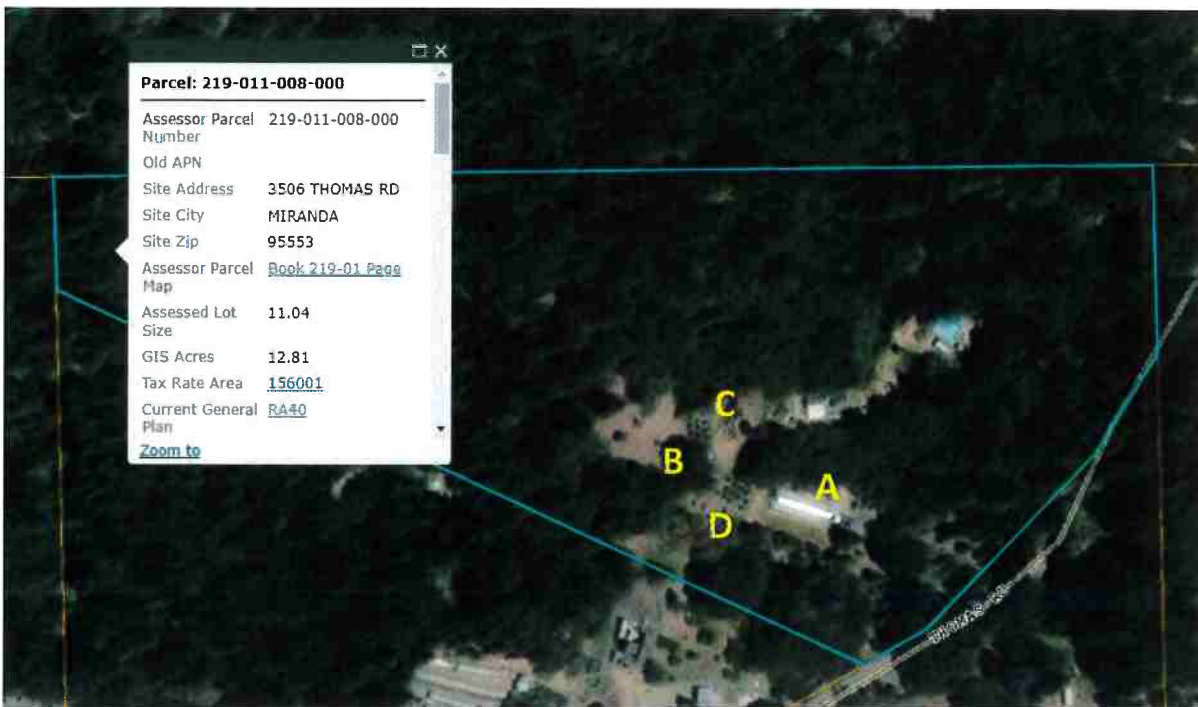
Cultivation Area Verification

Carstensen

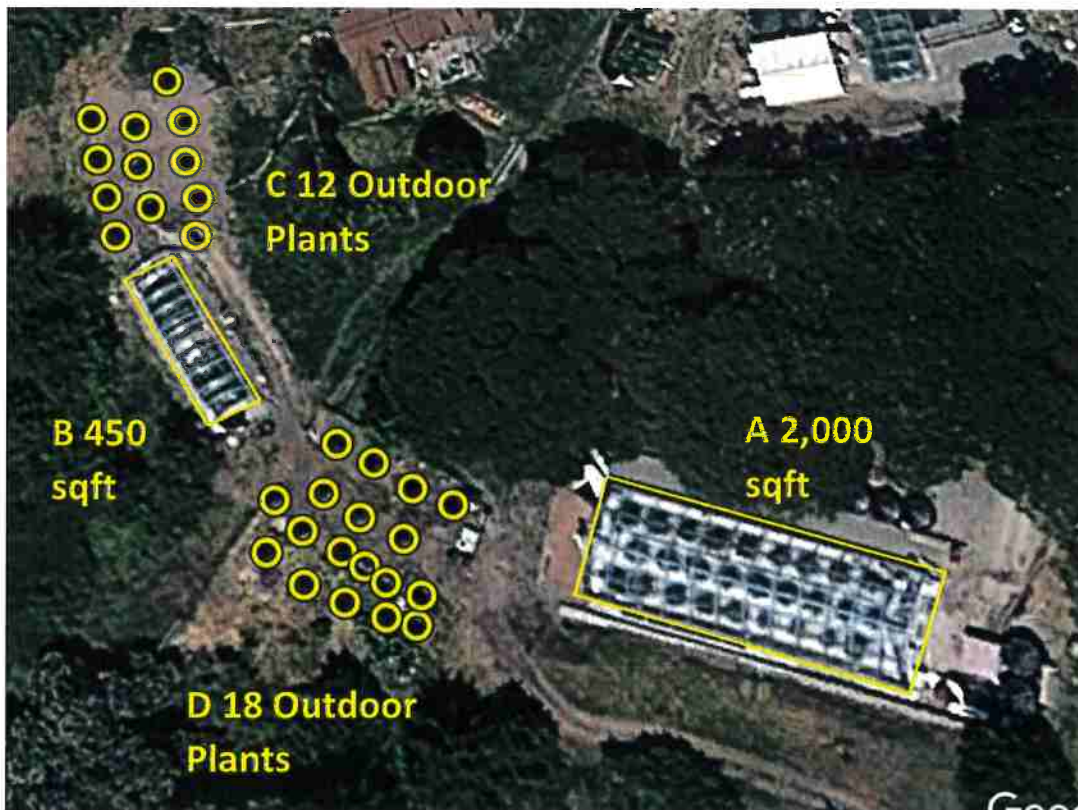
APN 219-011-008

This report constitutes a cultivation verification analysis for APN 219-011-008 in the Salmon Creek area of Humboldt County. Using historical satellite imagery from Google Earth Pro, preexisting cultivation development (in place before January 1st, 2016) on this parcel was identified. Using the polygon tool on the Google Earth Pro desktop application, the cultivation areas were estimated for a total of two (2) greenhouse sites and two (2) areas of outdoor cultivation. Since the full sun plants are widely spaced from one another, an estimate of outdoor cultivation was made based on a plant count and area multiplier. It is assumed that each plant uses a full area of 36 square feet (6.8-foot diameter) when viewed from above, once fully mature. A maximum preexisting cultivation area for this site was measured in 2014 with a total of 3,530 sqft (2,450 mixed light, and 1,080 sqft full sun).

Site	Imagery Date	Cultivation Type	Number of Plants (36 sqft per plant)	Cultivation Area (Square Feet)
A	5/28/2014	Mixed Light (Greenhouse)	n/a	2,000
B	5/28/2014	Mixed Light (Greenhouse)	n/a	450
C	5/28/2014	Full Sun (Outdoor)	12	432
D	5/28/2014	Full Sun (Outdoor)	18	648
Total:				3,530



Overview Map of Parcel (Humboldt County webGIS)



Google Earth Pro image from My 28th, 2014 with greenhouses and outdoor plants highlighted



Site Management Plan

WDID: Pending



Prepared for:

State Water Resources Control Board (SWRCB)
North Coast Regional Water Quality Control Board (NCRWQCB)

Prepared by:

Green Road Consulting
1650 Central Ave., Suite C, McKinleyville CA, 95519
(707) 630-5041

Date of completion:

4/20/2020

General Site Information

Discharger: Devin Carstensen

Land Owner: Carstensen Devin & Clary Justin & Laura

Site Address: 3506 Thomas Rd, Miranda CA 95553

Mailing Address: PO Box 338, Redway Ca 95560

Parcel Number: 219-011-008

General Plan Designation: Residential Agriculture

Zone: Forest Recreation

Parcel Size: 11 Acres

HUC12 Watershed: Salmon Creek

Disturbed Area: 10,600 ft²

Cultivation Area: 2,825 ft²

Tier Level: 1

Risk Level: Low

Abbreviations

CA	Cultivation Area
CPP	Corrugated Plastic Pipe
CMP	Corrugated Metal Pipe
CDFW	California Department of Fish and Wildlife
DRC	Ditch Relief Culvert
GRC	Green Road Consulting
IBD	In-board Ditch
NCRWQCB	North Coast Regional Water Quality Control Board
PWA	Pacific Watershed Associates
SWRCB	State Water Resources Control Board
STX	Stream Crossing

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1. Introduction

This document was prepared by Green Road Consulting (GRC) for Devin Carstensen; parcel number 219-011-008, as required by the SWRCB Order WQ 2017-0023-DWQ¹. The purpose of the order is to provide a regulatory structure for cannabis cultivation that reduces contributions to existing water quality issues and prevents additional adverse impacts to water resources throughout California. The purpose of the Site Management Plan is to identify conditions present on a parcel that may pose a threat to water quality and resources and establish a plan to meet or surpass requirements set forth in the order.

Green Road Consulting (GRC) has made an initial assessment of this parcel through field work as well as through a variety of county, state, and private websites (e.g. USDA web soil survey, USGS stream stats program, Google Earth, Humboldt County Web GIS). The parcel boundaries are approximate and obtained from Humboldt County. Property lines on maps created by GRC may be shifted to match property line and corners located in the field. The site was surveyed with a GPS unit (2 to 4-meter accuracy) to document roads, buildings, cultivation sites, watercourses, and areas requiring remediation. Maps were created using the software ESRI ArcMap.

2. Site Characteristics

2.1. General

The site is in South-central Humboldt County, approximately 5-miles west of the town of Miranda and can be accessed from Thomas Road, off of Salmon Creek Road. The elevation of the site is approximately 850 feet above sea level. The parcel is located on a North-facing hillslope with unnamed drainages that flow from South to North into Mineral Creek, a tributary to Salmon Creek and then the Eel River. The Eel River is on the USEPA's Section 303(d) list for impairment or threat of impairment to water quality associated with elevated sediment and temperature levels. The Salmon Creek watershed is known to have Coho and Chinook Salmon as well as Steelhead trout which are designated as a Federally and State threatened species. Slopes on the site range from 0% to 50%. The hillslopes in the region are known to have moderate instability. The site geology is part of the Franciscan Complex which is primarily composed of Late Cretaceous to Pliocene sandstone, shale and minor conglomerate. The region was historically logged with legacy logging roads and landings throughout the site. The parcel was historically developed as a homestead with roads and structures preexisting cannabis cultivation.

2.2. Site Overview

Structures on the approximately 11-acre property include two residences (one used and one abandoned), a 120 square foot junior barn for storage of cultivation materials, a shop building used for propagation, three cargo containers for harvest storage and drying, and a permanent greenhouse structure. The greenhouse preexists cannabis cultivation on the site and is scheduled for relocation due to its proximity to the head of a small ephemeral watercourse. The site also contains 65,900 gallons of hard tank water storage, and an off-stream pond. The pond was historically constructed and is maintained only for aesthetic purposes and is not diverted from. The pond was historically filled from the deeded stream

¹ Order entitled "STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2017-0023-DWQ GENERAL WASTE DISCHARGE REQUIREMENTS AND WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES OF WASTE ASSOCIATED WITH CANNABIS CULTIVATION ACTIVITIES"

diversion but now only fills from rain catchment. All irrigation water is sourced from rain catchment off of the greenhouse, residence and shop structures. Domestic water is sourced from a deeded, off-property surface water diversion. The parcel is grid tied for power.

The site currently has two areas proposed for cannabis cultivation. The existing greenhouse (CA1) will contain 1,825 square feet of mixed light cannabis cultivation. This greenhouse was constructed by the previous landowner not for the purposes of cannabis cultivation. A portion of the structure is located within 50-feet of the head of an ephemeral watercourse. The structure will be moved roughly 50-feet to the east (**MP4**) so that all cultivation will occur outside of the required buffer. The second cultivation area (CA2) will consist of 1,000 square feet of outdoor cultivation to the east of CA1. No environmental issues were identified while inspecting this site, and as a result of the limited scale of the cultivation in this area, risk of impact from land disturbance is low. Other disturbed area on this property include water storage areas, made up of existing and proposed (**MP1**) hard tank water storage, sheds and metal containers for storage of cultivation equipment and harvested products, and a shop used as a propagation structure. All of these structures are built to code and do not represent any significant risk of environmental contamination or impact, and are located on flat land. As a result, this site has been classified as a low risk site. During implementation of cultivation activities, care shall be taken not to disturb or otherwise destabilize any areas outside of the existing road system and graded flats.

Table 1. Cultivation area overview.

Cultivation Area (CA)	Cultivation Area (ft ²)	Natural Slope (%)	Distance to Water Body (ft)	Water Body Classification
Area 1 (CA1)	1,825	21%	50	Class III
Area 2 (CA2)	1,000	23%	60	Class III

2.3. Access Roads

The site has 1,200-feet of permanent roads, which are maintained to the standards set out in the ranch and rural roads handbook. Roads on the site are maintained on an as-need basis and are used minimally by workers navigating the site and bringing in supplies, as well as by residents on the site. Only two employees/residents are expected during typical operations, given the limited scale of the cultivation operation. During the cultivation season, workers are on the site daily and most supplies are brought in the beginning of the season. Vehicles are mainly parked near the residence.

2.4. Stream Crossings

There is one (1) stream crossing on the property that is the responsibility of the property owner.

Table 2. Overview of stream crossing on the property.

Map Point (MP)	Existing Size (inch)	Type	Watercourse Class	Action
MP3	12	Culvert	Class III	Upgrade the culvert to an 18" diameter steel culvert

The stream crossing was permitted through the California Department of Fish and Wildlife, with approval granted for upgrade of the culvert. Work is expected to commence in the summer of 2020.

2.5. Legacy Waste Discharges

Legacy waste discharges on the parcel include domestic development related to homesteading including construction of a (now abandoned) house

3. Erosion Prevention and Sediment Capture

The disturbed areas consisted of the cultivation areas, soils/amendment piles, unstable road segments, and a processing area as shown on the following Disturbed Area Map. Map points correspond to the Remediation Summary Table found in section 10 of this report.

4. Water Uses

Water for domestic uses is drawn from a deeded, off-property surface diversion. The diversion consists of a screened hose placed into the channel of Mineral Creek, a tributary to Salmon Creek and is used throughout the year for direct diversion. Water for cannabis irrigation is sourced from a rainwater catchment system only. Water is primarily collected through during the wet season months and stored in HDPE water tanks for summer use. Currently, there are 15 water tanks on site, comprising 28,400 gallons of water storage. This amount will be increased (**MP1**) to 65,900 gallons before legal cultivation commences (county permitting pending as of this writing). All irrigation infrastructure will be regularly inspected for leaks and immediately repaired if any are found. Weed free mulch or straw will be used in cultivation areas that do not have ground cover to reduce evaporation and conserve water. The cultivator will record daily irrigation water usage and maintain records on site for a minimum of 5 years. The estimated annual water use is summarized below in table 3.

Table 3. Annual water uses on the parcel.

Source	Use	Start Date	End Date	To Storage (gallons)	To Use (gallons)
Spring	Domestic	Jan. 1	Dec. 31	n/a	18,000
Rain Water Catchment	Storage	Jan. 1	Dec. 31	65,900	n/a
Storage	Irrigation	Apr. 1	Nov.15	n/a	65,900

Table 4. Summary of water storage on the parcel.

Water Storage Type	Size (gallons)	Quantity	Total (gallons)
Existing Hard Tank	1,200	7	8,400
Existing Hard Tank	2,500	8	20,000
Proposed Hard Tank	2,500	15	37500
		Total	65,900

5. Fertilizers, Pesticides and Herbicides

5.1. Application, Storage and Disposal

All fertilizers and pesticides will be mixed or prepared in locations where they cannot enter a waterbody (surface or groundwater). Fertilizers and pesticides shall be applied at agronomic rates specified on the product label. The enrollee will keep a log of their fertilizers and pesticides use for annual reporting. All labels will be kept, and directions followed when amendments and fertilizers are applied. All liquid chemicals will be stored in separate secondary containment. During the off season all chemicals will be stored in a covered building. Agricultural chemicals will not be applied within 48-hr of a predicted rain event with a 50% or greater chance of 0.25-inches. Disposal of unused products will be consistent with labels on containers. Empty containers will be disposed of at an authorized recycling center. A spill clean-up kit will be stored in the garage/shop. No restricted materials or pesticides will be used or stored on site. No greater than 319 pounds of nitrogen per acre per year shall be applied. A fertilizer regime has yet to have been prepared for this site as cultivation has not commenced. Cultivation chemicals used will be limited to those allowed by CalCannabis for cannabis cultivation purposes.

Table 5. Overview of annual chemical use.

Product Name	Chemical Type	N-P-K or Active Ingredient	Annual Use (lbs. or gallons)
unk	unk	unk	unk

5.2. Spill Prevention and Clean Up

A spill cleanup kit will be located near or made available wherever chemicals, fuels, or amendments are stored or used. In case of a major spill of fertilizers, or any petroleum products, the cannabis cultivator shall immediately notify the California Office of Emergency Services at 1-800-852-7550 and initiate cleanup activities for all spills that could enter a waterbody or degrade groundwater.

6. Petroleum

6.1. Use, Storage, and Disposal

The site is grid tied and uses minimal petroleum products. Generators are only used as a backup system and are not the primary power source. While in use, the generators will need to be stored with drip

containment outside of riparian setbacks. Fueling of the generators, as well as any other equipment or vehicles, will also take place outside of the riparian setbacks. All equipment containing petroleum derivatives will be inspected regularly for leaks. When the generators are not in use they will be stored in a covered building. A summary of annual petroleum is listed below in Table 6.

Table 6. Overview annual petroleum usage.

Product	Chemical Type	Annual Use (lbs. or gallons)
Gasoline	Petroleum	15 gallons
Motor Oil	Petroleum	4 gallons

7. Cultivation Waste, Trash/Refuse and Domestic Wastewater

7.1. Trash/Refuse Overview

All trash is locked up in a shipping container on site and is removed on a weekly basis to an authorized landfill. No trash or debris will be allowed to enter a watercourse or riparian setback area. Compostable cultivation waste will be stored in a location and manner where it cannot be transported to surface waters. Spent growth medium (e.g. soil) shall either be reused, disposed of at an appropriate waste site, or be spread outside of riparian setbacks and planted with native vegetation.

7.2. Domestic Wastewater BPTC Measures

The residence on the site has an unpermitted septic system. Portable toilets will be brought onto the site for the seasonal workers if needed. Portable toilets will be serviced regularly and located outside of riparian setbacks and away from unstable areas.

8. Winterization Measures

8.1. Summary

It is required that winterization measures be completed annually before the onset of the winter rainy season. The SWRCB has defined the winter season as beginning November 1st and concluding April 1st. Winterization measures apply to cultivation areas, any additional disturbed areas including roads, and stream crossings. These measures aim to prepare the site for an extended period of heavy precipitation during which frequent access, monitoring, and maintenance can be challenging or infeasible. The end goal is to reduce the erosion of unstable areas and prevent the delivery of eroded sediment to sensitive waterways. One of the primary techniques of winterization consists of stabilizing all bare soils with straw and seed. Fiber rolls shall additionally be installed at grade breaks and along slopes of disturbed areas to break up flow paths, thereby reducing the speed and erosive energy of runoff. No heavy machinery shall be used during the winter season to avoid the degradation of saturated roadways and unstable surfaces. Soil stock piles shall be guarded before the onset of winter with a cover and/or perimeter controls such as fiber rolls. Culverts shall be inspected and maintained to ensure integrity during winter. This includes clearing inlets and outlets of sediment and/or debris and ensuring that sufficient energy dissipation exists

at outlets to reduce bank erosion. Seasonal access roads shall be locked to ensure that roads are not in use during the wet season by trespassers. Aside from the erosion control components to winterization, a general and thorough site cleanup will be performed to remove all refuse from the site. Additionally, all fertilizers and petroleum products to be left on site will be stored in secondary containment and locked in the shipping container to avoid spillage and discharge to surface or groundwater. Winterization measures for Medium or High-Risk Sites are covered in more detail in the Site Erosion and Sediment Control Plan to be submitted for that site.

9. Monitoring

Monitoring is broken up into 3 reports; Facility Status, Site Maintenance, and Storm Water Runoff Monitoring. For Low Risk sites the only monitoring report required is the Facility Status Report. For Moderate and High-Risk sites all three monitoring reports need to be completed. See “Site Erosion and Sediment Control Plan” for details on the Site Maintenance and Storm Water Runoff Monitoring. Annual reports for the cultivation site will be submitted to the North Coast Regional Water Quality and Control Board (NCRWQCB) prior to March 1 of the following year. The annual report shall include the following: Facility Status, Site Maintenance, and Storm Water Runoff Monitoring; Name and contact information for the person responsible for operation, maintenance, and monitoring. Reporting documents can be emailed to northcoast@waterboards.ca.gov or mailed to 5550 Skylane Blvd., Ste. A, Santa Rosa, CA 95403.

Table 7. Facility status monitoring requirements.

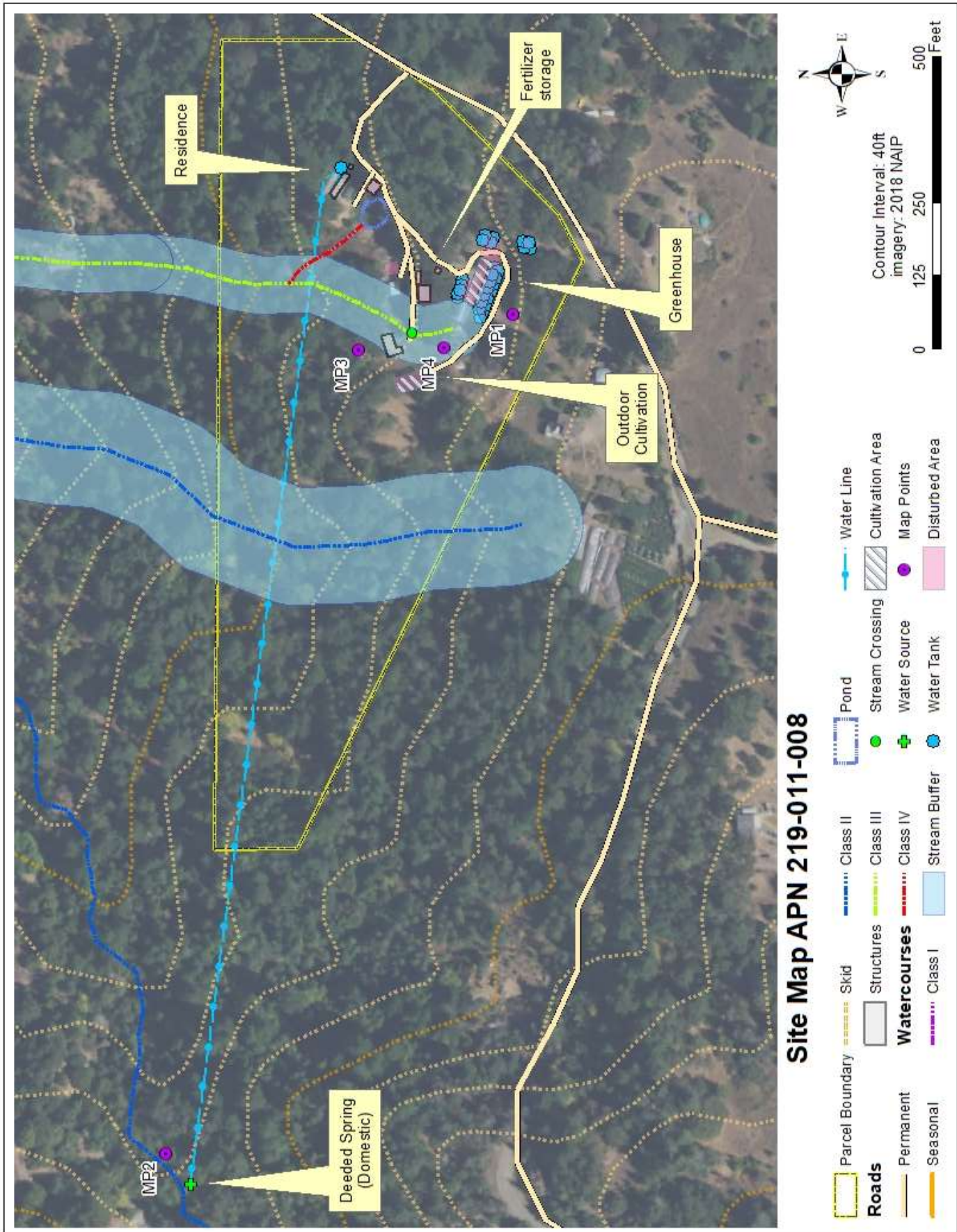
<u>Monitoring Requirement</u>	<u>Description</u>
Winterization Measures Implemented	Report winterization procedures implemented, any outstanding measures, and the schedule for completion.
Tier Status Confirmation	Report any change in tier status. (Stabilization of disturbed areas may change the tier status of a facility. Contact the Regional Water Board if a change in status is appropriate.)
Third Party Identification	Report any change in third party status as appropriate.
Nitrogen Application	Report monthly and annual total nitrogen use for bulk, solid, and liquid forms of nitrogen. Provide the data as lbs./canopy acre/time (month or year) as described in Nitrogen Management Plan.

“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”

Legally Responsible Person_____ **Date**_____

Remediation Summary Table

Map Point (MP)	Topic	Issue	Remediation Measure	Treatment Priority	Expected Completion Date	Actual Completion Date
MP1	Water use and storage	Current water storage insufficient to forbear from surface diversion for irrigation through summer	Water storage will be increased to a total of 65,900 gallons before cultivation commences	Moderate	No later than the November before cultivation commences	
MP2	Water use and storage	Surface diversion unpermitted with CDFW. May require replacement.	Replace diversion apparatus to meet CDFW regulations (Final agreement with CDFW has been received)	Moderate	October 2021	
MP3	Erosion control and road maintenance	Stream crossing culvert insufficient to pass a 100-year storm event.	Upgrade culvert to an 18" diameter culvert (Final agreement with CDFW has been received)	Moderate	October 2021	
MP4	Riparian health	Edge of greenhouse foundation overlaps riparian buffer around class 3 watercourse	The greenhouse structure will be relocated roughly 50-feet to the east so that no cultivation occurs within the watercourse buffer	High	October 2021	



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

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

Applicant Name: Humboldt High Club LLC APN: 219-011-008

Planning & Building Department Case/File No.: _____

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

From Road (Cross street): Thomas Road

To Road (Cross street): Applicant's Driveway

Length of road segment: 0.01 miles Date Inspected: November 1, 2018

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. A map showing the location and limits of the road being evaluated in PART A is attached.

Signature

Date

Name Printed

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

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

Road Name: _____ Date Inspected: _____ APN: _____
From Road: _____ (Post Mile _____) Planning & Building
To Road: _____ (Post Mile _____) Department Case/File No.: _____

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

Number of other known cannabis projects included in ADT calculations:

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

ADT: _____ Date(s) measured: _____

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

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

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

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

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

A. Pattern of curve related crashes.

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

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

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

C. Substantial edge rutting or encroachment.

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

D. History of complaints from residents or law enforcement.

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

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

Check one: ☐ No. ☐ Yes.

F. Need for turn-outs.

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

3. Conclusions/Recommendations per AASHTO. Check one:

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

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

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

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

(SEAL)

Signature of Civil Engineer _____

Date _____

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.



Parcel Description:

APN: 219-011-008

December 3, 2018

Applicant: Devin Carstensen

Lat, Long: <40.2055, -123.9001>

GIS Acreage: 12.81

Zoning: FR-B-5(40)

The purpose of this report is to address the requirements laid out in Ordinance 2.0, section 55.4.12.1.8 for road performance standards for access to commercial cannabis cultivation operations.

"55.4.12.1.8 Performance Standard—Road Systems

Roads providing access to any parcel(s) or premises on which commercial cannabis activities occur must comply with the following standards, as applicable:

a) Standard 1 – Dead End Road Length

Projects shall not be located more than 2-miles (measured in driving distance) from the nearest intersection with a Category 4 road or secondary access for emergency vehicles and personnel, including wildland fire equipment.

Unless otherwise specified, roads providing access to the parcel(s) or premises must meet or exceed the Category 4 road standard (or same practical effect)."

In figure 1 the map displays the parcel, located in Salmon Creek, CA, and the parcel access roads. The Category 4 Road closest to the parcel is Thomas Road, which connects directly to the parcel boundary and driveway. Because of this immediate proximity of a Category 4 Road, this parcel is less than the maximum 2 miles from a Category 4 Road and does not require a road study.

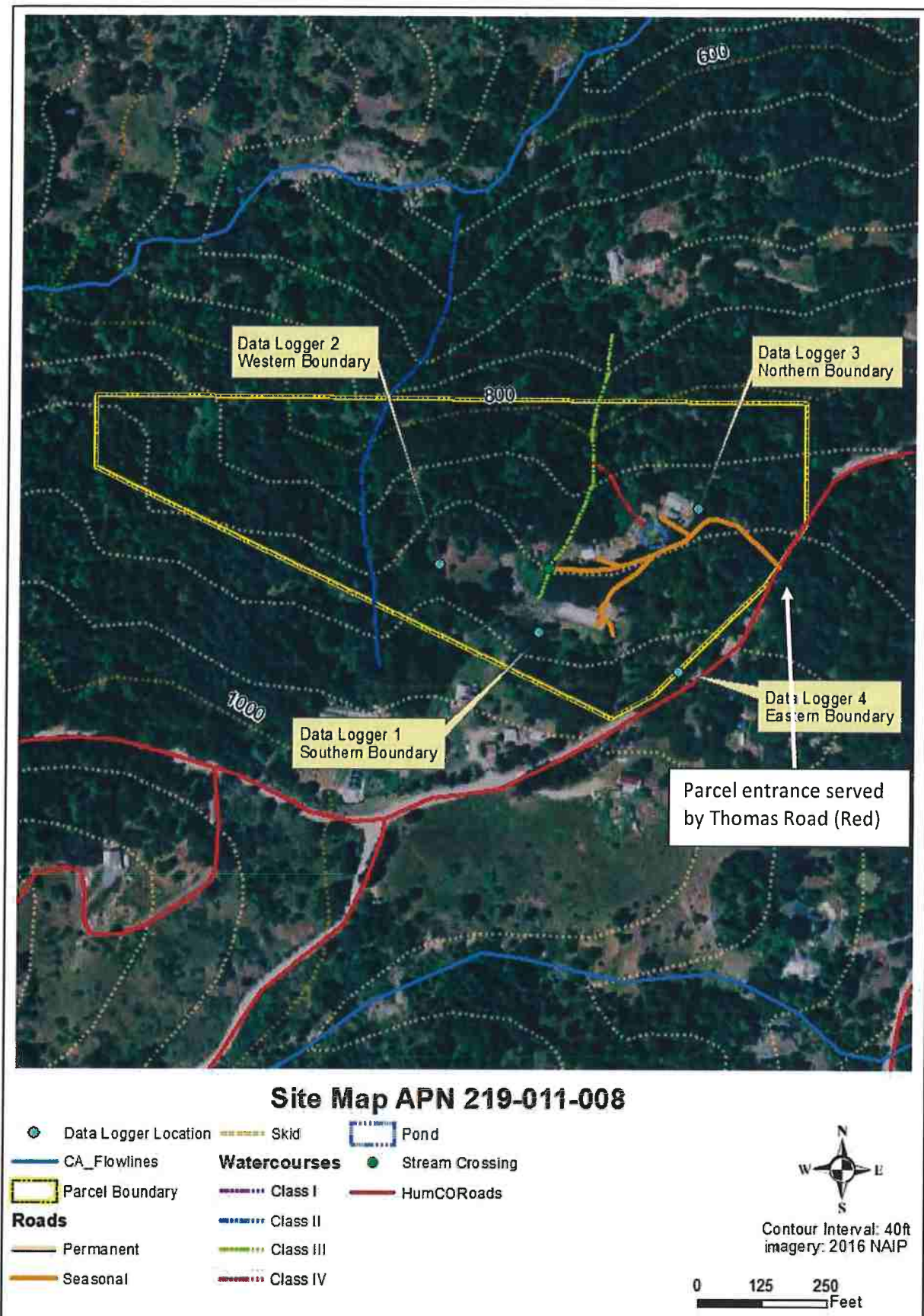


Figure 1: Note the immediate proximity of a category 4 road, Thomas rd. to the parcel access.

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.

Note: As stated above, County maintained roads with a painted centerline strip are roads considered meeting or exceeding Road Category 4 standards, and are not necessarily listed below.

"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 [Grizzly 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 Road to P.M. 067
Cathy 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
Dean Creek Road	6B198	State Hwy 101 to P.M. 0.48 [End of County maintained]
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
Grizzly 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
Johnson Road	4G060	State Hwy 36 to P.M. 1.69 [End County maintained]
Kneeland Road	F6F060	Freshwater Road to Mountain View Road
Lighthouse Road	1D010	Mattole Road to State Park boundary
Maple Creek Road	5L100	All
Mattole Road	F3D010	All
Mattole Road	F3C010	All
McCann Road	6D090	Dyersville 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

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D-2

Exhibit "D"
Road Evaluation Reports

"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
Sprovel Creek Road	C6B095	PM 0.0 to PM 2.11
Sprovel 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

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. 0.67 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]
Sprovel 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 //

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D-3

April 11, 2019


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

Dear Humboldt County Planning Division:

Blair Forestry LLC was contacted by Green Roads Consulting to prepare a Registered Professional Forester's (RPF) Conversion Evaluation Report for APN 219-011-008 on Thomas Road in the Salmon Creek area. Upon contacting Mr. Carstensen, he claimed no trees had ever been removed on the property associated with conversion activities or cannabis cultivation. An imagery analysis confirmed this to be accurate (as accurate as a desk-top review can be).

A representative of Blair Forestry contacted Liza Welsh at the Humboldt County Planning and Building Department – Cannabis Planning Division on April 4, 2019 to confirm that a site visit and an RPF Forester's Conversion Evaluation report was not required for Mr. Carstensen's permit. Mrs. Welsh said that she found no evidence there had been any tree removal and confirmed during our conversation that no RPF site visit or report was required.

**Sincerely,
Blair Forestry Consulting**



Thomas F. Blair, Registered Professional Forester 2607

February 24, 2020

Pre-approval Inspection Synopsis

Humboldt High Club

APN 219-011-008, Apps 15250

PLN-2018-15250

Devin Sutfin, Planner

- Photos are in the e-file, unlabeled. I can offer clarity for any confusing shots but have decided for now not to annotate each photo.
- GH measures 25' x 73' = 1,825 sq ft
- Site plan is accurate, minus minor issues discussed by you and me this morning (I cannot recall the details).
- Photo "DSCN3709.JPG" was taken from the NW corner of the greenhouse looking NW, and the finger is pointing toward the drainage that runs beside the residence. I am standing on the corner of the rock wall supporting that edge of the GH. Next photo, "DSCN3710.JPG" is looking back up toward the greenhouse.
- I attempted to take pictures encapsulating the current status of California black oak and other trees on the parcel, as some of the oaks were damaged. All downed trees appeared to be a result of natural occurrences, like storm damage, including some damaged limbs on living and erect trees.
- Monofilament netting was erected sporadically as perimeter fencing.
- Photos DSCN3716.JPG through DCSN3726.JPG depict the outdoor cultivation area on east side of parcel. I attempted to photograph the presence and current status of trees, specifically California black oak.

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 of Environmental Health	✓	Conditional Approval	Attached
Building Inspection performed by Devin Sutfin, Cannabis Planner	✓	Other Comments	Attached
PG&E	✓	Other Comments	Attached
CAL FIRE	✓	Other Comments	Attached
Humboldt County Sheriff	✓	Other Comments	Attached
NWIC	✓	Other Comments	On file with Planning
Bear River Band	✓	Inadvertent discovery protocol	On file with Planning
Humboldt County Agricultural Commissioner		No Response	
State Water Resources Control Board- Division of Water Rights		No Response	
California Department of Fish & Wildlife		No response	
NCUAQMD		No Response	
Intertribal Sinkyone Wilderness Council		No Response	
RWQCB		No Response	
Salmon Creek Volunteer Fire Department		No Response	
Southern Humboldt Joint Unified School District		No Response	
County Council		No Response	
District Attorney		No Response	



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

AVIATION 839-5401

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

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Liza Welsh, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 02/21/2019

RE:

Applicant Name	HUMBOLDT HIGH CLUB LLC
APN	219-011-008
APPS#	PLN-2018-15250-ZCC

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:

Applicant has submitted a road evaluation report that incorrectly states that only 0.01 miles of the County maintained road (Thomas Road) is used to access the subject parcel. Applicant uses approximately 4 miles of Thomas Road starting at the intersection of Salmon Creek Road. The County maintained roads Thomas Road and Salmon Creek Road are listed on the "accepted list" of Exhibit "D".

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 15250

☒ **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 modification in order to comply with County Code.

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

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

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

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

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

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

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

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

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

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

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

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

// END //

PLN-2018-15250 Humboldt High Club July 9, 2020 Page 106

▼ Pre-Site Inspection

Status:

[History](#)

PRE-SITE

Project Started

☐ Yes ☐ No

AOB Inspection

☐ Yes ☐ No

Soil Required Due to

Project is in flood zone A

☐ Yes ☐ No

2nd Flood Certificate Required

☐ Yes ☐ No

SRA requirements apply

☐ Yes ☐ No

SRA water storage requirements apply

☐ Yes ☐ No

Grading permit required

☐ Yes ☐ No

Erosion and sediment control measures required

Lot created prior to 1992

☐ Yes ☐ No

Incomplete Submittal Construction Plan

☐ Yes ☐ No

 [Standard Comment](#)

Plans Stamped by Licensed Prof Required

☐ Yes ☐ No

Soil Report Required

☐ Yes ☐ No

FIRM panel number

(Text)

Flood elevation certificate required

☐ Yes ☐ No

Project appears to be within wet area

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

☐ Yes ☐ No

Driveway slope appears to be

Submit engineered foundation for

Applicant must locate property lines

☐ Yes ☐ No

Plot plan incomplete, must be revised


☒ Yes ☐ No

Other concerns exist


☐ Yes ☐ No

Planning Referral
2/22/19
db
- revise and resubmit plot plan showing all water tanks in proper locations
- revise and resubmit plot plan to accurately show structures on plot plan
- revise and resubmit plot plan labeling pond and describe its use
- revise and resubmit plot plan show setback from watercourse shown on plot plan and label i
Class II or Class III


check spelling

Attachment  [Photos](#)


(s) :




[Photos](#)




[Photos](#)




[Photos](#)




[Photos](#)




[Photos](#)




[Photos](#)




[Photos](#)




[Photos](#)




[Photos](#)




[Photos](#)



[Photos](#)



[Photos](#)



February 13, 2019

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

Ref: Gas and Electric Transmission and Distribution

To Whom It May Concern,

Thank you for submitting PLN-2018-15250 - 3506 Thomas Rd plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management

Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <http://usanorth811.org/wp-content/uploads/2017/05/CA-LAW-English.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes,

service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.
8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for

proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

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

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

Forester Comments:

Date:

Name:

Battalion Chief Comments:

Summary:

PLN-2018-15250

STATUS

Humboldt High Club, LLC - ZCC and SFPs - 2,000 sf mixed lgh...
: A Zoning Clearance Certificate for 2,000 square feet of mixe...

LOCATION


> 3506 Thomas Rd
Miranda, CA 95553

CONTACT

> Green Road Consulting

WORKFLOW

> 18 total Task
● 6 completed ○ 5 active



A notice was added to this record on 2018-11-15.

Condition: Parcel Status - 219-011-008 LP 1:1 Severity: Notice
Total conditions: 1 (Notice: 1)

Cancel

Help

Task

Assigned to Department

Assigned to Sheriff

Action by Department

Action by Sheriff

Start Time

End Time

Billable

No

Overtime

No

Comments

There is no record for Laura Clary and Devin Carstensen in the DA Office System.

Justin Clary shows misdemeanor charges in the DA Office System

In Possession Time (hrs)

Comment Display in ACA

Display Comment in ACA

Record Creator

Record Professional

Contact

Owner

Workflow Calendar

Workflow Bookout

Assigned Date

05/21/2020

Assigned to

Approved

Status Date

05/11/2020

Status Date

05/11/2020

Hours Spent

0.5

Comments

There is no record for Laura Clary and Devin Carstensen in the DA Office System.

Justin Clary shows misdemeanor charges in the DA Office System

In Possession Time (hrs)

Comment Display in ACA

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Contact

Owner

Workflow Calendar

Workflow Bookout

Summary
Project Description
Workflow
1 Referral Assignments
2 Planning Information
3 GP / Zoning Information
4 CEQA
5 Cannabis
Project Tracking
6 Referral Task Log (2)
Fee (7)
Payment
Workflow History (46)
Comments (2)
Documents (51)