



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

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

Hearing Date: July 9, 2020

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Redcrest Organics, LLC, Special Permits**  
Record Number: PLN-2020-16160  
Assessor's Parcel Numbers: 209-291-001; 209-291-017; and 209-351-022  
125 Holmes Flat Road, Shively area

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

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
July 9, 2020	Special Permits	Stephen Luther

**Project Description:** A Special Permit for one acre (43,560 square feet) of new cultivation. The site is also proposing to receive fifteen (15) Retirement, Restoration and Relocation (RRR) projects which will be processed separately as Zoning Clearance Certificates. Upon completion of the RRR permits, the total cultivation at full build-out will be 7.89 acres (343,560 square feet). The property has 40 acres of mapped prime agricultural soils. No propagation occurs on-site. All juvenile plants are sourced off-site from a licensed nursery and transported to the site. Dry farming techniques will be used, with only 2.3 gallons applied to each young plant in June (one 4,250-gallon rain catchment used per acre, or 0.9 gal/sf). Water will be stored in a total of eight (8) 4,250-gallon plastic tanks to support the full cultivation. Water use for the proposed cultivation is estimated at 29,000 gallons for the season. Drying and processing occurs off-site. Estimated 40 workers at peak activity, with full-time manager living in RV on-site. A Special Permit is also requested to reduce the setback to Humboldt Redwoods State Park.

**Project Location:** The project is located in the Redcrest area, on the north side of Avenue of the Giants, approximately 2,000 feet north from the intersection of Avenue of the Giants and Holmes Flat Road, on the property known as 28101 Avenue of the Giants and on the property known to be in the northwest quarter of the southeast quarter of the southwest quarter of Section 33 of Township 01 North, Range 02 East, Humboldt Base & Meridian.

**Present Plan Land Use Designation:** Agricultural Exclusive (AE), Density: Range is 20 to 60 acres per unit; Commercial Recreation (CR), Density: N/A; Avenues Community Planning Area: Stafford-Redcrest, 2017 General Plan, Slope Stability: Low Instability (1) and Moderate Instability (2).

**Present Zoning:** Agricultural Exclusive (AE), Flood Hazard Area (F); Flood Plain (FP); Flood Plain (FP), Qualified (Q).

**Record Number:** PLN-2020-16160

**Assessor's Parcel Numbers:** 209-291-001; 209-291-017; and 209-351-022.

**Applicant**

Redcrest Organics, LLC  
Johnny Deim  
PO Box 85  
Garberville, CA 95542

**Owner**

The Last Redwood Corporation  
C/O Dean Lewis  
1 Parkside Drive  
Fortuna, CA 95542

**Agent**

SL Consulting Inc  
Brittney Crosby  
973 Dowler Drive  
Eureka, CA 95501

**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.

**Redcrest Organics, LLC**  
Record Number: PLN-2020-16160  
Assessor's Parcel Numbers: 209-291-001; 209-291-017; and 209-351-022

**Recommended Zoning Administrator Action:**

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

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

**Executive Summary**

The project is for a Special Permit for 43,560 square feet of new outdoor cannabis cultivation. The site is also proposing to host up to fifteen (15) Retired, Restored and Relocated (RRR) cultivation entitlements each totaling 20,000 square feet through the County RRR program. The combined total cultivation area on the site would be 343,560 square feet (7.89 acres). This is less than the allowed 8 acres that comprise 20% of the total mapped Prime Agricultural soils. The CEQA analysis considers the project as a whole at full build-out. However, this Special Permit is for one acre of cultivation. A Special Permit for a setback reduction to Humboldt Redwoods State Park is also requested to reduce the setback from proposed cultivation at full-build out to 110 feet.

The site has historically been used for intensive agriculture. It is located in the Flood Plain of the South Fork Eel River. The property is developed with a woodshop and an Ag barn, neither of which will be used in the cannabis operation. No new structures are proposed. Two portable toilets will be located onsite for use by cultivation staff and be removed annually to comply with the Flood Damage Prevention Ordinance.

The site is accessed by Holmes Flat Road, a paved County-maintained road with a centerline stripe. The site will be developed with parking spaces and an SRA turnaround for emergency vehicles. The Department of Public Works commented on the project referral. A condition of approval requires all fences and gates be relocated out of the County right of way.

All cultivation is full-sun outdoor and dry farmed directly in the native soil. Irrigation water is used to water in the plants upon initial planting. 2.3 gallons will be applied to each young plant in June (one 4,250-gallon rain catchment tank used per acre, or 0.9 gal/sf). Water will be stored in a total of eight (8) 4,250 gallon plastic tanks to support the full cultivation. Water use for the proposed cultivation is estimated at 29,000 gallons for the season. Up to forty (40) seasonal workers will be needed at peak harvest activities upon full project implementation. No power is needed for the dry-farmed operation; however, the site is connected to P.G.&E. No generators are proposed. An ongoing operation condition requires the applicant to demonstrate the use of 100% renewable energy.

The property proposes to host up to fifteen (15) cultivation entitlements relocated to the site through the County's Retirement, Remediation and Relocation (RRR) program. The retirement sites will be less than 20,000 square feet in size, therefore, up to 20,000 square feet can be accommodated at the subject parcel with Zoning Clearance Certificates. The Zoning Clearance

Certificates for the RRR cultivation will be processed as ministerial actions upon completion of the required retirement paperwork and findings that the cultivation meets the Zoning Code. The Site Plan identifies placeholders for as yet unidentified retirement sites. Prior to approving the relocation, each retiring site must execute a Retirement and Restoration Agreement and Covenant restricting future development at the restoration site.

The cultivation site is located approximately 320 feet south of the South Fork Eel River. Chadd Creek, a Class III perennial watercourse, divides the agricultural field from the RV Park and Gift Shop. Cultivation is located 200 feet from this watercourse. Proposed outdoor cultivation areas are therefore outside the Streamside Management Area (SMA) setbacks. The site is flat and will be organically farmed, with no pesticides. Conditions of approval require the applicant to submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Applicability and a Site Management Plan.

A *Biological Survey Report* was prepared for the site by Naiad Biological Consulting on September 16, 2019. The biologist evaluated the site for the presence of sensitive plant and wildlife species. The report notes that the proposed cannabis cultivation would take place in a field that has been in active agricultural use for an estimated 100 years, and as a result the area has been continually disturbed. Of the special-status plant species with the potential to occur on-site, none were observed. The project will have no impact on areas of potential habitat outside the project area. There are three (3) Northern Spotted Owl (NSO) activity centers within 1.3 miles of the project site. The nearest Northern Spotted Owl activity center is approximately 0.84 miles south of the cultivation area. Marbled murrelet mapped final critical habitat is located approximately 150 feet west of the cultivation field. There is no suitable habitat on the site for NSO or Marbled murrelet. The optimal habitat is located in the Humboldt Redwood State Park. Project activities are proposed solely within cultivated fields. The project will have no noise or light impacts and will therefore have no impact.

At full build-out, the westernmost edge of the cultivation area will be located approximately 110 feet from public land managed by California State Parks; however, no developed or designated recreational facilities are within 600 feet of any cultivation area. A Special Permit for the allowance of a setback reduction of the 600-foot buffer from Redwood State Park is included as a part of the applicant's request. The adjacent public land is subject to the *Humboldt Redwoods State Park General Plan 2001 (HRSPGP)*. The *HRSPGP* identifies agriculture and ranching, resource extraction, activities on private lands that generate aesthetic or resource impacts, and highway maintenance as adjacent land uses that may cause impacts. The *HRSPGP* states that with road work and the potential for clear-cutting occurring so near the park's boundary, erosion, wind damage, elimination of wildlife corridors, loss of scenic beauty, and the reduction of quality habitat for plants and animals remain issues that must be monitored. The *HRSPGP* also states that adequate buffering of development within the park from adjacent land uses or other mitigation measures must be utilized as potential remedies for adverse impacts to the park's prime resources.

The project is consistent with the *HRSPGP* because the cultivation activities will minimize impacts to biological resources and wildlife through measures to reduce potential light and noise impacts. The project will not require substantial road improvements or the removal of trees. The project will also protect fisheries and aquatic habitat on forest lands by maintaining buffers from streams and by placing controls on water withdrawals and on the storage and use of pesticides and fertilizers, and will minimize risk from wildfire by adhering to the County's Fire Safe Regulations and requiring adequate road access. The *HRSPGP*'s provisions for cultural resource protection will be met through the project consultation with Tribal Historic Preservation Officers and avoidance of sensitive tribal cultural resources. Additionally, a Site Management Plan must be developed for

the project in compliance with the State Water Board Cannabis General Order. The site is flat with well-draining soil, and no adverse impacts to surrounding watercourses will result. Finally, the project is consistent with recreational use on public lands by maintaining a minimum 600 buffer separation from developed public campgrounds and/or trails. As a result, there will not be any new erosion, wind damage, elimination of wildlife corridors, loss of scenic beauty or reduction of quality habitat for plants and animals.

The project was referred to Humboldt Redwoods State Park on June 4, 2020. A draft of this Staff Report was sent to the State Park employee point of contact on June 16, 2020. Comments were requested to include in the staff report. No comments have been received to date.

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

Environmental review for the proposed project at full build-out was conducted, and based on the results of that analysis, staff determined the new 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 no new significant impacts. The proposed project does not present substantial changes that would require major revisions to the previous EIR. 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-2020-16160**

**Assessor's Parcel Number: 209-291-001; 209-291-017; and 209-351-022**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Redcrest Organics, LLC, Special Permits request.**

**WHEREAS**, Redcrest Organics, LLC, submitted an application and evidence in support of approving the Special Permit for a 43,560-square-foot outdoor cannabis operation utilizing dry farming, with propagation, drying and processing off-site; and

**WHEREAS**, evidence has been submitted to support the request to reduce the setback from future proposed cultivation area to Humboldt Redwoods State Park to 110 feet; and

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

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

**WHEREAS**, Attachment 2 in the Planning Division staff report includes substantial evidence in support of making all of the required findings for approving the proposed Special Permits (Record Number PLN-2020-16160); and

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

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

1. The Zoning Administrator considered the Addendum to the Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance; and
2. The Zoning Administrator makes the required findings for approval in Attachment 2 of the Planning Division staff report based on the submitted substantial evidence; and
3. Special Permits Record Number PLN-2020-16160 is approved as recommended and conditioned in Attachment 1.

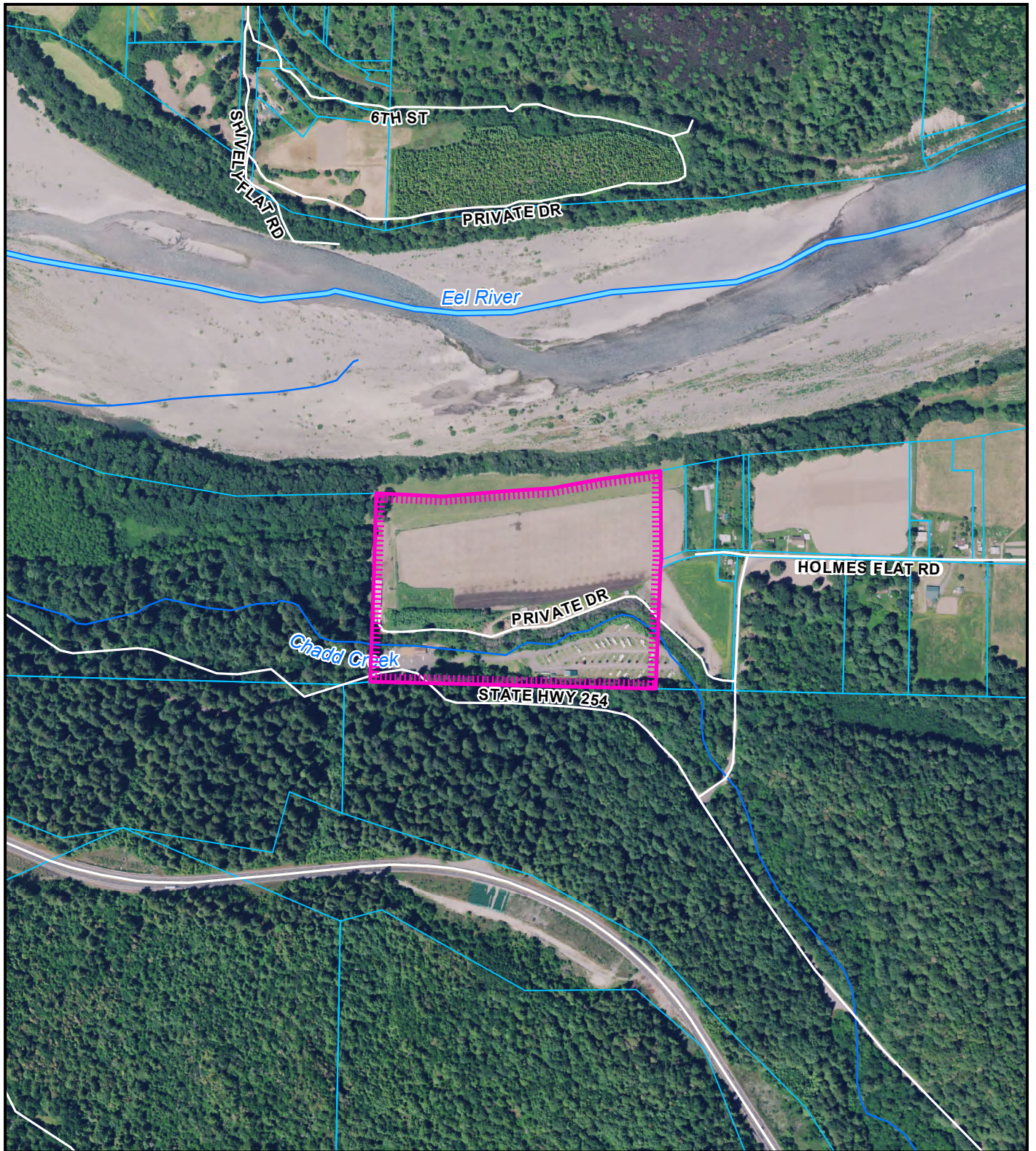
Adopted after review and consideration of all the evidence on July 9, 2020.

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

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





Project Area = 

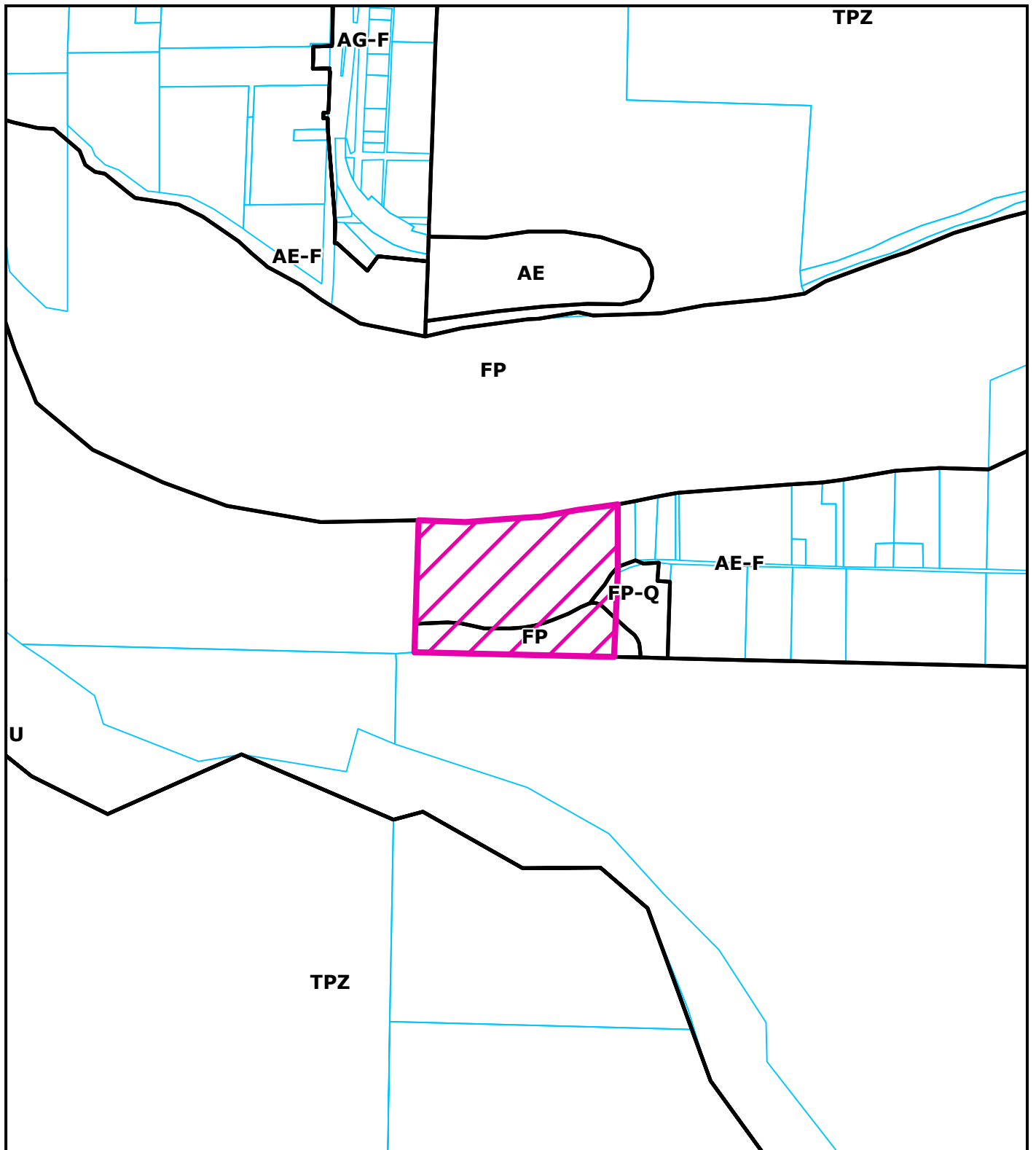
**AERIAL MAP  
PROPOSED REDCREST ORGANICS  
PEPPERWOOD AREA  
PLN-2020  
APN: 209-351-022  
T01N R02E S33 HB&M (REDCREST)**

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.

0 900 1,800 Feet







Project Area = 

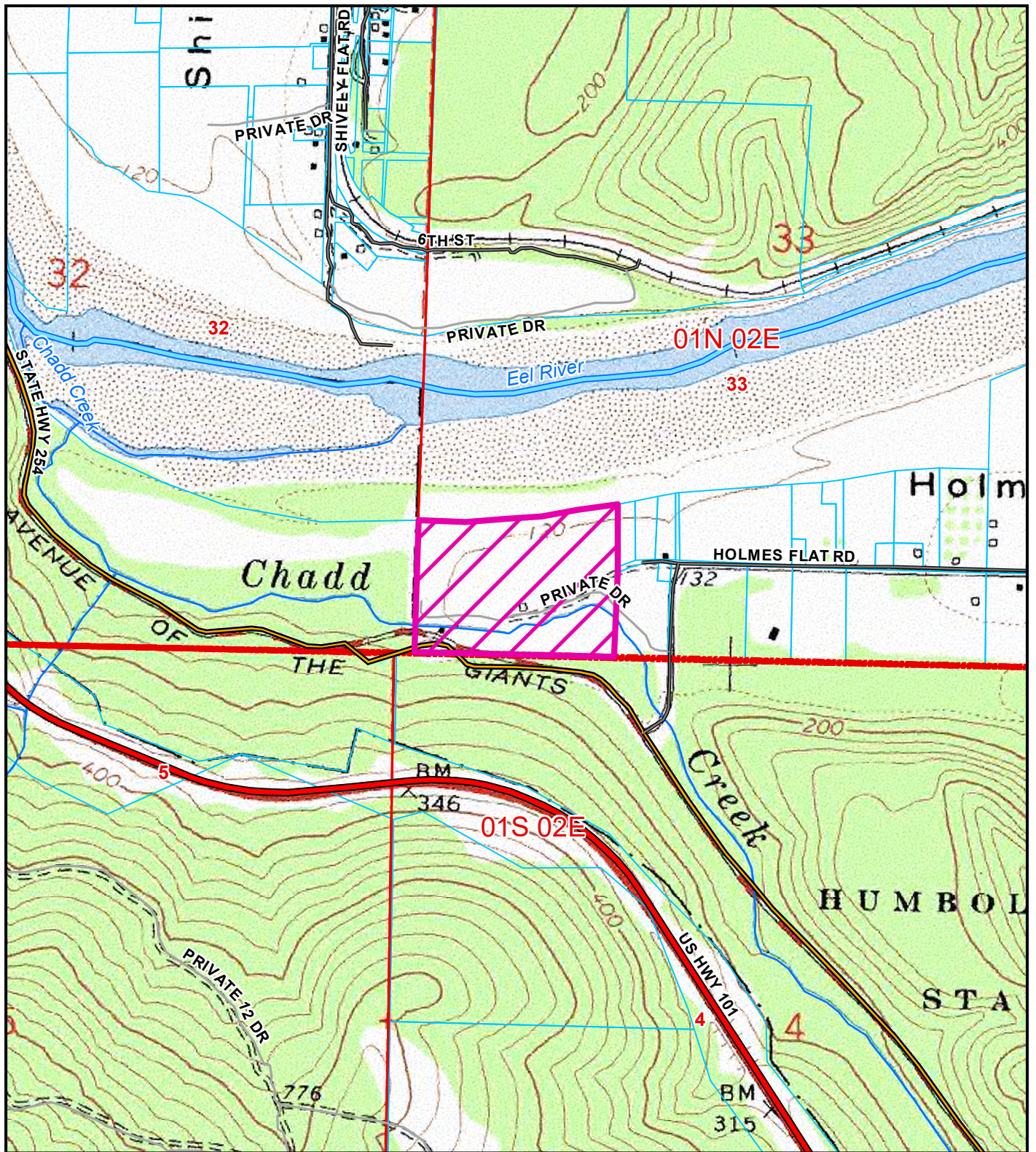
**ZONING MAP  
PROPOSED REDCREST ORGANICS  
PEPPERWOOD AREA  
PLN-2020  
APN: 209-351-022  
T01N R02E S33 HB&M (REDCREST)**



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

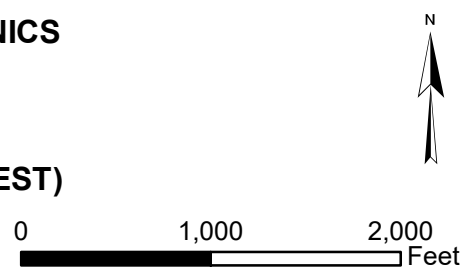




Project Area = 

**TOPO MAP  
PROPOSED REDCREST ORGANICS  
PEPPERWOOD AREA  
PLN-2020  
APN: 209-351-022  
T01N R02E S33 HB&M (REDCREST)**

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.







DIRECTIONS TO SITE:  
FROM EUREKA, CA  
-TAKE 101 SOUTH  
(APPROX. 34.2 MILES)  
-TAKE EXIT 671 AND GO LEFT  
BARKDULL RD  
(APPROX. 0.2 MILES)  
-TURN RIGHT ONTO 254  
(APPROX. 2.2 MILES)  
-TURN LEFT ONTO HOLMES  
FLAT RD  
(APPROX. 0.2 MILES)  
-DESTINATION IS ON THE LEFT

APN: 209-291-001, 209-351-022, 209-291-017

PROPERTY OWNER:  
THE LAST REDWOOD CORPORATION  
1 PARKSIDE DRIVE  
FORUNA, CA 95540

OWNERS AGENT:  
SL CONSULTING SERVICES INC  
973 DOWLER DRIVE  
EUREKA, CA 95501  
(707) 440-9033

GENERAL NOTES:

1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY GIS DATA. SL CONSULTING SERVICES INC. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
3. THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE PROPOSED CULTIVATION AREA.
4. NO RESIDENCES WITHIN 300'

### PROJECT INFORMATION:

SITE ADDRESS:  
209-291-001, 209-351-022 209-291-017  
28101 AVENUE OF THE GIANTS  
REDCREST, CA 95569

TREES TO BE REMOVED = NONE

EXISTING CULTIVATION AREA = 0 SQ. FT

PROPOSED CULTIVATION AREA (APN 209-291-022) = 43,560 SF OUTDOOR  
(REDCREST ORGANICS, LLC APPLICATION PENDING)

TOTAL PRIME AG SOIL AREA = ~40.04 ACRES = 8.008 ACRES = 348,828  
PROPOSED RRR RECEIVING AREA (APN 209-291-022) = 300,000 SF

EARTHWORK QUANTITIES = TBD

WATER = PRIVATE  
SEWER = PRIVATE

PARCEL SIZE (209-291-001) = ±1.28 ACRES  
PARCEL SIZE (209-291-017) = ±5.59 ACRES  
PARCEL SIZE (209-351-002) = ±33.17 ACRES

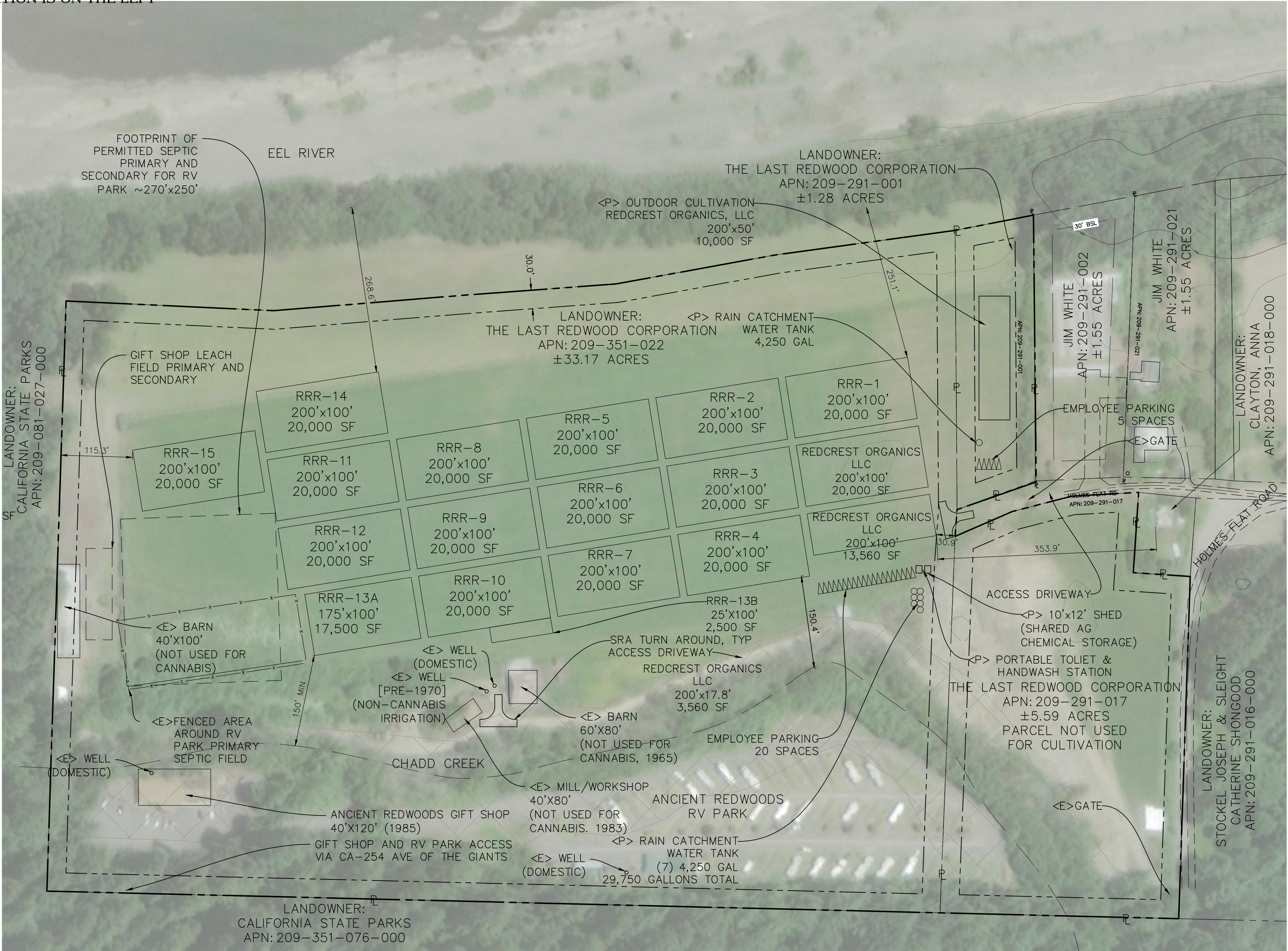
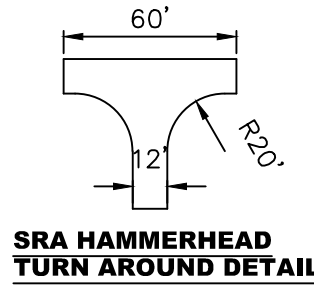
ZONING: = AE-F  
GENERAL PLAN DESIGNATION = AE (AVES)

BUILDING SETBACKS:

	AE	SRA
FRONT	30'	30'
SIDE	20'	30'
REAR	10'	30'

MAX. BLDG. HT. = NONE SPECIFIED

SRA AREA: = YES  
IN COASTAL ZONE: = NO  
IN 100 YR FLOOD ZONE: = YES



SHEET INDEX:

CO – ZONING PLOT PLAN, VICINITY MAP, &  
PROJECT NOTES

## PLOT PLAN

22x34 SHEET: 1"=100'  
11x17 SHEET: 1"=200'



THE LAST REDWOOD CORPORATION  
APN:209-291-001,--017, 209-351-022 REDCREST CA 95569

# PLOT PLAN, PROJECT NOTES, AND VICINITY MAP

ROJ. MGR.: SL  
ROJ. ASSOC.: SL  
DRAWN BY: SL  
DATE: 09-30-19  
SCALE: AS SHOWN

SHEET  
**C0**  
WHI.RCCA01  
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**ATTACHMENT 1**  
**Recommended Conditions of Approval**

**APPROVAL OF THE SPECIAL PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED PRIOR TO INITIATION OF OPERATIONS.**

1. The applicant shall provide an invoice, or equivalent documentation, to the Department of Environmental Health to confirm the use of portable toilets to serve the needs of cultivation staff prior to or at the annual inspection.
2. 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.
3. Power is to be supplied by PG&E. Applicant shall demonstrate the purchase of 100% renewable energy at time of annual inspection.
4. Noise generated from the operation shall not exceed 50db at 100 feet from the noise source or at the edge of the nearest forest habitat, whichever is closer, as required by Section 314-55.4.12.6 Humboldt County Code.
5. The applicant shall contact the local fire service provider [Redcrest 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.
6. The applicant shall provide the Planning Department of copy of the Site Management Plan developed for the parcel prepared pursuant to enrollment under the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy, General Order. 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.
7. The Applicant shall install and utilize a water meter to demonstrate that the amount of water used to grow juvenile plants is sufficient. Water use metrics shall be available for review prior to or during the annual inspection.
8. 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.
9. The applicant shall pave the existing road apron at the intersection of Holmes Flat Road for a minimum width of 20 feet and a length of 50 feet where it intersects the County road. The

applicant shall apply for and obtain an encroachment permit prior to commencement of any work in the County maintained right of way. Confirmation from the Department of Public Works that the work has been completed shall satisfy this requirement.

10. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
11. 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 PG&E. Applicant shall demonstrate the purchase of 100% renewable energy at time of annual inspection.
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 California Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner.
18. The use of monofilament netting for all uses, including but not limited for erosion control, shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.
19. Leave wildlife unharmed. If any wildlife is encountered during the Authorized Activity, Permittee shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed.
20. The environmental impacts of improper waste disposal are significant and well documented. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
21. Artificial light used in cultivation operation will adhere to shielding and International Dark Sky Association standards as set forth in the CCLUO.

#### Performance Standards for Cultivation and Processing Operations

22. Pursuant to the MAUCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural



employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."

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

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

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

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

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

Permittee further acknowledges and declares that:

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

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

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

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

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

**Informational Notes:**

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

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

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

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

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

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

County Planning Division, 3015 "H" Street, Eureka.

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

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

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

## ATTACHMENT 2

### Required Findings for Approval

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

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

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



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

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations 4.8</p>	<p><b>Agricultural Exclusive (AE):</b> This designation applies to bottomland farms and lands that can be irrigated. Typical uses include dairy, row crops, orchards, specialty agriculture, and horticulture.</p> <p><b>Commercial Recreation (CR):</b> This designation is intended for commercial recreation facilities / accommodations and recreation/tourist oriented sales and services geared to local and visitor needs.</p> <p><b>Avenue of the Giants Community Plan Area (AVES):</b> This plan area is in southern Humboldt County and includes policies to protect resource production land, increase rural densities, provide economic development, and identification of areas of special concern.</p>	<p>The proposed project includes 43,560 square feet outdoor cannabis cultivation on lands designated as Agricultural Exclusive. General and intensive agriculture are allowable use types for this designation. The southern portion of APN 209-351-022 on the south side of Chadd Creek is zoned Commercial Recreation. This portion of the parcel is developed with the a Gift Shop and the Ancient Redwoods RV Park, a 49-space recreational area for temporary stays.</p> <p>The proposed project is in the Holmes Flat area within the Stafford-Redcrest community in the AVES CPA. The proposed project will support the major policies of the AVES and Humboldt County General Plan which work in unison. The proposed project will consist of the production of an agricultural crop within an area designated as prime farmland. This is consistent with the history of agricultural production in the AVES CPA and Shively community. The proposed project will not degrade other environmental resources, nor will it preclude future use of any on-site or off-site agricultural land. In addition, it will preserve the existing rural nature of the project site and surrounding land uses. As such, the proposed project would be consistent with both the General Plan and AVES CPA.</p>
<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</p>	<p>The project site is accessed by a private road that serves three parcels off Holmes Flat Road, a paved County-maintained road with a centerline stripe. The road apron is paved at the intersection of Holmes Flat Road, however an encroachment permit has not yet been obtained. A gift shop and RV park on the western edge of the property are accessed directly off Highway 254 Avenue of the Giants. This portion of the property</p>

	<p>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>has no nexus to cannabis activity, and no encroachment permit is necessary from CALTRANS. The Department of Public Works commented on the project. A Road Evaluation Report has been requested for the applicant to confirm the 500 foot private road segment serving the parcel is the functional equivalent of a Class 4 road. Given the access road serves three parcels and based on site observations is flat with adequate width upon minor vegetation pruning, staff finds the access is sufficient for the proposed project. A condition of approval requires all fences and gates be relocated out of the County right-of-way and for the applicant to apply for and obtain an encroachment permit.</p>
Housing Chapter 8	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory.</p>	<p>The project does not involve residential development, nor is the project site part of the Housing Element Residential Land Inventory. However, the project will not preclude any future residential development. The project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.</p>
Conservation and Open Space Chapter 10  Public Lands Chapter 4.7	<p>Goals and policies contained in this Chapter present a framework of goals and policies for use and protection of all the natural resource and open space assets of the county, including agricultural production.</p> <p>Public lands policy PL-P6 requires that discretionary review of permit applications adjacent to public lands shall consider impacts to public lands and consistency with applicable management plans.</p>	<p>The project is located adjacent to state lands managed by the California State Parks as Humboldt Redwoods State Park. The adjacent public lands are subject to the Humboldt Redwoods State Park General Plan (GP) adopted October 26, 2001. The project is consistent with the GP because the cultivation activities will minimize impacts to biological resources and wildlife through measures to eliminate potential light and noise impacts. The project will also protect fisheries and aquatic habitat on forest lands by maintaining buffers from streams and by utilizing dry farming methods with minimal irrigation use. The operation will use organic inputs to amend the native soil. No pesticides or rodenticides are used. The project will minimize risk from wildfire by adhering to the County's Fire Safe Regulations and developing an</p>

		<p>emergency turn-around. The GP's provisions for cultural resource protection will be met through the project consultation with Tribal Historic Preservation Officers and avoidance of sensitive tribal cultural resources. Finally, the project is consistent with recreational use on public lands by maintaining a minimum 600 buffer separation from developed campgrounds and/or trails.</p> <p>The project was referred to Humboldt Redwoods State Park on June 4, 2020. A draft of the staff report and request for comments was emailed on June 16, 2020 (see Attachment 5). State Parks staff is reviewing the project but no comments have been received to date.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces. (CO-G1, CO-G3)</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program.</p>	<p>The proposed project is located within Open Space Land Plan because the project site is planned Agriculture Exclusive, zoned Agriculture Exclusive, and in the Flood Hazard Combining Zone. The project can be found consistent with the Open Space Plan because the proposed project is consistent with the allowable uses of the Land Use Designation.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management</p>	<p>The project would utilize existing agricultural land for an agricultural crop. No propagation, drying or trimming of cannabis would occur on-site. The site is dry-farmed, with juvenile plants brought to the site and watered in for a 3-week period using rainwater catchment stored on-site. The cultivation site is located approximately 320 feet south of the South Fork Eel River. Chadd Creek, a Class III perennial watercourse divides the agricultural field from the RV Park and Gift Shop located in the southern half of APN 209-351-022. Cultivation is located 200 feet from Chadd Creek. Proposed outdoor cultivation areas are therefore outside the Streamside Management Area (SMA)</p>

	Areas.	<p>setbacks. Humboldt Redwoods State Park is located adjacent to the western property line. The proposed project will occur in fields that have been in active agricultural operation for years. According to the California Natural Diversity Database (CNDDDB), the site is mapped with Maple-leaved checkerbloom, Pacific tailed frog, and Foothill yellow-legged frog. The project does not impact riparian areas, and a 2005 survey from Natural Resources Management had negative results for maple-leaved checkerbloom. A <i>Biological Survey Report</i> was prepared for the site by Naiad Biological Consulting on September 16, 2019. The biologist evaluated the site for the presence of sensitive plant and wildlife species. The report notes that the proposed cannabis cultivation would take place in a field that has been in active agricultural use for an estimated 100 years, and as a result the area has been continually disturbed. Of the special-status plant species with the potential to occur on-site, none were observed. The project will have no impact on areas of potential habitat outside the project area. There are three (3) Northern Spotted Owl (NSO) activity centers within 1.3 miles of the project site. The nearest Northern Spotted Owl activity center is approximately 0.84 miles south of the cultivation area. Marbled murrelet mapped final critical habitat is located approximately 150 feet west of the cultivation field. There is no suitable habitat on the site for NSO or Marbled murrelet. The optimal habitat is located in the Humboldt Redwood State Park. Project activities are proposed solely within cultivated fields. The project will have no noise or light impacts and will therefore have no impact.</p> <p>The project was referred to California Department of Fish and Wildlife on January 28, 2020. A request for comments was sent again on June 9, 2020 (see Attachment 5). No comments have been received to date.</p>
Conservation and Open Space Chapter 10	Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources,	The project was referred to the Northwest Information Center (NWIC), the Bear River Band of the Rohnerville Rancheria and Intertribal Sinkyone Wilderness Council.

Cultural Resources Section 10.6	providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources) Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation.	NWIC responded indicating a Cultural Resource Survey may be needed. The Bear River Band responded indicating an archaeological survey is not required at this time due to the negative results of recent surveys in the Holmes Flat area. The Bear River Band THPO recommendation to incorporate inadvertent discovery protocols is included as an ongoing condition of approval.
Conservation and Open Space Chapter 10  Scenic Resources Section 10.7	Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-G2) Related policies: SR-S4. Light and Glare	The proposed cannabis cultivation will be full-sun outdoor, with no supplemental lighting used in cultivation. The CCLUO requires that lighting used for cultivation activity comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). International Dark Sky Association Standards exceed the requirements of Scenic Resources Standard SR-4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries.
Water Resources Chapter 11  Stormwater Drainage	Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy. (WR-G1, WR-dG2, WR-G7, WR-G8, WR-G9) Related policies: WR-P10. Erosion and Sediment Discharge; WR-42 Erosion and Sediment Control Measures.	The applicant is required to enroll in the State Cannabis Discharge program. Conditions of approval require the applicant to submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Applicability and a Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.



<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution. (WR-G6, WR-G9, WR G10)</p> <p>Related policies: WR-IM7. Basin Plan Septic Requirements; and IS-P20. On-Site Sewage Disposal Requirements.</p>	<p>The operation will utilize portable toilets and handwashing stations for cultivation staff. The site is developed with a permitted primary and secondary leachfield for the RV Park and the Gift Shop as shown on the map in Attachment 4. Project activities are outside the leachfield area and will not impact existing wastewater treatment systems. The project was referred to the County Division of Environmental Health which has recommended approval of the project. As an ongoing operational condition, the applicant must continue to furnish receipts showing the continual use of portable bathroom facilities.</p>
<p>Noise Chapter 13</p>	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards. (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.</p>	<p>The cultivation operation is all outdoor, dry-farmed cannabis. Noise sources will be limited to agricultural equipment already in use at the site. There will be no construction noise, and no generators are used. There is no need for power. The project will not create a substantial new noise source, as the proposed use is consistent with existing agricultural activities. Ongoing operational conditions require the applicant to maintain noise levels no more than 50 decibels as measured 100 feet from the source.</p>
<p>Safety Element Chapter 14</p> <p>Geologic &amp; Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury. (S-G1, S-G2)</p> <p>Related policies: S-P11. Site</p>	<p>The parcel is mapped as having low to moderate geologic instability. The project site is not located in a mapped Alquist-Priolo fault zone or subject to liquefaction. The slopes where cultivation would occur are less than 5%. No grading would occur. The proposed agricultural use is 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>

	Suitability, S-P7. Structural Hazards.	
<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 project site is located in the <i>F - Flood Hazard Area Combining Zone</i> and is mapped within the 100-year flood zone (FIRM Panel 1465). Existing buildings include a woodshop and a barn, neither of which are used for cultivation. No new structures are proposed. The project will not impede the drainage of flood waters and does not pose a risk to the loss of public or private property from flood damage. The project site is not within a mapped dam or levee inundation area and is outside the areas subject to tsunami run-up. The project therefore complies with this section.</p>
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential.</p> <p>Related policies: S-P15, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The subject parcel is located within an area with a mild to high fire hazard severity. The subject property is located within the Redcrest Volunteer Fire Department response area and within the State Fire Responsibility Area for fire protection (CAL-FIRE). California Department of Forestry and Fire Protection standard comments recommend compliance with the requirements of the County's Fire Safe Regulations. The Humboldt County Fire Safe Ordinance (Section 3111-1 <i>et seq.</i>) establishes development standards for minimizing wildfire danger in state responsibility designated areas.</p> <p>There will be a maximum of 40 temporary workers on-site during peak operations. With respect to the Fire Safe Ordinance (Section 3111-1 <i>et seq.</i>), all existing and proposed improvements are setback at least 30 feet from all property lines. Applicant has a designated fire turn-around and pullout area for emergency vehicles and 2,500 gallons of water storage dedicated for fire suppression.</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</p>	<p>To implement this policy, conditions of approval for the proposed project required the applicant to contact the local fire service provider [Redcrest Volunteer Fire Company] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation</p>

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

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

Zoning Section	Summary of Applicable Requirements	Evidence That Supports the Zoning Finding
§312-1.1.2  Legal Lot Requirement	Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	Per NOM-00-07, the configuration of APNs 209-291-001; 209-291-017 and 209-351-022 combined comprise one legal parcel as defined in Notice of Merger and Certificate of Subdivision Compliance 2000-27577. There is no evidence indicating there have been any subsequent acts to merge or divide this parcel. Therefore, the subject parcel was lawfully created in its current configuration and can be developed as proposed.
314-7.1 Agriculture Exclusive  314-21 Flood Hazard Areas  314-5.2 Flood Plain	<p><b>AE:</b> This zone is intended to be applied in fertile areas in which agriculture is and should be the desirable predominant use.</p> <p><b>F:</b> Combining zone intended to minimize public and private losses due to flood and tsunami conditions.</p> <p><b>FP:</b> This zone is intended to be applied to areas which have been inundated by flood waters in the past and which may reasonably be expected to be inundated by flood waters in the future.</p> <p><b>FP-Q:</b> Qualifying zone Ordinance 2209</p>	<p>The proposed project is a Special Permit for 43,560 square feet of new cannabis cultivation on a parcel zoned AE/F. The parcel will also receive fifteen (15) retirement sites totaling 300,000 square feet (6.89 acres). Total cultivation at the site would be 7.89 acres. The proposed use is an agricultural use that is specifically allowed with a Special Permit in this zoning district under Section 314-55.4.5.1.3 of the Humboldt County Code. The RRR cultivation is allowed with Zoning Clearance Certificates which will be processed as separate ministerial actions. The project is consistent with the Flood Plain Zone because there would be no new structures that would result in damage or transportation by water of wreckage and debris.</p> <p>The Qualifying zone applies to APN 209-291-017 where no cultivation activities are proposed. The zone establishes principal permitted uses such as general agriculture, roadside stands, and recreational uses.</p>
Min. Lot Size	20 acres	40 acres
Min. Lot Width	100 feet	1,060 feet

Max. Ground Coverage	35%	20%
Minimum Yard Setbacks:  (Through the SRA requirements)	Front: 30 feet Rear: 20 feet Side: 10% of the lot width on each side but not more than 20 feet  SRA: 30 feet, all sides	>30 feet all sides
Max. Building Height	None specified	<35 feet
§314-61.1 Streamside Management Area (SMA)	Purpose: To provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.	The cultivation site is located 300 feet from the South Fork Eel River. Chadd Creek, a Class I watercourse, runs through the southern portion of the parcel. Proposed outdoor cultivation areas are outside the SMA setbacks. Project activities would not impact riparian areas. No irrigation water is necessary because the operation is dry farmed. The minimal amount of water needed (4,250 gallons/acre) is sourced from rainwater catchment. The project will not impact any SMAs and therefore no Special Permit is required.
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 the spaces required for each use.  Agricultural use*: Parking space per employee at peak shift. A minimum of three parking spaces are required.  <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>	40 spaces



<b>314-55.4 Commercial Cultivation, Processing, Manufacturing and Distribution of Commercial Cannabis Inland Land Use Regulation (CCLUO)</b>		
§314-55.4.5.4  Permit Limits and Permit Counting	No more than eight acres of Commercial Cannabis permits may be issued to a single Person. No more than ten (10) Persons shall be granted permits authorizing three (3) or more acres of cultivation pursuant to the provisions of 55.4.6.1.2(c).	According to records maintained by the Planning Department, Redcrest Organics, LLC submitted no other applications for cultivation. The operator Johnny Deim has three other permits. The combined cultivation area is less than eight acres. This application is one Special Permit for a 43,560-square-foot cultivation operation. The parcel will also receive fifteen (15) retirement sites totaling 300,000 square feet (6.89 acres). Total cultivation at the site would be 7.89 acres. The RRR entitlements will be operated by distinct entities such that no entity is authorized more than 3 acres.
§314-55.4.6.0  Conversion of Timberland	Cultivation sites may only be located within a Non-Forested area that was in existence prior to January 1, 2016.	No timber conversion is proposed as part of the project. The project will occur in a field in agricultural use.
§314-55.4.6.4.3  Limitation on Use of Prime Soils	The cumulative area of any Cannabis Cultivation Site(s) located in areas identified as having Prime Agricultural Soil shall not exceed 20 percent of the area of Prime Agricultural Soil on the Parcel. Where occurring in areas with Prime Agricultural Soil, Cultivation shall only occur within the native soil. Removal of native soil and replacement with manufactured soil is prohibited. Exceptions to the in native soil planting requirement may be considered with a Use Permit.	The entirety of the 40.04-acre site is mapped as Prime Agricultural Soils. The cumulative area of the proposed cannabis cultivation site is approximately 343,560 square feet (7.89 acres). This is less than 8 acres, the 20% threshold of the Prime Ag area on the parcel. The applicant is planting directly in the native soil. The project meets the referenced standard.

§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. There are no residences within 300 feet of the cultivation area, and the cultivation area is setback 270 feet from adjacent undeveloped parcels. There are not any nearby Tribal Cultural Resources or Tribal Ceremonial Sites. The project is more than 600 feet from any developed park facilities of the Humboldt Redwoods State Park. A setback reduction to public lands is requested as part of the application.
§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.
§314-55.4.12.0.73 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 subject parcel is accessed via a private driveway off Holmes Flat Road. The access road is the functional equivalent of a Category 4 road suitable for the proposed commercial agriculture activity. The site meets all referenced road standards.

<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 – 3.4-1l, 3.4-3a, 3.4-4, 3.4-5 and 3.4-6 from the Final Environmental Impact Report.</p>	<p>The project would utilize existing agricultural land for an agricultural crop. No propagation, drying or trimming of cannabis would occur on-site. The site is dry-farmed, with juvenile plants brought to the site and watered in for a 3 week period using rainwater catchment stored on-site. Riparian area of the South Fork Eel River is located to the north. Humboldt Redwoods State Park is located adjacent to the western property line. The proposed project will occur in fields that have been in active agricultural operation for years. A <i>Biological Survey Report</i> was prepared for the site by Naiad Biological Consulting on September 16, 2019. The biologist evaluated the site for the presence of sensitive plant and wildlife species. The report notes that the proposed cannabis cultivation would take place in a field that has been in active agricultural use for an estimated 100 years, and as a result the area has been continually disturbed. Of the special-status plant species with the potential to occur on-site, none were observed. The project will have no impact on areas of potential habitat outside the project area. There are three (3) Northern Spotted Owl (NSO) activity centers within 1.3 miles of the project site. The nearest Northern Spotted Owl activity center is approximately 0.84 miles south of the cultivation area. Marbled murrelet mapped final critical habitat is located approximately 150 feet west of the cultivation field. There is no suitable habitat on the site for NSO or Marbled murrelet. The optimal habitat is located in the Humboldt Redwood State Park. Project activities are proposed solely within cultivated fields. The project will have no noise or light impacts and will therefore have no impact.</p>
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§314-55.4.12.2 Performance Standards–  Commercial Cannabis Cultivation	Identifies the Performance Standards for Cannabis Cultivation Activities.	The project as proposed and conditioned meets all of the requirements stipulated in the cited section. In Attachment 1, these performance standards have been incorporated into the On-going Conditions of Approval that must be satisfied for the life of the project.
§314-55.4.12.4 Performance Standards–  Light Pollution Control	<p>a) Structures used for Mixed Light Cultivation and Nurseries shall be shielded so that no light escapes between sunset and sunrise.</p> <p>b) Where located on a Parcel abutting a residential Zoning District or proposed within Resource Production or Rural Residential areas, any Security Lighting for Commercial Cannabis Activities shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses.</p>	The proposed project is for 43,560 square feet of new outdoor cultivation. The parcel will also receive fifteen (15) retirement sites totaling 300,000 square feet (6.89 acres) Total cultivation at the site would be 7.89 acres. Clones are brought from an off-site licensed nursery. No supplemental light is used in the cultivation operation. The operation meets the referenced standard.
§314-55.4.12.5 Performance Standards–  Energy Use	<p>All electricity utilized by Commercial Cannabis Cultivation, Manufacturing or Processing activities shall conform to one or more of the following standards:</p> <ul style="list-style-type: none"> <li>• Grid power supplied from 100% renewable source; and</li> <li>• On-site renewable energy system with twenty percent net non-renewable energy use</li> </ul> <p>Grid power supplied by partial or wholly non-renewable source with purchase of carbon offset credits.</p>	The operation does not require power as propagation, drying and processing occur off-site. Tractors and plows do not require electricity. Any hand-tools will be battery powered. However, the site is connected to the Pacific Gas and Electric (P. G. & E.) grid. No generators will be used. Conditions of approval require the applicant will demonstrate electricity is purchased through a 100% renewable energy source.

<p>§314-55.4.12.6 Performance Standards–</p> <p>Noise</p>	<p>Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site. Existing ambient noise levels shall be determined by take twenty-four measurements on three or more property lines when all cannabis related activities are not in operation.</p>	<p>The project will not create a new substantial noise source. The project will utilize farming equipment to till and disc soil. No propagation, drying or processing occurs on site. The site is served by P.G.&amp;E.; however, no power is needed for the operation. No generator is used on site. The nearest Northern Spotted Owl activity center is approximately 0.84 miles south of the cultivation area. Marbled murrelet mapped habitat is located approximately 140 feet west of the nearest proposed cultivation area. There is no suitable habitat on the site for NSO or murrelet. The proposed activity will not create a new noise source. Ongoing operational conditions require the applicant to maintain noise levels no more than 50 decibels as measured 100 feet from the source, including amplified music of temporary workers.</p>
<p>§314-55.4.12.7 Performance Standards –</p> <p>Cannabis Irrigation</p>	<p>A Special Permit shall be required where Irrigation of Commercial Cannabis Cultivation Activities occurs wholly or in part using one or more Diversionary sources of water. All Cannabis Irrigation, regardless of cultivation area, shall be subject to documentation of water use, forbearance periods and storage requirements, metering and recordkeeping.</p>	<p>The project will use approximately 20,000 gallons of water. Irrigation water is only used in June at the start of the season. The operation uses dry farming cultivation practices. The applicant is proposing to utilize rainwater catchment stored in eight (8) 4,250-gallon tanks.</p>
<p>314-55.4.12.10 Performance Standards –</p> <p>Soils Management</p>	<p>A soils management plan shall be provided detailing the use of imported and native soil on the Parcel(s) or Premises. The plan shall provide accounting for the annual and seasonal volume of soil that is imported and exported and documentation of the approved location of any Parcel(s) used for off-site disposal of spent soil if this occurs or is proposed.</p>	<p>The project utilizes native soils and minimal amendments based on scientific analysis. No soil is imported or exported.</p>

314-55.4.12.13 Performance Standards –  Remediation Activities	All remediation activities shall be conducted in accordance with the requirements for Mitigation and Monitoring Plans described within 314-61.1 of the Humboldt County Code, including the standards for documentation, reporting, and adaptive management.	All proposed cultivation will occur on existing agricultural land that was previously use for agricultural purposes. The site is hosting cultivation that is being retired on other parcels as part of the County Retirement, Relocation, and Restoration (RRR) program. The remediation for retired cannabis activities is documented in the Zoning Clearance Certificates for the respective retirement sites. Cultivation at the subject parcel is contingent on satisfactory completion of the restoration agreement for the retiring sites.
314-55.4.12.16 Performance Standards –  Invasive Species Control	It is the responsibility of a certificate or permit holder to provide a plan to control the spread of invasive species.	The applicant shall follow the management recommendations of the Invasive Species Management Plan provided with the application (see Attachment 4), which include early detection rapid response to remove plants before they can flower and seed.

**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 new outdoor cultivation utilizing dry farm methods. The project site will host relocated cultivation from retired sites under the County's RRR program. Drying and processing will occur off-site. The environmental document on file include detailed discussions of all the relevant environmental issues.

ATTACHMENT 3

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

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

*APN 209-291-001; 209-291-017; and 209-351-022, 125 Holmes Flat Road, Redcrest, 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 is for a Special Permit for 43,560 square feet of new outdoor cannabis cultivation. The site is also proposing to host up to fifteen (15) Retired, Restored and Relocated (RRR) cultivation entitlements each totaling 20,000 square feet through the County RRR program. The combined total cultivation area on the site would be 343,560 square feet (7.89 acres). This is less than the allowed 8 acres that comprise 20% of the total mapped Prime Agricultural soils.

The site has historically been used for intensive agriculture. It is located in the Flood Plain of the South Fork Eel River. The property is developed with a woodshop and an Ag barn, neither of which will be used in the cannabis operation. No new structures are proposed. Two portable toilets will be located onsite for use by cultivation staff and be removed annually to comply with the Flood Damage Prevention Ordinance.

The site is accessed by Holmes Flat Road, a paved County-maintained road with a centerline stripe. The site will be developed with parking spaces and an SRA turnaround for emergency vehicles. The Department of Public Works commented on the project referral. A condition of approval requires all fences and gates be relocated out of the County right of way.

All cultivation is full-sun outdoor and dry farmed directly in the native soil. Irrigation water is used to water in the plants upon initial planting. 2.3 gallons will be applied to each young plant in June (one 4,250 gallon rain catchment used per acre, or 0.9 gal/sf). Water will be stored in a total of eight (8) 4,250 gallon plastic tanks to support the full cultivation. Water use for the proposed cultivation is estimated at 29,000 gallons for the season. Up to forty (40) seasonal workers will be needed at peak harvest activities upon full project implementation. No power is needed for the dry-farmed operation; however, the site is connected to P.G.&E. No generators are proposed. An ongoing operation condition requires the applicant to demonstrate the use of 100% renewable energy.

The modified project is consistent with the adopted EIR for the CCLUO because it complies with all standards of the CCLUO which were intended to mitigate for impacts of new and existing cannabis operations. These include complying with County Fire Safe regulations, noise and light attenuation measures to limit disturbance to wildlife, limiting activities to daylight hours (8 am to 5 pm), supplying irrigation water from a Services District and electricity from PG&E, and utilizing a Category 4 equivalent road system.

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

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

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

No changes are proposed for the Final EIR recommended mitigations. The proposal to authorize 43,560 square feet of new outdoor cannabis cultivation on a site that proposes to also receive fifteen (15) retirement sites totaling 300,000 square feet (6.89). The project is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

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

- Cultivation and Operation Plan received June 9, 2020
- Site Plan received June 25, 2020
- Biological Survey Report prepared by Naiad Consulting in September 2019.

## Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See Purpose statement above.

The environmental analysis for the proposed project finds there are no new impacts not previously analyzed in the EIR. The project impact analysis conforms to the Final Environmental Impact Report Mitigation Monitoring and Reporting Program.

## Aesthetics

**Impact 3.1-1:** Have a substantial adverse effect on a scenic vista or scenic resources (Less than Significant).

**Impact 3.1-2:** Substantially degrade the existing visual character or quality of the project area (Less than Significant).

**Impact 3.1-3:** Create a new source of substantial light or glare that would adversely affect views (Less than Significant).

**Mitigation Measures 3.1-1-3.1-3:** None required.

**Discussion:** The project is for outdoor cannabis cultivation in an existing agricultural field. The project will not impact scenic vistas or public views. The project site is not visible from the Avenue of the Giants or Highway 101. The project is consistent with the visual character of the area. The project will not create a source of light or glare. No impact.

## Agriculture and Forest Resources

**Impact 3.2-1:** Conversion of farmland to nonagricultural use or conflict with existing zoning for agricultural use or a Williamson Act contract.

**Impact 3.2-2:** Convert substantial forest land, conflict with or cause rezoning of forest land or Timberland Production Zone, or involve other changes in the existing environment which, because of their location or nature, could result in substantial conversion of forest land to a non-forest use.

**Mitigation Measures:** None

**Discussion:** The project will utilize agricultural land for agricultural purposes. The prime agricultural is utilized for cannabis cultivation. No impact.

## Air Quality and Greenhouse Gas Emissions

**Impact 3.3-1:** Construction-generated emissions of criteria air pollutants and precursors.

**Impact 3.3-2:** Long-term operational emissions of criteria pollutants and precursors.

**Impact 3.3-3:** Generation of greenhouse gas emissions.

**Impact 3.3-4:** Exposure of people to objectionable odors (less than significant with mitigation)

**Mitigation Measure 3.3-4:** Prohibit burning of cannabis and other vegetative material is a condition of project approval.

Project is conditioned on not burning cannabis or other vegetative material.

**Impact 3.3-5:** Impacts of climate change on the project.

**Mitigation Measures 3.3-1-3, 5:** None.

**Discussion:** No construction activities are associated with the project. The project will not expose sensitive receptors to pollutants or create objectionable odors affecting a substantial number of people. The project would not result in significant sources of greenhouse gas emissions. The site uses Pacific Gas and Electric grid electricity and is required to show the purchase of 100% renewable power. Less than significant impact.

## **Biological Resources**

**Impact 3.4-1:** Disturbance to or loss of special-status wildlife species and habitat (less than significant after mitigation).

**Mitigation Measure 3.4-1a:** Pre-approval biological reconnaissance surveys.

Biological Survey Report prepared by Naiad Consulting in September 2019.

**Mitigation Measure 3.4-1b:** Special-status amphibian preconstruction surveys.

Habitat for foothill yellow-legged frog was identified in the vicinity of the project, however according to the site plan for the proposed project, no construction is proposed within riparian areas. Furthermore, the Management Recommendations detailed in the Biological Survey Report call for strict adherence to Riparian Setback Requirements for Humboldt County and State Water Board and the requirement to maintain quality habitat for amphibians.

**Mitigation Measure 3.4-1c:** Western pond turtle preconstruction surveys and relocation.

The western pond turtle occurs within the Eel River, using adjacent upland habitats for reproduction. Due to the historic agricultural use of project area flat and the current impact by cows, it is assumed turtles avoid this area for nesting and no impact will occur.

**Mitigation Measure 3.4-1d:** Nesting raptor preconstruction survey and establishment of protective buffers.

Habitat for Cooper's hawk and sharp shinned hawk was identified in the areas adjacent to the project, however the Biological Survey Report determined that there would be no impact. The continued use of agricultural land for agriculture will not impact surrounding habitat.

**Mitigation Measure 3.4-1e:** Northern spotted owl preconstruction habitat suitability surveys and determination of presence or absence.

Habitat for northern spotted owl was identified in the vicinity of the project. No tree removal is proposed as part of the project. In addition, the project is conditioned to limit noise generated from the project to 50db at 100' or at the nearest tree line, whichever is closer. There are three (3) Northern Spotted Owl (NSO) activity centers within 1.3 miles of the project site. The nearest Northern Spotted Owl activity center is approximately 0.84 miles south of the cultivation area. The project does not involve heavy construction and there will be no lighting.

**Mitigation Measure 3.4-1f:** Special-status nesting bird surveys and establishment of protective buffers.

No presence or habitat was identified in the vicinity of the proposed project per the Biological Survey Report.

**Mitigation Measure 3.4-1g:** *Marbled murrelet preconstruction habitat suitability surveys and establishment of protective buffers.*

No presence or habitat was identified in the vicinity of the proposed project per the Biological Survey Report. Marbled murrelet mapped final critical habitat is located approximately 150 feet west of the cultivation field.

**Mitigation Measure 3.4-1h:** *Generator noise reduction.*  
Pacific Gas and Electric supplies power the site.

**Mitigation Measure 3.4-1i:** *American badger preconstruction survey and establishment of protective buffers.*

No presence or habitat was identified in the vicinity of the proposed project per the Biological Survey Report.

**Mitigation Measure 3.4-1j:** *Fisher and Humboldt marten preconstruction survey and preservation of active den sites.*

Habitat for fisher was identified in the vicinity of the project. No tree removal is proposed as part of the project. The Biological Survey Report determined that the project would have a less than significant impact stating that the project area is in proximity to potential, but less than optimal, upland foraging habitat and that denning habitat is likely in vicinity of NSO Activity Centers, the nearest approximately 1-mile northwest. Light and noise impacts from this project are non-existent to minimal and will not impact possible denning habitat.

**Mitigation Measure 3.4-1k:** *Preconstruction bat survey and exclusion*

No presence or habitat was identified in the vicinity of the proposed project per the Biological Survey Report.

**Mitigation Measure 3.4-1l:** *Preconstruction vole survey and relocation.*

Habitat for Sonoma tree vole was identified in the vicinity of the project. The Biological Survey Report determined that the project would have no impact stating that the project site's greater than 500 feet from dense Douglas fir habitat (preferred food) and the nearest CNDDDB record's from Humboldt Redwoods SP. Light and noise impacts from this project are non-existent to minimal and will not impact possible habitat.

**Impact 3.4-2:** Disturbance to or loss of special-status fisheries

**Mitigation Measure:** *Implement water diversion restrictions and monitoring and reporting requirements.*

**Impact 3.4-3:** Disturbance to or loss of special-status plant species and habitat.

**Mitigation Measure 3.4-3a:** *Special-status plants.*

No special status plant species or sensitive natural communities were found within the project area. It has been determined that there will be no impacts to special status plant species or sensitive natural communities.

**Mitigation Measure 3.4-3b:** *Invasive plant species.*

The Operations Manual (Attachment 4) for the project includes an Invasive Species Control Plan that satisfies the requirements of this mitigation measure.

**Impact 3.4-4:** Disturbance to or loss of riparian habitat, old growth habitat, or other sensitive natural communities.

**Mitigation Measure 3.4-4:** *Sensitive natural communities, riparian habitat, and wetland vegetation.*

No special sensitive natural communities were found within the project area. The site plan developed for project exhibits appropriate buffers for all watercourses. There is no development proposed within the streamside buffers or wetland buffers and no impacts to sensitive natural communities, riparian habitat or wetland vegetation are anticipated.

**Impact 3.4-5:** Disturbance to or loss of waters of the United States.

**Mitigation Measure 3.4-5:** *Waters of the United States.*

The site plan developed for project exhibits appropriate buffers for the wetland and all the watercourses. There is no development proposed within the wetland buffers and no impacts to wetlands are anticipated.

**Impact 3.4-6:** Interference with resident or migratory wildlife corridors or native wildlife nursery sites.

**Mitigation Measure 3.4-6a:** *Implement Mitigation Measure 3.4-5: Waters of the United States.* See Mitigation Measure 3.4-5 above.

**Mitigation Measure 3.4-6b:** *Retention of fisher and Humboldt marten habitat features.* See Mitigation Measure 3.4-1j above.

**Discussion:** The project would utilize existing agricultural land for an agricultural crop. No propagation, drying or trimming of cannabis would occur on-site. The site is dry-farmed, with juvenile plants brought to the site and watered in for a 3 week period using rainwater catchment stored on-site. Riparian area of the South Fork Eel River is located to the north. Humboldt Redwoods State Park is located adjacent to the western property line. The proposed project will occur in fields that have been in active agricultural operation for years. A Biological Survey Report was

prepared for the site by Naiad Biological Consulting on September 16, 2019. The biologist evaluated the site for the presence of sensitive plant and wildlife species. The report notes that the proposed cannabis cultivation would take place in a field that has been in active agricultural use for an estimated 100 years, and as a result the area has been continually disturbed. Of the special-status plant species with the potential to occur on-site, none were observed. The project will have no impact on areas of potential habitat outside the project area. There are three (3) Northern Spotted Owl (NSO) activity centers within 1.3 miles of the project site. The nearest Northern Spotted Owl activity center is approximately 0.84 miles south of the cultivation area. Marbled murrelet mapped final critical habitat is located approximately 150 feet west of the cultivation field. There is no suitable habitat on the site for NSO or Marbled murrelet. The optimal habitat is located in the Humboldt Redwood State Park. Project activities are proposed solely within cultivated fields. The project will have no noise or light impacts and will therefore have no impact

## Cultural Resources

**Impact 3.5-1:** Change in the significance of a historic resource.

**Mitigation Measure 3.5-1:** *Protection of historic resources.*

The existing residence on the property is assumed to have been constructed in 1942, per phone discussion with the Humboldt County Assessor, April 28, 2020. This is the only structure on the property that is assumed to be over 45-years of age. As there is no proposal to remove or modify the residence, no impact is anticipated. Arsenault & Associates conducted a cultural resources investigation and a subsequent addendum for the project site. The investigation did not identify any archaeological or cultural resources within the project area and concluded that the project is therefore not anticipated to have an adverse effect on significant cultural or archaeological resources. Ongoing conditions of approval are incorporated regarding the inadvertent discovery protocol to protect cultural and archaeological resources.

**Impact 3.5-2:** Disturb unique archaeological resources (Less than Significant with Mitigation)

**Mitigation Measure 3.5-2:** *Avoid potential effects on unique archaeological resources.*

**Impact 3.5-3:** Discovery of human remains (Less than Significant).

**Impact 3.5-4:** Change in the significance of a tribal cultural issue (Less than Significant).

**Mitigation Measure 3.5-1, 3.5-3, 3.5-4:** None

**Discussion:** The project was referred to the Bear River Band of the Rohnerville Rancheria. Due to the negative results of multiple Cultural Resource Surveys in the Holmes Flat area, the Tribal Historic Preservation Officer did not require an archaeological survey. The project will adhere to the Inadvertent Discovery Protocol. Less than significant impact.

## Geology and Soils

**Impact 3.6.1:** Exposure of people or structures to risk of loss, injury or death resulting from rupture of a known earthquake fault or strong seismic shaking (less than significant).

**Impact 3.6-2:** Potential to result in off-site landslide, lateral spreading, subsidence, liquefaction, or

collapse due to unstable soil conditions or risk of life due to siting on expansive soil (less than significant).

**Impact 3.6-3:** Potential of substantial soil erosion or loss of topsoil.

**Impact 3.6-4:** Create adverse soil conditions resulting from use of septic tanks or alternative wastewater disposal systems.

**Impact 3.6-5:** Damage to or destruction of undiscovered paleontological resources (less than significant with mitigation)

**Mitigation Measure 3.6-5** Protection of discovered paleontological resources.  
See Mitigation Measure 3.5-2 above.

Discussion: No new structures are proposed that would expose people to risk of life from earthquakes. The project occurs on flat land that has historically been used for agriculture. No grading will occur, and topsoil is preserved through the use of annual rotation and cover cropping.

## **Hazards and Hazardous Materials**

**Impact 3.7-1:** Create a significant hazard through transport, use, or disposal of hazardous materials

**Impact 3.7-2:** Create potential human hazards from exposure to existing on-site hazardous materials.

**Mitigation Measure 3.7-2a:** Prepare Environmental Site Assessments.  
Project does not propose development of commercial cannabis facilities on existing commercial, business park, or industrial sites.

**Mitigation Measure 3.7-2b:** Prepare a Hazardous Materials Contingency Plan for Construction Activities.  
See Mitigation Measure 3.7-2a above.

**Impact 3.7-3:** Create a significant hazard to the public or environment due to upset and accident conditions.

**Impact 3.7-4:** Emit hazardous emissions or handle hazardous materials within 0.25 mile of a school.

**Impact 3.7-5:** Result in a safety hazard for people residing or working in a project area that is located within 2 miles of a public airport or private use airport.

**Impact 3.7-6:** Impair emergency response or evacuation plans.

**Impact 3.7-7:** Create a significant risk from wildfires.

**Mitigation Measures 3.7.3-7:** None

Discussion: The project will store fertilizers, herbicides and fuel for use in farm equipment in an existing agricultural shed. All hazardous materials are stored in a locked area with secondary containment in accordance with applicable regulations. The project does not expose the public to hazards. The project is in a rural area rated as a moderate fire risk area. The project would not impair emergency response or create a significant risk from wildfire. Less than significant impact.



## Hydrology and Water Quality

**Impact 3.8-1:** Construction water quality impacts.

**Impact 3.8-2:** Operational water quality impacts.

**Mitigation Measure 3.8-2:** Minimum Size of Commercial Cultivation Activities.

The subject parcel exceeds the minimum parcel size for the proposed project at full buildout per Section 55.4.6.5.9(d) of the CCLUO.

**Impact 3.8-3:** Groundwater supply impacts.

**Mitigation Measure 3.8-3:** Annual groundwater monitoring and adaptive management.

The subject parcel exceeds 10 acres in size and is not subject to the requirements of Section 55.4.12.9 of the CCLUO regarding well drawdown testing.

**Impact 3.8-4:** Surface drainage impacts on on-site and offsite flooding.

**Mitigation Measure 3.8-4:** Provision of drainage facilities to attenuate increases in drainage flows.

The project uses dry farming methods. Irrigation water will not create runoff. No new structures will create a source of water runoff. The access road is well-draining and flat. Maintaining enrollment with the State Water Resources Control Board (SWRCB) General Order NO WQ 2019-0001-DWQ is a condition of project approval.

**Impact 3.8-5:** Effects of diversion of surface water.

**Mitigation Measure 3.8-5:** Implement water diversion restrictions and monitoring and reporting requirements.

No water diversion will be utilized for the proposed project. Water will be supplied by rainwater catchment.

**Discussion:** The project is for 7.89 acres of cannabis cultivation in an agricultural field. Propagation and drying and processing occur off site. The project will not degrade any water sources or contribute to sedimentation. The project area is within the 100-year flood zone. No new structures are proposed. The project will utilize dry-farming methods such that irrigation water is needed only at the time of initial planting.

## Land Use and Planning

**Impact 3.9-1:** Potential for physical division of an established community.

**Impact 3.9-2:** Conflict with relevant plans, policies, and zoning adopted for the purpose of avoiding or mitigating an environmental effect.

**Mitigation Measures:** None

## Noise

**Impact 3.10-1:** Short-term, construction-related noise.

**Mitigation Measure 3.10-1:** Implement construction-noise reduction measures.  
Condition of project approval.

**Impact 3.10-2:** Long-term non-transportation operational noise.

**Mitigation Measure 3.12-2:** Proper design of highway access points.  
Project is accessed off a County Road.

**Impact 3.10-3:** Long-term traffic noise levels.

**Mitigation Measure:** None

Discussion: The project is located in actively managed agricultural land. The area has been in agricultural production for more than 10 years. Noise sources from the operation will include typical farm equipment such as tractors. The temporary noise impacts from these activities would not create a substantial increase in noise levels. The operation will be planting directly in the ground without the use of fans. There is no reason to believe a noise source will be doubled onsite.

## **Public Services**

**Impact 3.11-1:** Result in substantial adverse physical impacts associated with the need for new or physically altered fire protection facilities.

**Impact 3.11-2:** Result in substantial adverse physical impacts associated with the need for new or physically altered law enforcement facilities.

**Mitigation Measures:** None

Discussion: The project is for 5 acres of cannabis cultivation on a site where seasonal agriculture is the dominant use. The project will not increase the need for fire or law enforcement services.

## **Transportation and Circulation**

**Impact 3.12-1:** Construction-related increase in traffic.

**Impact 3.12-2:** Long-term increase in traffic

**Impact 3.9-3:** Potential for inadequate emergency access

**Mitigation Measures:** None

Discussion: Harvest activities for 7.89 acres of cannabis cultivation will require up to 40 temporary workers. The site is accessed by Holmes Flat Road, a paved County-maintained road, and a private road 500 feet to the subject parcel. The applicant is implementing improvements clearing brush to meet the functional equivalent of a Category 4 road that is capable of meeting the 2-way traffic needs of the project at peak harvest. The 500 foot private road system is in good condition and meet standards for road maintenance.

## **Utilities and Service Systems**

**Impact 3.13-1:** Exceed wastewater treatment requirements or wastewater treatment capacity and related infrastructure.

**Mitigation Measure 3.13-1a:** Prepare a treatment program for all new indoor cultivation and non-cultivation activities.

The proposed project is not for new commercial indoor cultivation or a non-cultivation cannabis operation.

**Mitigation Measure 3.13-1b:** Verification of adequate wastewater service and necessary improvements for public wastewater systems.

The property is not serviced by a public wastewater system.

**Impact 3.13-2:** Provision of sufficient water supplies and infrastructure needs.

**Mitigation Measure 3.13-2:** Verification of adequate water supply and service for municipal water service.

The property is not serviced by a municipal water service.

**Impact 3.13-3:** Potential to be served by a landfill with insufficient capacity or violate existing statutes related to solid waste.

**Mitigation Measure:** None

Solid waste is taken to the Eel River Transfer Station in an amount the service station is capable of handling. The project will provide portable toilets and handwashing stations for cultivation staff. Water for propagation is sourced from an onsite groundwater well. Less than significant impact.

## Energy

**Impact 3.14-1:** Wasteful, inefficient, and unnecessary consumption of energy

**Impact 3.14-2:** Demand for energy services and facilities.

**Mitigation Measure:** None required.

**Discussion:** The project is for outdoor cannabis cultivation with on-site drying and off-site processing. As an ongoing operational condition, the project is required annually to furnish proof of the purchase of 100% renewable electricity through a program such as the Redwood Coast Energy Authority RePower+ program. Less than significant impact.

## Wildfire

The project will not interfere with any evacuation plan. There will be no new structures that will increase the risk of wildfire. Less than significant impact.

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

## **CONCLUSION**

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

## ATTACHMENT 4

### Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (Not applicable)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Attached)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Attached)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (Attached – see operations plan)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Condition of Approval – provide copy of Site Management Plan and annual reporting documents)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (On File- Copy of Notification of Lake and Streambed Alteration)

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

# REDCREST ORGANICS, LLC

## Cultivation and Operations Manual Humboldt county, CA

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Proposed Commercial Cannabis  
Cultivation Facilities



JANUARY 2020

**PREPARED FOR:**

**REDCREST ORGANICS, LLC**  
APN No. 209-351-022, 209-291-001, 209-291-017

**Proposed Commercial Cannabis Cultivation Facility**

**LEAD AGENCY:**

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

**PREPARED BY:**

**SL Consulting Services, Inc.**  
973 Dowler Drive  
Eureka, CA 95501

**IN CONSULTATION WITH:**

**REDCREST ORGANICS, LLC**  
28101 AVENUE OF THE GIANTS  
ALDERPOINT, CA 95511

JANUARY 2020

**2 of 20**



**OPERATIONS MANUAL**  
**REDCREST ORGANICS ,LLC**

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# 1. PROJECT SUMMARY

## 1.1. PROJECT OBJECTIVE

REDCREST ORGANICS, LLC Is Proposing To Permit One acre of new cultivation plus receiving RRRs. Site Plan shows 15 RRRs totaling 300,000 sq. ft. (6.89 acres) Property has 40.04 acres of prime agricultural soils which yields a total square footage of 8.08 total acres of allowable on-site cultivation. No propagation occurs on-site. All juvenile plants are sourced off-site from a licensed nursery and transported to the site. Dry farming techniques will be used, with only 2.3 gallons applied to each young plant at initial planting (4,250 gallon rain catchment used per acre, or 0.1 gal/sf). Water will be stored in a total of seven (7) 4,250 gallon plastic tanks to support the full ~7 acres of RRR. Water use for the proposed cultivation is estimated at 29,000 gallons for the season. Processing occurs off-site. Estimated 40 workers at peak activity, with full-time manager living in a trailer within the adjacent RV park with a detached 10'x12' security cabin on-site. A Special Permit is sought to reduce the setback to Humboldt Redwoods State Park.

## 1.2. SITE DESCRIPTION

The Project is located in Humboldt County on APNs 209-351-022, 209-291-001 and 209-291-017 in the Redcrest area, between the south bank of the Eel River and the northeast side of Avenue of the Giants, less than 2 miles from the intersection of Avenue of the Giants and Hwy 101, on the property known as 28101 AVENUE OF THE GIANTS, REDCREST, CA 95569.

The subject parcels are approximately 40 acres in size (per the County of Humboldt's WebGIS), having varying topography and slopes less than 15% and generally the property is generally characterized as flat grasslands.

The northern portion of the properties are adjacent to the banks of the Eel River, buffered by a natural stretch of timber. There are two access points for the parcels, the southwest entrance leads to the Gift Shop and RV Park and southeast entrance leads to the existing Barn and Workshop, as well as the proposed cultivation area, via Holmes Flat Road running east to west across the southern half of the parcel. The property is developed with an existing residence and greenhouses. The existing and proposed cultivations are located where the natural slope is less than 10% , in greenhouses and on a single flat.

## 1.3. LAND USE

The subject properties have General Plan designations of Agricultural Exclusive (AE), Commercial Recreation (CR) and Conservation Floodway (CF) as identified by the Humboldt County General Plan and has zoning and combined zoning designations of Agriculture Exclusive (AE), Flood Hazard Areas (F), and Forestry Recreation (FR). The surrounding parcels are zoned Public Land (P), State Park and Agriculture Exclusive

(AE). Land uses surrounding the parcel are Improved, Rural Residential, Public Land, and Vacant Land.

#### **1.4. STATE AND LOCAL COMPLIANCE**

##### **1.4.1. STATE OF CALIFORNIA COMMERCIAL CANNABIS ACTIVITY LICENSE**

REDCREST ORGANICS, LLC will secure a Commercial Cannabis Activity license from the State of California.

##### **1.4.2. STATE WATER RESOURCES CONTROL BOARD**

REDCREST ORGANICS, LLC will obtain coverage with the SWRCB under the Cannabis Cultivation General Order (Order No. WQ 2019-0001-DWQ) *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for the Discharges of Waste associated with Cannabis Cultivation*.

##### **1.4.3. CAL-FIRE**

The subject property is located within a State Responsibility Area (SRA) for fire protection. Several improvements are proposed in order to meet SRA requirements, including designating a fire turn-around and pull-out area for emergency vehicles, and management of trees and vegetation around existing structures to maintain the required 100-foot defensible space. All structures on the property meet the 30-foot SRA setback requirement from property lines.

##### **1.4.4. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**

A Lake and Streambed Alteration Agreement (LSAA) from the Department of Fish and Wildlife (DFW) is in process.

##### **1.4.5. HUMBOLDT COUNTY PLANNING AND BUILDING DEPARTMENT**

All necessary building permits will be obtained from the Humboldt County Building Department for all existing and proposed structures and supporting infrastructure upon approval of the proposed Special Permit, in accordance with the Humboldt County Planning Departments *Commercial Cannabis Land Use Ordinance* (CCLUO).

##### **1.4.6. CULTURAL RESOURCES**

If buried archaeological or historical resources are encountered during construction or cultivation activities, the applicant or contractor shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law

requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.

## 2. CULTIVATION AND PROCESSING

### 2.1 PROPAGATION AND INITIAL TRANSPLANT

There is no propagation on site. Immature Plants are sourced from Licensed Nursery and transported to site. Plants are planted directly in soil.

### 2.2 CULTIVATION PLAN AND SCHEDULE

The proposed cultivation is located in 3 plots on two adjacent parcels covering 43,560 square feet ((i.) 200'x100' (ii) 200'x68' (iii) 200'x50.

### 2.3 IRRIGATION PLAN AND SCHEDULE

Redcrest Organics, LLC recognizes water conservation as one of the most important water management techniques. We work with professionals to maintain high organic matter content in our soils to help improve moisture holding content. Rainwater Catchment tanks will be used exclusively for cannabis irrigation water. Dry Farming techniques will be implemented on this site. A small amount of rain catchment irrigation water will be used shortly after planting for small plant health.

### 2.4 PROCESSING PLAN

Processing will occur at an off-site licensed processing facility.

### 2.5. EMPLOYEE PLAN

#### 2.5.1 STAFFING REQUIREMENTS

REDCREST ORGANICS, LLC 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), and complies with all applicable federal, state and local laws and regulations governing California Agricultural Employers.

#### 2.5.1.1 JOB DESCRIPTIONS AND EMPLOYEE SUMMARY

- Agent in Charge: Responsible for business oversight and management of the REDCREST ORGANICS, LLC. Responsibilities include, but are not limited to: inventory and tracking, personnel management, record keeping, budget, and liaison with State and County inspectors as needed. This is a part-time to full-time, seasonal position.
- Lead Cultivator: Oversight and management of the day to day cultivation of medical cannabis. Responsibilities include, but are not limited to: planting, soil management, irrigation, fertilization, pesticide

management, and harvest activities. This is a full-time, year-round position.

- Seasonal Laborer: Provides cultivation and harvesting support. This is a part-time to full-time, seasonal position.

In addition to the Agent and Lead Cultivator positions, up to six (6) full-time seasonal labor positions are employed. The number of seasonal laborers varies based on the needs of the farm during the cultivation, harvest and processing seasons. During the peak harvest and processing season, there are an estimated total of forty (40) employees on site.

## **2.5.2 EMPLOYEE TRAINING AND SAFETY**

On site cultivation and harvesting are performed by employees trained on each aspect of the procedure including: cultivation and harvesting techniques and use of pruning tools; proper application and storage of pesticides and fertilizers; proper use of scale and cleaning. All cultivation staff are provided with proper hand, eye, body and respiratory Personal Protective Equipment (PPE). Access to the onsite cultivation areas are limited to authorized and trained staff.

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

For an applicant entity with more than one employee, the applicant entity shall attest that the applicant employs, or will employ within one year of receiving a license, one supervisor and one employee who have successfully completed a Cal-OSHA 30-hour general industry outreach course offered by a training provider that is authorized by an OSHA Training Institute Education Center to provide the course;

## **2.5.3 TOILET AND HANDWASHING FACILITIES**

Portable toilets with hand washing stations will be installed adjacent to the proposed cultivation sites. (See Appendix A - Site Plan)

## **2.5.4 DRINKING WATER SOURCE**

REDCREST ORGANICS, LLC will also provide safe, clean, purified drinking water via store bought individual sealed bottled water bottles as well as water dispensing coolers on site. Clean disposable paper cups will be made available to all employees.

## **2.5.4 ONSITE HOUSING**



The proposed cabin located on site will be occupied by the full-time on-site employee.. The remainder of full-time and seasonal employees live off site and commute daily to the cultivation site.

#### **2.5.5 PARKING PLAN**

See plot plan for parking locations. One parking space is provided for each expected employee.

### **3. SECURITY PLAN**

#### **3.1 FACILITY SECURITY**

The cultivation premise is accessed through one entrance from Holmes Flat Road. The entry gate remains locked at all times and access to the cultivation area is limited exclusively to employees. The code will be changed regularly. The site will have game cameras and motion sensed lighting at the entrance.

##### **3.1.1 UNAUTHORIZED ACCESS PREVENTION**

###### **3.1.1.1 PERIMETER**

The perimeter of the cultivation premise is defined and protected by the natural landscape. The premise and the RV site are separated by Chadd Creek and share no entrances. The entry gates remain locked at all times and only accessible by Authorized Personnel or authorization through Authorized Personnel for Transporters and Sub- Contractors.

###### **3.1.1.2 CONSTRUCTION**

The parking, storage, and porta toilet areas will include motion activated security lights. All lighting will be designed and located so that direct rays are confined to the property.

###### **3.1.1.3 AUTHORIZED PERSONNEL**

All Authorized Personnel, Suppliers and Visitors, upon first time arrival will be required to register with the Facility and receive a Laminated Identification if required. Access Levels throughout the Premises will vary on persons responsibility to corresponding processes. All Authorized Personnel are required to wear Identification Badge assigned by company at all times while on property and any Contractors or Sub-contractors, vendors or distributors must at minimum wear a visible name tag while in Limited Access Areas (if required).

###### **3.1.1.4 SECURITY MONITORING MAINTENANCE**

Premises must be maintained so that all surveillance has a no obstructed

views and that monitoring systems are not interfered with. Regular Inspection and Maintenance shall be performed and recorded.

#### **3.1.1.5 SUSPICIOUS ACTIVITY**

When there is any reason to suspect suspicious activity, the first step is to document observations and accurate reporting of behaviors. Second, must be submitted in a timely manner to the Supervisors assigned SAR responsibility.

### **3.1.2 THEFT AND DIVERSION MEASURES**

#### **3.1.2.1 INVENTORY & PERSONNEL TRACKING**

Company's use of the California Metric System allows inventory tracking and reporting of all movements made by cannabis products on site at all times.

#### **3.1.2.2 ACCESSIBILITY TO LIMITED ACCESS AREAS**

Personnel Access will be limited to the area use required by job duties as well as specifically scheduled time frames for completion of job duties. In order to further prevent cannabis or cannabis product diversion, all personnel are required to store personal belongings (purses, backpacks etc.) outside of premise.

#### **3.1.2.3 DIVERSION RISKS**

The risk of Diversion increases when Cannabis or Cannabis Products are not securely stored, (i.e., Transfers between Facilities) therefore a Supervisor must be present to inspect, document and accompany the product to its next secured holding.

#### **3.1.2.4 SECURING OF ELECTRONIC RECORDS**

All mechanical components for Electronic Records including the Security Alarm System, Video Surveillance System, Inventory and Personnel Tracking System, etc are Stored in the Electronic Storage Room Secured and designated as a High Level Restricted Access Area.

### **3.1.3 VIDEO SURVEILLANCE MEASURES**

#### **3.1.3.1 SYSTEM REQUIREMENTS**

The Premises Surveillance System features complete digital video surveillance capable of 24 hour continuous recording at 15 frames per second, providing clear images in all lighting environments at a resolution of 1280x720 . All surveillance recordings are kept for 90 days and display at



the current time and date on recorded event.

#### **3.1.3.2 REMOTE ACCESS**

Licensee will have remote access to Surveillance and can monitor all activities from off-site, strengthening activity tracking.

#### **3.1.3.3 INTERFERENCE PREVENTION**

Location installation of Surveillance cameras are out of persons natural reach and reasonable distance for foreign reach, so that if obstruction were attempted, identification of persons or activity will already be recorded. The Surveillance cameras are fully enclosed and protected from tampering or disabling, as all power and control features are Secured either on site in the Electronic Storage Room or Remotely Controlled by Licensee.

#### **3.1.3.4 SPECIFIED CANNABIS ACTIVITY AREAS**

Specified Areas Where Cannabis Or Cannabis Product is Weighed, Packed, Stored, Quarantined, Loaded and Unloaded for Transportation Including Preparation and Transfers

- 1.) Cultivation Sites
- 2.) Weigh Stations

### **3.2 FACILITY HOURS OF OPERATION**

Activities associated with cultivation in the greenhouses (watering, transplanting, and harvesting) generally occur during daylight hours. All other activities such as processing typically occur no earlier than 8 AM and extend no later than 8 PM.

## 4. ENVIRONMENT

### 4.1 WATER SOURCE & PROJECT WATER USE

#### 4.1.1 SOURCE

Water for *cultivation* irrigation will be provided by rain catchment.

#### 4.1.2 USE

REDCREST ORGANICS, LLC utilizes water management strategies such as hand watering.

The table below outlines the estimated irrigation water usage for cultivation during a typical year. Variables such as weather conditions and specific cannabis strains will have a slight effect on water use.

A 4,250 gallon rainwater catchment tank will be the sole water source for the cultivation operation.

Water usage is estimated to be:

43,560 square feet of cultivation

Plants to be spaced on a 5' grid (25 square feet per plant) for a total of 1,742 plants

0.33 gallons per plant watering, 7 total waterings

1,742 plants \*0.33 gallons per watering \*7 waterings = 4,025 gallons of water required.

TABLE 4.1 ESTIMATED ANNUAL IRRIGATION WATER USAGE (GAL/ ACRE)											
JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
---	---	---	---	---	4,025	---	---	---	---	---	---

### 4.2 WATER STORAGE

Water storage for irrigation from rain catchment is stored in one (1) storage tank, with a 4,250 gallon capacity. Proposed storage to support future RRR cultivation irrigation will be stored in seven (7) for a total of 34,000 gallons of hard storage.

#### **4.3 SITE DRAINAGE, RUNOFF, AND EROSION CONTROL**

REDCREST ORGANICS, LLC will enroll with the California State Water Resource Control Board (SWRCB) in accordance with the Cannabis Cultivation General Order as a Tier 1 site, and a Site Management Plan (SMP) will be developed utilizing best management practices (BMP's) in accordance with the SWRCB's recommendations.

##### **4.3.1 SITE DRAINAGE**

The slope of the cultivation area is between 0% and 2%. Because of the lack of slope, there will be minimal cultivation related drainage or discharge. Any watercourse that may be influenced by cultivation drainage or discharge is over 100-feet away.

The gravel roads on the property are armored. The proposed cultivation areas are located away from riparian zones. Fertilizers and pesticides will be stored in a storage shed with secondary containment to prevent contamination with runoff. Sites have been identified for storage/disposal of spoils and cultivation waste. (See Appendix A - Site Plan)

##### **4.3.2 SITE RUNOFF**

Redcrest Organics, LLC cultivation site is on a natural flat of alluvial soil, which allows for groundwater recharge and eliminates groundwater runoff.

Cultivation areas will meet all required setbacks from the nearest water course, providing a sufficient buffer to prevent sediment and nutrient delivery. To further prevent runoff to riparian areas, water conservation and containment measures will be implemented including the use of hand irrigation to prevent excessive water use, and the maintenance of a stable, vegetated buffer between the cultivation area and riparian zone.

##### **4.3.3 EROSION CONTROL**

REDCREST ORGANICS, LLC will utilize best management practices including but not limited to:

1. Maintenance of roads, including rocking and armoring.
2. Proper management of solid, liquid and cultivation waste (see section 3.8)
3. Cultivation facilities and spoil stockpiles will meet all required setbacks from riparian and wetland areas.
4. Irrigation and application of fertilizers will be applied at agronomic rates.

5. Regulated products will be safely stored with secondary containment (see section 3.7)

#### **4.4 WATERSHED AND HABITAT PROTECTION**

The cultivation area resides at least 300 feet at its closest point from the Eel River, ensuring it is far outside of the required 100-foot streamside management area and providing several hundred feet of lush vegetation for any discharge to filter through.

Adherence to the proposed best management practices ensures that the watershed and surrounding habitat are protected. The cultivation activities and associated structures meet all required setbacks from the nearest watercourse, providing a suitable buffer between the cultivation operation and habitat. Additionally, site development and maintenance activities utilize BMP's in accordance with the SWRCB's recommendations. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits.

An Invasive Species Control plan was conducted, the appended technical report from a biologist. (See Appendix

#### **4.5 MONITORING AND REPORTING**

Monitoring will be conducted to confirm the effectiveness of corrected measures listed in the Site Management Plan (SMP) and determine if the site meets all Standard Conditions. Inspections will include photographic documentation of any controllable sediment discharge sites as identified on the site map. Visual inspection will occur at those locations on the site where pollutants or wastes, if uncontained, could be transported into receiving waters, and those locations where runoff from roads or developed areas drains into or towards surface water. The inspection will also document the progress of any plan element subject to a time schedule, or in the process of being implemented. A monitoring plan is included in the SMP with photo points identified on SMP map.

Onsite monitoring shall occur:

- Before and after any significant alteration or upgrade to a given stream crossing, road segment, or other controllable sediment discharge site. Inspection should include photographic documentation, with photo records to be kept on site.
- Prior to October 15 and December 15 to evaluate site preparedness for storm events and stormwater runoff.
- Following any rainfall event with an intensity of 3 inches precipitation in 24 hours. Precipitation data can be obtained from the National Weather Service by entering the site zip code at <http://www.srh.noaa.gov/forecast>.

A Monitoring and Reporting Form (Order No. WQ 2019-0001-DWQ Attachment B)

will be submitted upon initial enrollment in the Order (NOI) and then annually by March 1st to the State Water Resource Control Board. The annual report will include data from the monitoring reports.

#### **4.6 ENERGY PLAN**

The proposed cultivation project doesn't not have any activities that require any power. All security equipment used are battery powered.

#### **4.7 NOISE CONTROL MEASUREMENTS**

There are no generators or noise producing activities outside of typical farming activities such as tractor work, which will occur during regular business hours.

#### **4.8 LIGHT POLLUTION CONTROL MEASURES**

There are no lights on site.

#### **4.9 BEST MANAGEMENT PRACTICES**

##### **4.9.1 USE AND STORAGE OF REGULATED PRODUCTS**

Best Management Practices (BMP's) are employed when storing, handling, mixing, application and disposal of all fertilizers, pesticides and fungicides. All nutrients, pesticides and fungicides are located in a locked storage room, and contained within water tight, locked and labeled containers in accordance with manufactures instruction. Application rates will be tracked and reported with the end of the year monitoring report required in the Site Management Plan (SMP). Employees responsible for application are trained to handle, mix, apply or dispose of pesticides/fungicides with proper hand, eye body and respiratory protection in accordance with the manufacturer's recommendations. See the SMP'S for complete BMP specifications for the use and storage of regulated products.

#### **4.10 FERTILIZERS, PESTICIDES AND FUNGICIDES**

##### **4.10.1 FERTILIZERS**

There are no added fertilizers. Soil is tested and amended with manure. Cover crop with nitrogen fixing seed mix.

##### **4.10.2 PESTICIDES AND FUNGICIDES**

Pesticides and fungicides used for cultivation include:

- Plant Therapy - 1 Gallon
- Pure Crop - 1 Gallon
- Neem Oil – 1 Pint

See Appendix B - *Regulated Products Resource List* for product details.

##### **4.10.3 FUELS AND OILS**

Fuels and oils stored on site include:

- Ethanol – 1 Gallon
- Diesel - less than 50 Gallons
- Green Cleaner - 1 Gallon

#### **4.11 WASTE MANAGEMENT PLAN**

##### **4.11.1 CULTIVATION WASTE AND SOIL MANAGEMENT**

Redcrest Organics, LLC uses permaculture techniques such as mulching and cover crops, which will greatly reduce the need for chemical additives to the soil. The additives and fertilizers used are organic and every precaution is made to ensure zero runoff for protection of nearby watershed and habitat.

This is prime ag soil and very little nutrients will be used. Mulching and cannabis waste products are added to this used soil to enhance composting and rejuvenate the soil. Cultivation vegetative matter such as root balls chipped, composted on site or tilled into soil.

##### **4.11.3 MATERIALS MANAGEMENT AND WASTE PLAN**

Waste bins with lids are kept adjacent to cultivation sites and emptied out the day they are filled up or weekly.

Waste materials are stored in a shed and self-hauled off weekly to a licensed waste transfer station.

Solid waste and recycling is hauled off-site to the Humboldt Waste Management Authority transfer station at least once per week.

##### **4.11.4 WASTEWATER MANAGEMENT PLAN**

Hand watering methods minimize the over-irrigation of plants and subsequent runoff.

A portable toilet will be installed adjacent to the cultivation relocation site and will be serviced as needed.

##### **4.11.5 STORM-WATER MANAGEMENT PLAN**

#### **4.12 INVASIVE SPECIES CONTROL PLAN**

## 5. PRODUCT MANAGEMENT

### 5.1 PRODUCT TESTING AND LABELING

Redcrest Organics, LLC will not be testing on site. Plant will be harvested and transported by a licensed Distributor where the product will be tested.

### 5.2 PRODUCT INVENTORY AND TRACKING

Until such time as either a County or Statewide cannabis product and inventory tracking system becomes available, an internally-developed system of inventory and tracking is utilized. The Agent in Charge ensures all medical cannabis from clone to packaged product is tracked, accounted for and inventoried. Records are kept at each phase of the harvest and processing operation for reporting and compliance with State and Local regulations. The information recorded for each harvest includes:

- Cultivation canopy area
- Wet Weight of Harvested Plant
- Product ID numbers and product weight
- Staff identification (at each step)
- Physical location of the plant material at all times

### 5.3 TRANSPORTATION AND DISTRIBUTION

Transportation will be handled by a third-party, contracted, licensed transporter/distributor in accordance with State and Local regulations. Prior to moving harvested plants into Distributors / Transporters freezer truck, a transport manifest will be created by the cultivator and will include:

- Product ID numbers and product weight
- Route to be travelled
- Origin and destination addresses
- Time of departure
- Time of arrival

The *Agent in Charge* is responsible for performing a physical inventory of all packages being transported, and ensuring that the physical inventory coincides with the transport manifest.

## **Appendix A: Site Plan**



## **Appendix B: Cultivation Activities Schedule**

## **Appendix C: WWRP**

## 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
Division of Environmental Health	✓	Approval	Attached
Public Works	✓	Conditional Approval	Attached
California Department of Fish & Wildlife		No response	Attached- Staff email requesting comments
CAL FIRE		No response	
NWIC	✓	Comments	On file with Planning
Bear River Band	✓	Inadvertent discovery protocol	On file with Planning
Intertribal Sinkyone Wilderness Council		No response	
RWQCB		No response	
NCUAQMD		No response	
Scotia Union School District		No comments	
Caltrans		No response	
CA State Parks		No response	Attached- Staff email requesting comments
Agricultural Commissioner		No response	
CAL FIRE		No response	
Humboldt County Sheriff		No response	



A notice was added to this record on 2020-01-10.  
Condition: Parcel Status : 209-351-022 LP 1:M Severity: Notice  
Total conditions: 2 (Notice: 2)

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Task	Due Date	Assigned Date
Environmental Health	02/10/2020	01/30/2020
Assigned to Department	Assigned to	Status
Environmental Health	Ben Dolf	Approved
Action by Department	Action By	Status Date
Environmental Health	Ben Dolf	03/06/2020
Start Time	End Time	Hours Spent
		0.0
Billable	Overtime	Comments
No	No	
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA	<input checked="" type="checkbox"/> Display Comment in ACA	Comment Display in ACA
No		<input checked="" type="checkbox"/> All ACA Users
		<input checked="" type="checkbox"/> Record Creator
		<input checked="" type="checkbox"/> Licensed Professional
		<input checked="" type="checkbox"/> Contact
		<input checked="" type="checkbox"/> Owner
Estimated Hours	Action	Workflow Calendar
0.0	Updated	



A notice was added to this record on 2020-01-10.  
Condition: Parcel Status : 209-351-022 LP 1:M Severity: Notice  
Total conditions: 2 (Notice: 2)

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Task	Due Date	Assigned Date
Environmental Health	02/10/2020	01/30/2020
Assigned to Department	Assigned to	Status
Environmental Health	Ben Dolf	Note
Action by Department	Action By	Status Date
Environmental Health	Ben Dolf	01/31/2020
Start Time	End Time	Hours Spent
		0.0
Billable	Overtime	Comments
No	No	DEH records show a possible conflict between cultivation areas and existing leach field for the RV Park/Gift Shop. Notified applicant on 1/31 and requested revised site plan showing leach field.
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA	<input checked="" type="checkbox"/> Display Comment in ACA	Comment Display in ACA
No		<input checked="" type="checkbox"/> All ACA Users
		<input checked="" type="checkbox"/> Record Creator
		<input checked="" type="checkbox"/> Licensed Professional
		<input checked="" type="checkbox"/> Contact
		<input checked="" type="checkbox"/> Owner
Estimated Hours	Action	Workflow Calendar
0.0	Updated	



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

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

PUBLIC WORKS BUILDING  
SECOND & L ST., EUREKA  
FAX 445-7409  
ADMINISTRATION 445-7491  
BUSINESS 445-7652  
ENGINEERING 445-7377  
FACILITY MANAGEMENT 445-7493  
NATURAL RESOURCES 445-7741  
NATURAL RESOURCES PLANNING 267-9540  
PARKS 445-7651  
ROADS 445-7421

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

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

TO: Stephen Luther, Planner, Planning & Building/Department

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

DATE: 06/22/2020

RE:	<table><tr><td>Applicant Name</td><td>REDCREST ORGANICS LLC</td></tr><tr><td>APN</td><td>209-291-001, 209-351-022</td></tr><tr><td>APPS#</td><td>PLN-2020-16160 SP</td></tr></table>	Applicant Name	REDCREST ORGANICS LLC	APN	209-291-001, 209-351-022	APPS#	PLN-2020-16160 SP
Applicant Name	REDCREST ORGANICS LLC						
APN	209-291-001, 209-351-022						
APPS#	PLN-2020-16160 SP						

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

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

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

**No re-refer is required.**

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

The Humboldt County GIS has incorrectly stated that a short portion of the access road is County maintained. Applicant should provide a road evaluation for the approximately 500 feet of private road that intersects the County maintained road known as Holmes Flat Road.

// END //

### Public Works Recommended Conditions of Approval

APPS # 16160

Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.

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.

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:

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.

The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

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.

**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.**

**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.**

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.

PLN-2020-16160 Land Use Project GREENS\Cannabis referrals\209-351-022, R2020 est organics LLC pln-2020-16160 sp.docx

**From:** [Luther, Stephen](#)  
**To:** [Bauer, Scott@Wildlife](mailto:Bauer.Scott@Wildlife)  
**Cc:** [Johnson, Cliff](#); [Ryan, Meghan](#)  
**Subject:** Record No: PLN-2020-16160; APN 209-351-022; Targeted Hearing: July 9 Zoning Administrator  
**Date:** Tuesday, June 9, 2020 1:03:00 PM  
**Attachments:** [image001.png](#)

---

Good afternoon Scott,

Please let me know if CDFW would like to provide comments on this project for one acre of full-sun outdoor dry-farmed cannabis on a parcel zoned AE-F, with no propagation, drying or processing on-site. The site is also proposing to received up to 15 RRR entitlements, none of which are identified yet. A Special Permit is requested to reduce the setback to Humboldt Redwoods State Park to the west.

Thank you,



Stephen Luther  
Planner, Cannabis Division  
[Planning and Building Department](#)  
707.268.3737



**From:** [Luther, Stephen](#)  
**To:** [Harris, Jay@Parks](mailto:Harris_Jay@Parks)  
**Cc:** [Johnson, Cliff](#)  
**Subject:** RE: Redcrest Organics App 16160 APN 209-351-022  
**Date:** Tuesday, June 16, 2020 2:47:00 PM  
**Attachments:** [16160 Staff Report Draft sl 06092020.docx](#)  
[image001.png](#)

---

Dear Jay,

Hello, my name is Stephen and I am the staff planner for Humboldt County responsible for cannabis projects in the Redcrest/Holmes/Shively/Weott area, as well as the Mattole Valley. As such, I am often bringing cannabis projects forward for decision that include a request to reduce the setback from public lands managed by California State Parks. Per the process that our Department had agreed on with Shannon Dempsey, I am attaching a draft staff report for a project scheduled for a hearing of the Zoning Administrator at the July 9 meeting. I'm available to discuss each project as the staff reports are completed if you have questions. If you would prefer a different process, I would also be open to scheduling a meeting to discuss multiple projects within a given area simultaneously. For instance, there are at least two more projects in the Holmes Flat area coming up that will be requesting a Special Permit to reduce the setback to Humboldt Redwoods. Please let me know if you have comments or questions on the attached report.

Sincerely,



Stephen Luther  
Planner, Cannabis Division  
[Planning and Building Department](#)  
707.268.3737