



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: July 30, 2020

To: John H. Ford, Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Jesse Cabral Special Permits**
Record Number: PLN-2019-16072
Assessor's Parcel Number: 108-071-003
3000 Paradise Ridge Road, Whitethorn area

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

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
July 30, 2020	Special Permits	Stephen Luther

Project Description: A Special Permit is requested for 5,250 square feet of existing outdoor commercial cannabis cultivation. The cultivation will be phased, with operations in 2020 consisting of outdoor cultivation in three flats. In 2021, and thereafter, full-term cultivation would occur in individual 5' x 5' or 6'x6' plots within the three graded flat areas with a maximum plant canopy area that comprises no more than 5,250 square feet. Propagation occurs onsite in a proposed 525-square-foot greenhouse. The irrigation water source is a rain catchment pond with a 120,000-gallon capacity. Estimated annual water use is 110,000 gallons. Drying and processing will occur in a proposed 3,000-square-foot building. A maximum of 3 employees are required during peak operations. Power is provided by solar and a hydroelectric system. A Special Permit is requested A Special Permit is also requested to reduce the required 600-foot setback from the King Range National Conservation Area to approximately 590 feet. The request for an SP also includes permitting for retroactive development within the Streamside Management Area (SMA) for the small-scale hydroelectric generator.

Project Location: The project is located in the Whitethorn area, on the east side of Paradise Ridge Road, approximately 3.03 miles north from the intersection of Paradise Ridge Road and Shelter Cove Road, on the property known to be in the northeast quarter of Section 36 of Township 04 South, Range 01 East, Humboldt Base & Meridian.

Present Plan Land Use Designations: Timberland (T), Density: Range is 40 to 160 acres per unit, 2017 General Plan, Slope Stability: Moderate Instability (2).

Present Zoning: Timberland Production (TPZ)

Record Number: PLN-2019-16072

Assessor Parcel Number: 108-071-003

Applicant
Jesse Cabral
PO Box 425
Whitethorn, CA 95589

Owner
Jesse Cabral
PO Box 425
Whitethorn, CA 95589

Agent
ETA Humboldt
Vanessa Valare
PO Box 147
Phillipsville, CA 95559

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

State Appeal Status: Project is NOT appealable to the California Coastal Commission.

Major Issues: None.

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

Jesse Cabral
Record Number PLN-2019-16072
Assessor's Parcel Number (APN): 108-071-003

Recommended Zoning Administrator Action:

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

Find that the Zoning Administrator 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 Jesse Cabral project subject to the recommended conditions.

Executive Summary

A Special Permit is requested for 5,250 square feet of existing outdoor commercial cannabis cultivation. The 160-acre project site contains a residence, an accessory structure, and a storage shop not used for cultivation. Cultivation will occur on three (3) existing graded flats. A Grading and Erosion Control Plan was provided by Omsberg and Preston to stabilize the slopes and prevent sediment delivery downslope. The cultivation plan is for a single harvest of full-term cultivation. Plants would be grown in individual 5' x 5' or 6' x 6' plots with a maximum plant canopy area that comprises no more than 5,250 square feet. Given that the permit is scheduled for decision on July 30, the applicant will employ a different outdoor cultivation plan to achieve a late harvest for 5,000 square feet of outdoor cultivation as shown on the Site Plan received July 13, 2020. The remainder of the staff report discusses the higher cultivation amount of 5,250 square feet.

Propagation occurs onsite in a proposed 525-square-foot greenhouse. The irrigation water source is a rain catchment pond with a 120,000-gallon capacity. Estimated annual water use is 110,000 gallons. Drying and processing will occur in a proposed 3,000-square-foot building. A maximum of 3 employees are required during peak operations. Power is provided by solar and a hydroelectric system. A Special Permit is requested for both development within the Streamside Management Area (SMA) for the small-scale hydroelectric generator and to reduce the required 600-foot setback from the King Range National Conservation Area to 590 feet.

The subject parcel is accessed via Paradise Ridge Road, a BLM-managed dirt/gravel road that takes access off Shelter Cove Road. The project site is accessed by 1.1 miles of private access road that spurs from Paradise Ridge Road 1.1 miles from the intersection with Shelter Cove Road. An engineers assessment of the access road found the road segment adequate to accommodate traffic from the project. The project is not expected to impact the road system, as there is a residence on-site and the number of employees will not increase the daily trips by a significant amount. The project was referred to the Department of Public Works which responded with conditional approval. The recommendations are included in the conditions of approval.

The adjacent public lands are subject to the 2005 *King Range National Conservation Area Resource Management Plan* (RMP). The lands adjacent to the project site are designated Frontcountry Zone in the RMP, and management activities in that zone include forest stand management, fuel reduction, fire break construction, and watershed restoration. The project is consistent with the RMP management goals because the cultivation activities will protect fisheries and aquatic habitat on forest lands by eliminating irrigation run-off, maintaining buffers from streams and by placing controls on the storage and use of pesticides, rodenticides and fertilizers, and will minimize risk from wildfire by adhering to the County's Fire Safe Regulations. Supplemental

lighting in the nursery would be shielded to prevent light pollution and meet International Dark Sky Standards. The irrigation water source is an off-stream rainwater catchment pond, foot deep groundwater well. Water will be applied in agronomic amounts and erosion control practices implemented. All fertilizers and pesticides are stored in a shed with secondary containment. RMP's provisions for protection of heritage resources will be met through the project consultation with Tribal Historic Preservation Officers and avoidance of sensitive tribal cultural resources. The project is consistent with recreational use on public lands by maintaining a minimum 600 buffer separation from developed campgrounds and trails.

The project site is a forested area composed of mixed riparian forest and tanbark oak/Douglas fir association. The Mattole River runs through the northeast corner of the parcel and an unnamed tributary to Big Finley Creek runs across the western property boundary. According to the California Natural Diversity Database (CNDDB), the southern portion of the parcel is mapped with the southern torrent salamander. The project area is setback more than 300 feet from all watercourses. No riparian habitat is associated with the project. A biological resource report was prepared for the project site by Mara Noelle for Emerald Triangle Associates in June 2020 (see Attachment 4). The report concludes that project activities would have no significant impact on special status plant or wildlife species because the proposed cultivation activity would not disturb suitable habitat. A forest fire occurred on the land in the 1970s. As a result, the trees on the parcel are small and densely packed, with no old-growth characteristics. There is potential habitat for Northern Spotted Owl (NSO) in an older stand approximately 1000 feet away. An NSO activity center is located 1 mile northwest of the project site. The report notes that the associated nest and pair observations are located over a ridge and in a different watershed from the project site. Supplemental light in the ancillary nursery will be shielded to prevent light pollution in conformance with CCLUO standards. The operation runs on renewable energy with power provided by a solar system with batteries, supplemented by a hydroelectric system in the winter. A generator is onsite for backup power for use in the residence only. Noise from the operation will be no more than 50 decibels as measured 100 feet from the source. The project was referred to California Department of Fish and Wildlife (CDFW) and the Bureau of Land Management (BLM). Staff sent a follow-up communication to BLM on June 30, 2020 (see Attachment 5). No response has been received to date. Standard operation conditions are incorporated regarding the protection of wildlife, including a prohibition on use of rodenticides. The project as conditioned to prevent light pollution and minimize noise will not impact biological resources.

Based on a review of Planning Division reference sources and comments from all involved referral agencies, planning staff supports a conditional approval of the provisional Special Permit request. Staff recommends that the Zoning Administrator include the application as a part of the consent agenda, survey the audience to see if any person would like to discuss the application and, if no one requests discussion, make all the required findings based on the evidence in the record, and approve the application subject to the recommended conditions.

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

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

Resolution Number 20-

**Record Number PLN-2019-16072
Assessor's Parcel Number: 108-071-003**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Jesse Cabral Special Permits request.

WHEREAS, Jesse Cabral, submitted an application and evidence in support of approving the Special Permit for an existing 5,250-square foot outdoor commercial cannabis operation with Phase I consisting of 5,000 SF outdoor in 2020, 525 square feet of propagation, rainwater catchment pond irrigation, drying and processing in a proposed building; and a Special Permit to reduce the six hundred-foot (600') setback from public land and permit hydroelectric work; 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-2019-16072); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Zoning Administrator on July 30, 2020.

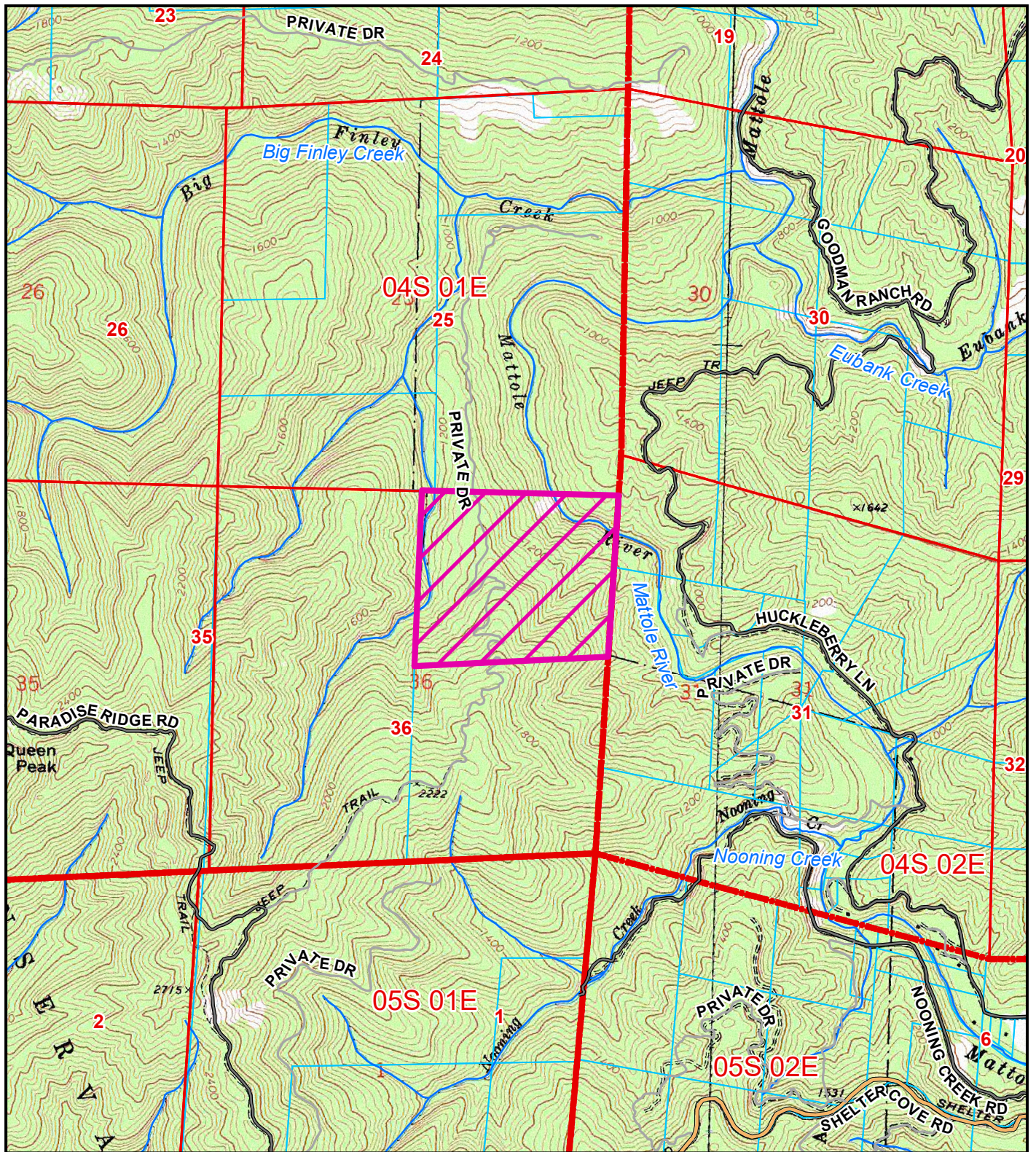
NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Zoning Administrator that:

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 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-2019-16072 is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on July 30, 2020

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

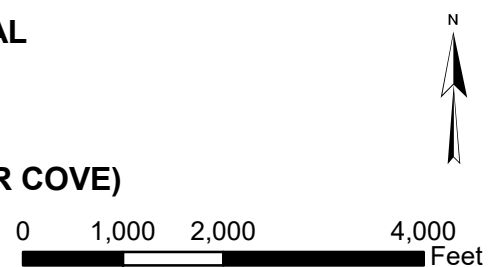
John Ford, Zoning Administrator
Planning and Building Department
County of Humboldt

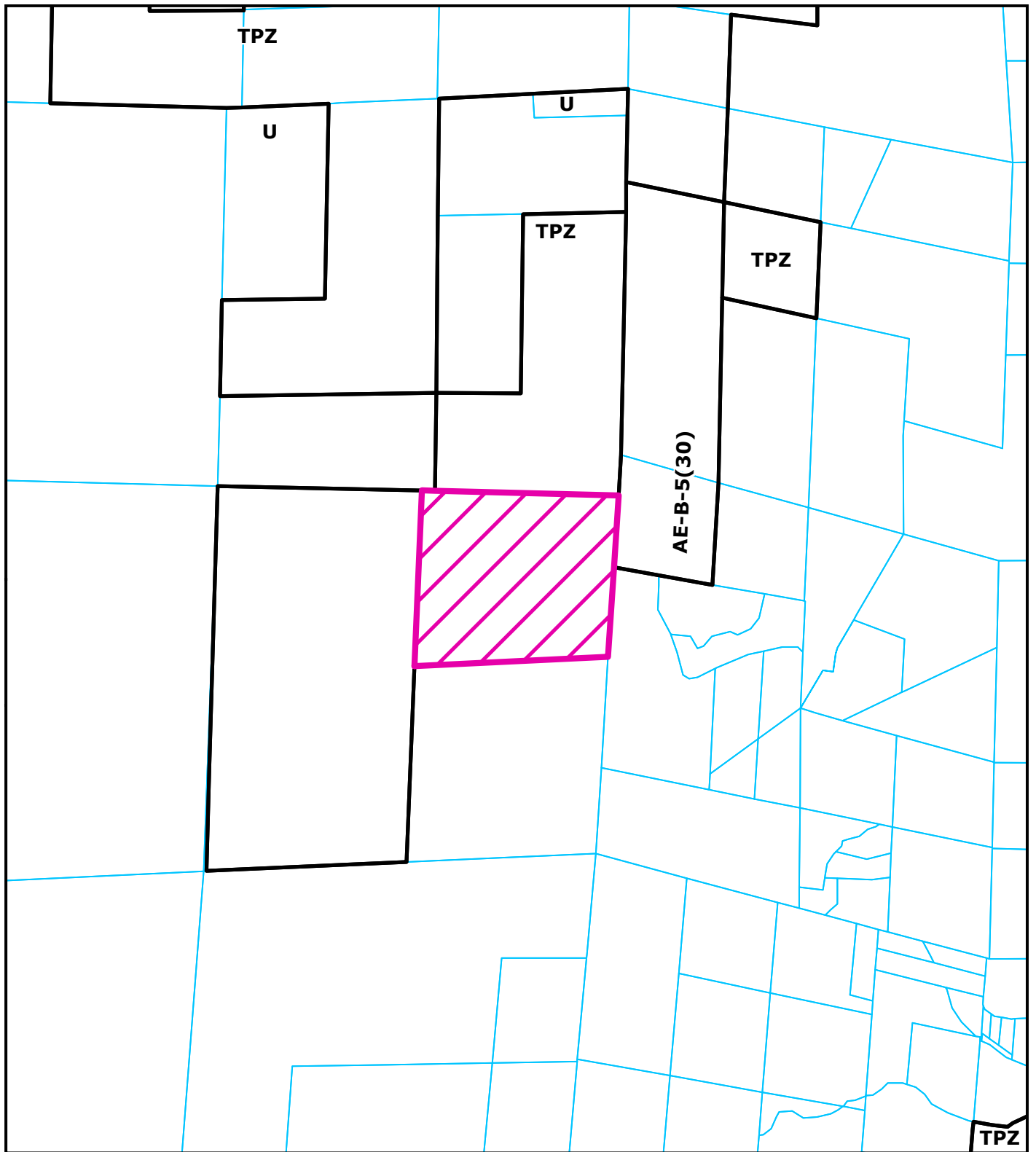


Project Area = 

TOPO MAP
PROPOSED JESSE CABRAL
WHITETHORN AREA
PLN--2019-16072
APN: 108-071-003-000
T04S R01E S36 HB&M (SHELTER COVE)

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.





Project Area = 

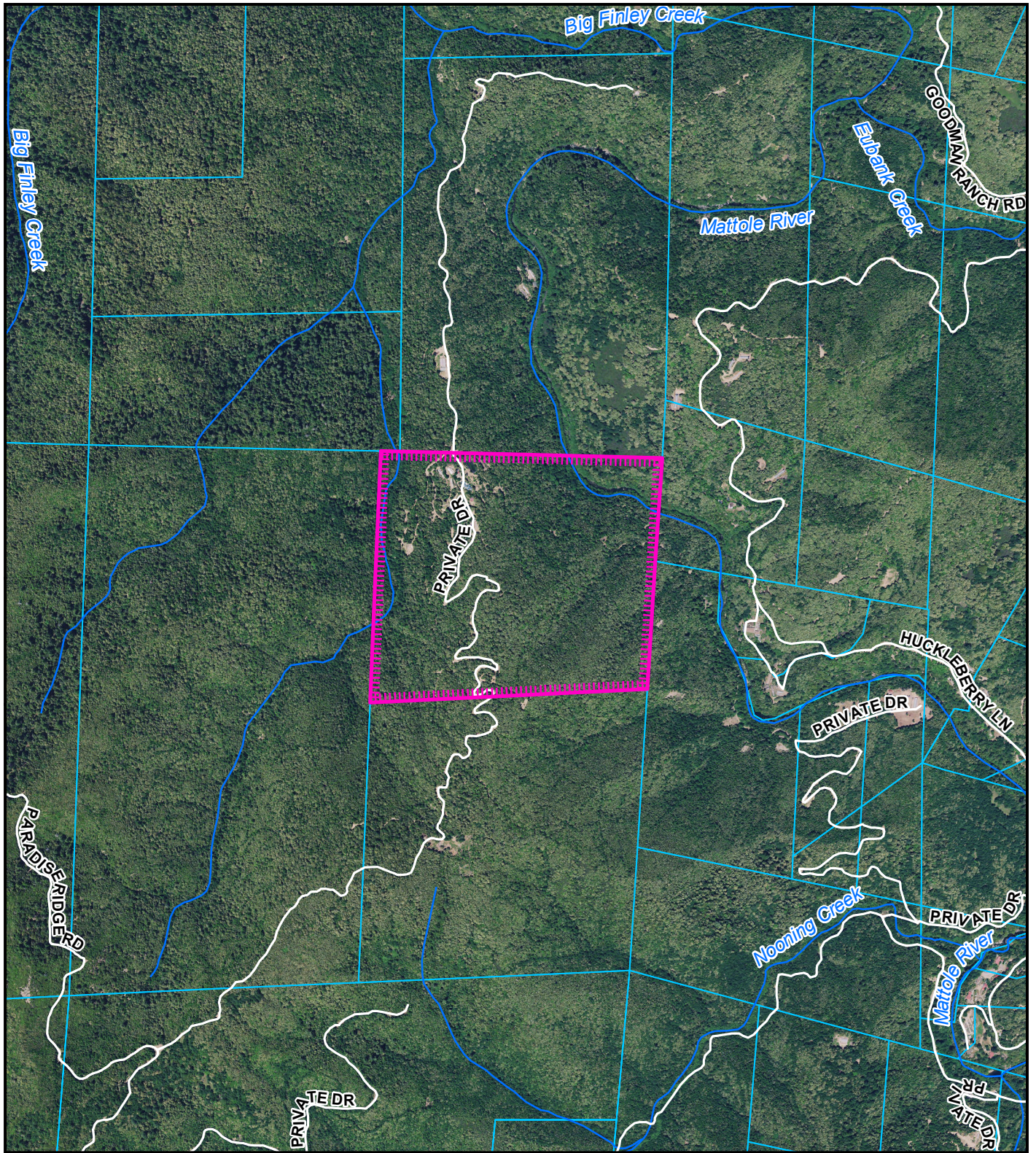
ZONING MAP
PROPOSED JESSE CABRAL
WHITETHORN AREA
PLN--2019-16072
APN: 108-071-003-000
T04S R01E S36 HB&M (SHELTER COVE)



0 1,000 2,000 4,000 Feet



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.

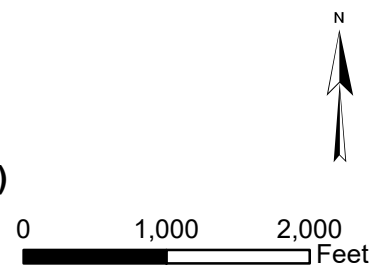


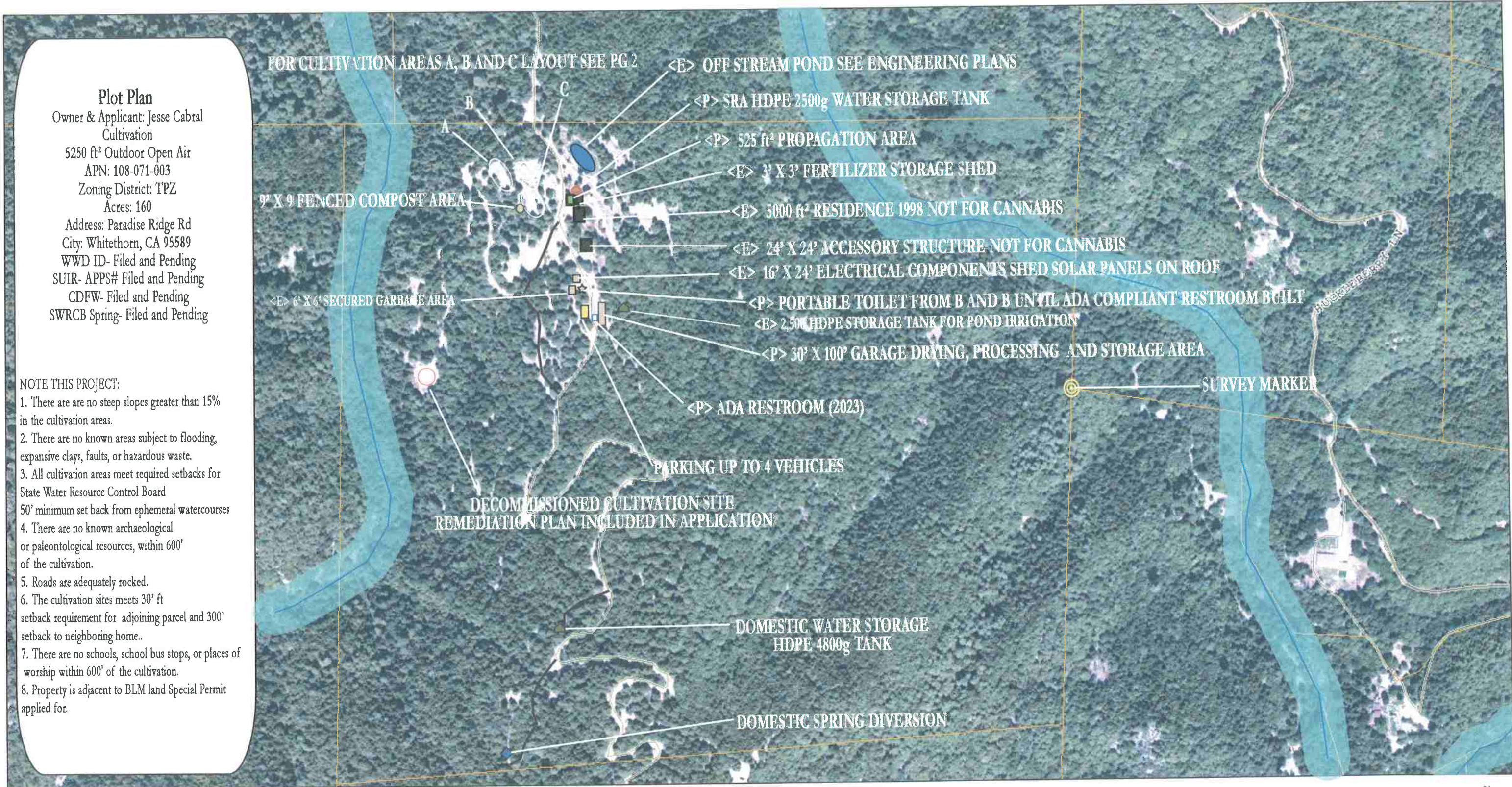
**AERIAL MAP
PROPOSED JESSE CABRAL
WHITETHORN AREA
PLN--2019-16072**

**APN: 108-071-003-000
T04S R01E S36 HB&M (SHELTER COVE)**

Project Area = 

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





Plot Plan

Owner & Applicant: Jesse Cabral
Cultivation
5250 ft² Outdoor Open Air
APN: 108-071-003
Zoning District: TPZ
Acres: 160
Address: Paradise Ridge Rd
City: Whitethorn, CA 95589
WWD ID- Filed and Pending
SUIR- APPS# Filed and Pending
CDFW- Filed and Pending
SWRCB Spring- Filed and Pending

NOTE THIS PROJECT:

1. There are no steep slopes greater than 15% in the cultivation areas.
2. There are no known areas subject to flooding, expansive clays, faults, or hazardous waste.
3. All cultivation areas meet required setbacks for State Water Resource Control Board
50' minimum set back from ephemeral watercourses
4. There are no known archaeological or paleontological resources, within 600' of the cultivation.
5. Roads are adequately rockered.
6. The cultivation sites meets 30' ft setback requirement for adjoining parcel and 300' setback to neighboring home..
7. There are no schools, school bus stops, or places of worship within 600' of the cultivation.
8. Property is adjacent to BLM land Special Permit applied for.



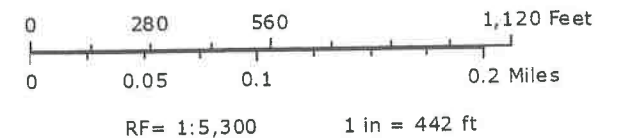
108-071-003

Humboldt County Planning and Building Department

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Map Disclaimer:
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- | | | |
|---------------------------|---------------------------|---------------------------|
| Highways and Roads | — Private or Unclassified | — Intermittent |
| == Principal Arterials | — Major River or Stream | — Subsurface |
| - - - Minor Arterials | Blue Line Streams | - - - City Boundary |
| — Major Collectors | — Perennial 1-3 | — Counties |
| — Minor Collectors | — Perennial >4 | — Parcels (no APN labels) |
| — Local Roads | | |



Sources: Humboldt County GIS
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community




July 30, 2020

SITE/ PLOT PLAN PG 1

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Jesse Cabral
Cultivation Plot Plan
5,250 ft² Cultivation Canopy
15,000 ft² Disturbed Area
210 individual 25 ft² plant sites

3 distinct cultivation areas A, B, C

-  area represents disturbed area
-  each square represents 25 ft² area canopy
-  is contained using wooden formed boxes and 6' height metal cage secured inside box

A-CANOPY AREA 2,100 FT²
84 INDIVIDUAL 25 FT² PLANT SITES
DISTURBED AREA 6,000 FT²

B- CANOPY AREA 2,100 FT²
84 INDIVIDUAL 25 FT² PLANT SITES
DISTURBED AREA 6,000 FT²

C- CANOPY AREA 1,050 FT²
42 INDIVIDUAL 25 FT² PLANT SITES
DISTURBED AREA 3,000 FT²








108071003

Humboldt County Planning and Building Department

Printed: December 13, 2019 Web AppBuilder 2.0 for ArcGIS

Map Disclaimer:
While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any conflict arise, the law will take precedence.

Highways and Roads

-  Principal Arterials
-  Minor Arterials
-  Major Collectors
-  Minor Collectors
-  Local Roads

Private or Unclassified

Major River or Stream

Blue Line Streams

-  Perennial 1-3
-  Perennial >4

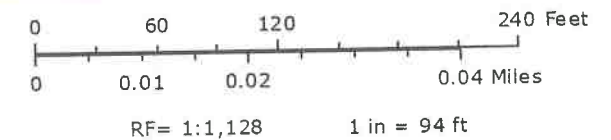
Intermittent

Subsurface

City Boundary

Counties

Parcels (no APN labels)



Sources: Humboldt County GIS
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

July 30, 2020

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Jesse Cabral
 Cultivation Plot Plan Condensed for 2020
 5,000 ft² Cultivation Canopy
 15,000 ft² Disturbed Area
 40 individual 16 ft² plant sites at 640 FT²
 and filled canopy at 4,360

 3 distinct cultivation areas A, B, C

A-CANOPY AREA 960 FT²

B- CANOPY AREA 1780 FT²
 40 INDIVIDUAL 16 FT² PLANT SITES AT 640 FT²
 Filled Canopy of 1140 FT²

YELLOW ARE VEGETABLE GARDEN AND VEGETABLE GREENHOUSE 15' X 20'

C- CANOPY AREA 2,260 FT²

















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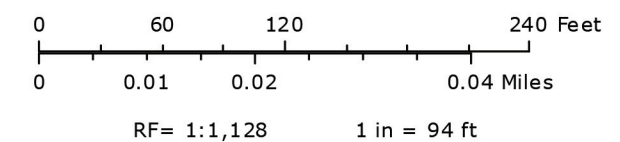
Humboldt County Planning and Building Department

Printed: December 13, 2019 Web AppBuilder 2.0 for ArcGIS

Map Disclaimer: PLN-2019-16072 Jesse Cabral
 While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.

Highways and Roads

- | | | |
|---|---|---|
|  Principal Arterials |  Private or Unclassified |  Intermittent |
|  Minor Arterials |  Major River or Stream |  Subsurface |
|  Major Collectors | Blue Line Streams |  City Boundary |
|  Minor Collectors |  Perennial 1-3 |  Counties |
|  Local Roads |  Perennial >4 |  Parcels (no APN labels) |



Sources: Humboldt County GIS
 Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, Aero GRID, IGN, and the GIS User Community

ATTACHMENT 1

Recommended Conditions of Approval

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

1. The applicant shall execute a Compliance Agreement with the Humboldt County Planning Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #2 – 14. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. The applicant shall obtain all necessary building permits and grading permits from the Building Inspection Division (BID) for all structures and grading related to the commercial cannabis cultivation operation, including, but not limited to: all greenhouses, grading, agriculture accessory structures, and proposed drying and processing building. The applicant shall submit floor plans including dimensions with electrical, mechanical and plumbing details for all existing Agriculture Exempt Structures and an Agriculture Exempt letter of intent for each. The applicant shall submit two complete sets of construction plans developed by a California-licensed engineer for the building permits. All building plans submitted for approval shall be consistent with those approved by the Zoning Administrator.
3. No employees other than the owner-operator shall process cannabis on-site until the applicant has permitted the Onsite Wastewater Treatment System. A letter or similar communication from the Division of Environmental Health shall satisfy this condition. Applicant shall provide receipts of the continual use of portable toilets and handwashing stations for staff.
4. The applicant shall contact the Bureau of Land Management for permission to pave the road at the intersection of Paradise Ridge Road and Shelter Cove Road for a minimum width of 20 feet and a length of 50 feet. 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. This condition shall be completed to the satisfaction of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
5. The applicant shall provide evidence of enrollment with the State Water Resources Control Board Cannabis General Order by providing a copy of the Notice of Applicability from the SWRCB. The applicant will provide substantial evidence that all corrective actions detailed within the Site Management Plan have been completed. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) submitted annually to the Planning and Building Department shall satisfy this condition.
6. The applicant shall implement all maintenance and road improvement recommendations in the Road Evaluation Report prepared by Omsberg and Preston. An evaluation report provided at the end of the two year compliance agreement period shall satisfy this condition.
7. The applicant shall implement and adhere to all management recommendations of the

Biological Assessment.

8. All mixed light nursery activity shall comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare (BUG). International Dark Sky Association standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. If the applicant is unable to show conformance with this condition, no fan or lights are authorized by this permit until the structures and greenhouses can be demonstrated to comply with these standards.
9. Noise generated from the operation (e.g. dehumidifiers and fans) shall not exceed 50db at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer, as required by Section 314-55.4.12.6 Humboldt County Code. The applicant shall schedule a site inspection with the Planning Department within 30 days of the effective date of this permit to conduct a conformance evaluation. If the applicant is unable to show conformance with this condition, no fans or lights are authorized by this permit until the structures and greenhouses can be demonstrated to comply with these standards.
10. The applicant shall contact the local fire service provider [Whitethorn Fire PDAA] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division.
11. Water meters shall be installed to measure water usage for irrigation. Logs of monthly water use shall be kept on site and made available during the annual inspection.
12. The applicant shall comply with the Bullfrog Management Plan and all other terms and reporting requirements of the Final Streambed Alteration Agreement with CDFW.
13. 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.
14. 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.
15. 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 State Water Resources Control Board Cannabis General Order.
8. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays).
9. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
10. Install and maintain a metering device on all discrete points of water withdrawal.
11. Maintain weekly records of all irrigation water use.
12. Pay all applicable application, review for conformance with conditions and annual inspection fees.
13. Power for the cultivation operation is to be supplied by the solar and battery units,

supplemented by hydroelectric system. The generator on-site may only be used for domestic purposes with no nexus to the cannabis operation. The use of a generator for cultivation purposes is strictly prohibited.

14. 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.
15. 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. Security light shall be shielded to prevent light spillage onto neighboring properties and comply with 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, Open Space Plan, and Open Space Action Program;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations; and
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence:
 - 1) the reduction is consistent with the adopted general plan including the housing element; and
 - 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and
 - 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:
 - a. Is categorically or statutorily exempt; or
 - b. Has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
 - c. Has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the 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
Land Use Chapter 4 Land Use Designations 4.8	Timberland (T): This designation is utilized to classify land that is primarily suitable for the growing, harvesting and production of timber. Prairie and grazing lands may be intermixed. Density range is 40 -160 acres/unit.	The project would allow an existing outdoor 5,250-square-foot cultivation area. Cannabis cultivation is an agricultural activity and general agriculture is an allowable use type in this designation, consistent with this policy.
Circulation Chapter 7	Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1,CT-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County. (C-G4, C-G5) Related policies: C-P3. Consideration of Transportation Impacts in Land Use Decision Making.	The subject parcel is accessed via Paradise Ridge Road, a BLM-managed dirt/gravel road that takes access off Shelter Cove Road. The project site is accessed by 1.1 miles of private access road that spurs from Paradise Ridge Road 1.1 miles from the intersection with Shelter Cove Road. A <i>Road Evaluation Report</i> prepared by Omsberg and Preston found the road segment adequate to accommodate traffic from the project (see Attachment 4). The project will not impact the road system because the current ADT is much less than 400 and the project will only result in six trips per day. The project was referred to the Department of Public Works which responded with conditional approval. The recommendations are included in the conditions of approval.
Housing Chapter 8	Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.	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

	Related policies: H-P3, Development of Parcels in the Residential Land Inventory.	and Community Development in determining compliance with housing element law.
Conservation and Open Space Chapter 10 Open Space Section 10.2	Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces. (CO-G1, CO-G3) Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program.	<p>The proposed project is included in the Open Space Land Plan because the project site is designated Timberland (T). Cannabis cultivation is an agricultural activity and an allowable use type in this designation, consistent with this policy.</p> <p>The project is located adjacent to the King Range National Conservation Area. The adjacent public lands are subject to the <i>2005 King Range National Conservation Area Resource Management Plan (RMP)</i>. The lands adjacent to the project site are designated Frontcountry Zone in the RMP, and management activities in that zone include forest stand management, fuel reduction, fire break construction, and watershed restoration. The project is consistent with the RMP management goals because the cultivation activities will protect fisheries and aquatic habitat on forest lands by maintaining buffers from streams and by placing controls on the storage and use of pesticides, rodenticides and fertilizers, and will minimize risk from wildfire by adhering to the County's Fire Safe Regulations. The RMP's provisions for protection of heritage resources will be met through the project consultation with Tribal Historic Preservation Officers and avoidance of sensitive tribal cultural resources. The project is consistent with recreational use on public lands by maintaining a minimum 600-foot buffer separation from developed campgrounds and trails. A referral for the proposed project was sent to the BLM on June 9, 2020. Staff sent a follow-up communication to BLM on June 30, 2020 (see Attachment 5). No response has been received to date.</p> <p>See Section 10.3 <i>Biological Resources</i> for additional information.</p>
Conservation and Open Space Chapter 10 Biological	Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and	The project site is a forested area composed of mixed riparian forest and tanbark oak/Douglas fir association. The Mattole River runs through the northeast corner of the parcel and an unnamed

<p>Resources Section 10.3</p>	<p>wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources) Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p>	<p>tributary to Big Finley Creek runs across the western property boundary. Several seep wet areas were identified on the site, however, they are outside the project area. The parcel is bordered by the King Range National Conservation Area. According to the California Natural Diversity Database (CNDDB), the southern portion of the parcel is mapped with the southern torrent salamander. The project area is setback more than 300 feet from all watercourses. No riparian habitat is associated with the project. A <i>Biological Resource Report</i> was prepared for the project site by Mara Noelle for Emerald Triangle Associates in June 2020 (see Attachment 4). The report concludes that project activities would have no significant impact on special status plant or wildlife species because the proposed cultivation activity would not disturb suitable habitat. A forest fire occurred on the land in the 1970s. As a result, the trees on the parcel are small and densely packed, with no old-growth characteristics. A stand approximately 1000 feet to the west was not completely burned in the fire and is potential habitat for Northern Spotted Owl (NSO). An NSO activity center is located 1 mile northwest of the project site. The report notes that the associated nest and pair observations are located over a ridge and in a different watershed from the project site. No trees will be removed. The project proposes to conduct outdoor cultivation. Supplemental light in the ancillary nursery will be shielded to prevent light pollution in conformance with CCLUO standards. The operation runs on renewable energy with power provided by a solar system with batteries, supplemented by a hydroelectric system in the winter. A generator is onsite for backup power for use in the residence only. Noise from the operation will be no more than 50 decibels as measured 100 feet from the source. The project was referred to California Department of Fish and Wildlife (CDFW) and the Bureau of Land Management (BLM). Staff sent a follow-up communication to BLM on June 30, 2020 (see Attachment 5). No response has been</p>
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		received to date. Standard operation conditions are incorporated regarding the protection of wildlife, including a prohibition on use of rodenticides. The project as conditioned to prevent light pollution and minimize noise will not impact biological resources.
Conservation and Open Space Chapter 10 Cultural Resources Section 10.6	Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources. Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation.	The project was referred to the Northwest Information Center (NWIC), the Bear River Band of the Rohnerville Rancheria and Intertribal Sinkyone Wilderness Council. NWIC responded that a cultural resource survey may be needed. The Bear River Band responded indicating an archaeological survey is required. A Cultural Resource Survey was prepared for the project site by Archaeological Research and Supply Company on June 9, 2020. The report had negative findings. The Bear River Band THPO recommended a condition of project approval be incorporated regarding inadvertent discovery protocol. Ongoing conditions of approval are incorporated regarding the inadvertent discovery protocol to protect cultural resources.
Conservation and Open Space Chapter 10 Scenic Resources Section 10.7	Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-G2) Related policies: SR-S4. Light and Glare	The subject parcel is forested with a Timberland land use designation. The cultivation site is located 590 feet from the King Range National Conservation Area. The cultivation areas occupy existing flats and are on a site developed with a residence occupied by the owner-operator. The commercial activities are limited to small clearings that do not change the scenic value of the timberland. Supplemental light used in the ancillary nursery will comply with lighting standards by covering the greenhouse to prevent light spillage. The project will comply with the CCLUO in order to meet International Dark Skies Association standards.
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);	The access road is maintained with rolling dips and adequate drainage features to prevent sediment delivery, according to the <i>Road Evaluation Report</i> prepared by Omsberg and Preston (see Attachment 4). The applicant has submitted a Notification for an LSA for four (4) culvert upgrades. are

	<p>watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy. (WR-G1, WR-G2, WR-G7, WR-G8, WR-G9) Related policies: WR-P10. Erosion and Sediment Discharge; WR-42 Erosion and Sediment Control Measures.</p>	<p>no stream crossings or water bodies on the subject parcel. The applicant has been issued a grading permit from the Building Inspection Division (BID) for 625 cubic yards of grading and construction of retaining walls. The engineered <i>Grading and Erosion Control Plan</i> prepared by Omsberg and Preston approved May 12, 2020 (see Attachment 4), shows the measures to construct retaining walls with screened gravel and perforated pipe outlets to prevent sediment discharge or erosion. Conditions of approval require the applicant to implement maintenance and improvement schedule outline in the Road Evaluation Report. 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 Site Management Plan.</p>
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution. (WR-G6, WR-G9, WR G10) Related policies: WR-IM7. Basin Plan Septic Requirements; and IS-P20. On-Site Sewage Disposal Requirements.</p>	<p>The residence is served by an unpermitted septic system. The applicant will provide portable toilets for use by cultivation staff. No processing can occur in the proposed commercial structure until the OWTS is permitted. The project was referred to the Division of Environmental Health, and the response recommended approval.</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>Power for the operation is provided by solar with batteries and supplemented by hydroelectric. The owner-operator lives on site and uses a fully-contained 3,000-watt generator for domestic purposes only. An NSO activity center is located 1 mile to the northwest across a ridge. The outdoor operation will not result in a substantial increase in noise sources. Noise levels shall</p>

	Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.	be no more than 50 decibels measured 100 feet from the source, as included in the conditions of approval. As conditioned, the project therefore conforms with the Noise Element.
Safety Element Chapter 14 Geologic & Seismic	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)Related policies: S-P11. Site Suitability, S-P7. Structural Hazards.	The parcel is mapped as having moderate geologic instability. The project site is not located in a mapped Alquist-Priolo fault zone or subject to liquefaction. According to USGS mapping on Humboldt County WebGIS, the slopes where cultivation occur are variable from less than 15% to 30%. The applicant has been issued a grading permit from the Building Inspection Division (BID) for 625 cubic yards of grading and construction of retaining walls. The engineered Grading and Erosion Control Plan prepared by Omsberg and Preston approved May 12, 2020 (see Attachment 4) shows the measures to construct retaining walls with screened gravel and perforated pipe outlets to prevent sediment discharge or erosion. The outdoor cultivation areas are therefore suitable for building. The applicant will obtain a building permit for the proposed drying and processing building. The project does not pose a threat to public safety related from exposure to natural or manmade hazards.
Safety Element Chapter 14 Flooding	Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.	The parcel is outside mapped flood zones. The project site is not within a mapped dam or levee inundation area and, at approximately 6 miles distance from the coast, is well outside the area subject to tsunami run-up.
Safety Element Chapter 14 Fire Hazards	Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that	The subject parcel is located within an area with a high fire rating and high fire severity. The subject property is located within the Whitethorn Volunteer Fire Department Response Area and the State Fire Responsibility Area where the State of

.	minimize the potential. Related policies: S-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.	California has the primary financial responsibility for the prevention and suppression of wildland fires. With respect to the Fire Safe Ordinance (Section 3111-1 et seq.), all existing and proposed improvements are setback at least 30 feet from all property lines. Applicant has proposed a designated fire turn-around and pullout area for emergency vehicles, management of trees and vegetation to maintain the 100 foot defensible space, and installation of storage designated for fire suppression.
Community Infrastructure and Services Element, Chapter 5 Implementation Action Plan	IS-S5 requires new industrial, commercial and residential development located outside of fire district boundaries to obtain written acknowledgment of available emergency response and fire suppression services from the local fire agency, including any recommended mitigation.	To implement this policy, conditions of approval for the proposed project required the applicant to contact the local fire service provider [Whitethorn Volunteer Fire Department] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division.
Air Quality Chapter 15	Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements. (AQ-G4) Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading	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 NCAQMD fugitive dust emission standards. Per the 2009 Housing Element H-IM3 to reduce and avoid air quality impacts from naturally occurring asbestos the County shall refer all building permits on parcels which appear to be underlain by ultramafic rock to the NCUAQMD for appropriate standards and recommendations.

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

Zoning Section	Summary of Applicable Requirements	Evidence That Supports the Zoning Finding
§312-1.1.2 Legal Lot Requirement	Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	The subject parcel qualifies for Certificate of Compliance pursuant to section 66428 (a) 2 of the Subdivision Map Act due to the subdivision of Patent CA CAAA 200000 Co split by the United States of America. 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.
314-7.4 Timberland Production Zone	TPZ: This zone is intended to provide standards and restrictions for the preservation of timberlands for growing and harvesting timber.	The proposed project is a Special Permit for 5,250 square feet of existing cannabis cultivation on a parcel zoned TPZ. 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.
Min. Lot Size	160 acres 40 acres of the provisions of Government Code Section 51119.5 are met.	160 acres
Min. Lot Width	None specified	2,675 feet
Max. Ground Coverage	None specified	1%
Minimum Yard Setbacks (Through the SRA setbacks)	Front: 20 feet Rear: 30 feet Side: 30 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 Mattole River runs through the north east portion of the parcel. An unnamed Class III tributary to Big Finley Creek runs north-south along the western property border. The applicant has filed a Notification of Lake and Streambed Alteration for four (4) culverts. The applicant utilizes a water diversion for domestic water supply with no nexus to the cannabis operation. The applicant has a hydroelectric generator that generates power during high flows. Power from the

		microhydro source may be used to provide electricity to the processing building. A Special Permit is requested to permit the development within the stream channel. The microhydro is included in the LSA Notification. According to the Biological Assessment, there are two seep wet areas on the parcel. A jurisdictional wetland survey was not completed for these areas. Cultivation activities are outside the required buffers for all SMAWOs.
Off-Street Parking §314-109.1	<p>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.</p> <p>Agricultural use*: Parking space per employee at peak shift. A minimum of three parking spaces are required.</p> <p><i>*Use for this activity is not specified. Per Section 314-109.1.2.9, the Director may fix the required number of parking spaces based on standards for most comparable use.</i></p>	4 spaces
314-55.4 Commercial Cultivation, Processing, Manufacturing and Distribution of Commercial Cannabis Inland Land Use Regulation (CCLUO)		

§314-55.4.5.4 Permit Limits and Permit Counting	No more than eight acres of Commercial Cannabis permits may be issued to a single Person. No more than ten (10) Persons shall be granted permits authorizing three (3) or acres of cultivation pursuant to the provisions of 55.4.6.1.2(c).	According to records maintained by the Planning Department Jesse Cabral has just one application for a Special Permit for an existing 5,250-square-foot cultivation area.
§314-55.4.6.0 Conversion of Timberland	Cultivation sites may only be located within an Non-Forested area that was in existence prior to January 1, 2016.	A review of aerial imagery on the Humboldt County WebGIS and Google Earth shows the cultivation will occur on terraces that are in a non-forested area that has been cleared of vegetation since at least 2005. No timber conversion occurred on the property after January 1, 2016.
§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. No nearby Tribal Cultural Resources or Tribal Ceremonial Sites have been identified.
§314-55.4.11 Application Requirements	Identifies the Information Required for All Applications	Attachment 4 identifies the information submitted with the application and shows all the required information was received.
§314-55.4.12 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities.	All the applicable performance standards are included as conditions of project approval. They are required to be met throughout the timeframe of the permit.

§314-55.4.12.1.8 Performance Standards– Road Systems	Roads providing access to any parcel(s) or premises on which commercial cannabis activities occur must comply with standards regarding dead-end road length, functional capacity and private road systems.	The parcel is accessed by Paradise Ridge Road, a Bureau of Land Management maintained road. The road is not more than 2 miles down a dead end. The applicant provided a <i>Road Evaluation Report</i> prepared by Omsberg and Preston received December 23, 2019 (see Attachment 4). The engineer's report evaluated the road system serving the parcel and determined it meets the hydrologic functioning and functional capacity. The project meets the road performance standards.
§314-55.4.12.1.10 Performance Standards– Biological Resource Protection	Projects proposing new development activities shall provide the necessary information to implement Mitigation Measures 3.4-1a – 3.4-1l, 3.4-3a, 3.4-4, 3.4-5 and 3.4-6 from the Final Environmental Impact Report.	A biological resource report was prepared for the project site by Mara Noelle for Emerald Triangle Associates. The habitat on the site is mixed riparian forest and tanbark oak/Douglas fir association. Several seep wet areas were identified on the site, however they are outside the project area. The report concludes that project activities would have no significant impact on special status plant or wildlife species because the proposed cultivation activity would not disturb suitable habitat. A forest fire occurred on the land in the 1970s. As a result, the trees on the parcel are small and densely packed, with no old-growth characteristics. A stand approximately 1000 feet to the west was not completely burned in the fire and is potential habitat for Northern Spotted Owl (NSO). An NSO activity center is located 1 mile northwest of the project site. The report notes that the associated nest and pair observations are located over a ridge and in a different watershed from the project site. No trees will be removed. The project proposes to conduct outdoor cultivation. Supplemental light in the ancillary nursery will be shielded to prevent light pollution in conformance with CCLUO standards. The operation runs on renewable energy with power provided by a solar system with batteries, supplemented by a hydroelectric system in the winter. A generator is onsite for backup and will provide no more than 20 percent of the power for the operation. The generator is fully contained. Noise from the operation will be no more than 50 decibels as measured 100 feet from the source. As conditioned to meet operational standards, the operation meets the mitigation measures of the EIR.

§314-55.4.12.2 Performance Standards– Commercial Cannabis Cultivation	Identifies the Performance Standards for Cannabis Cultivation Activities.	The project as proposed and conditioned meets all of the requirements stipulated in the cited section. In Attachment 1, these performance standards have been incorporated into the On-going Conditions of Approval that must be satisfied for the life of the project.
§314-55.4.12.4 Performance Standards– Light Pollution Control	a) Structures used for Mixed Light Cultivation and Nurseries shall be shielded so that no light escapes between sunset and sunrise. b) Where located on a Parcel abutting a residential Zoning District or proposed within Resource Production or Rural Residential areas, any Security Lighting for Commercial Cannabis Activities shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses.	The proposed project is for 5,250 square feet of existing outdoor cannabis cultivation. Cultivation will not utilize supplemental light. A 525-square-foot propagation nursery on-site will use low wattage supplemental lights. A condition of approval requires all lighting to be shielded to comply with the standards of the CCLUO.
§314-55.4.12.5 Performance Standards– Energy Use	All electricity utilized by Commercial Cannabis Cultivation, Manufacturing or Processing activities shall conform to one or more of the following standards: • Grid power supplied from 100% renewable source; and • On-site renewable energy system with twenty percent net non-renewable energy use Grid power supplied by partial or wholly non- renewable source with purchase of carbon offset credits.	The power source for the project is solar with a battery bank, supplemented by a hydroelectric system when water flows are high. The applicant has submitted a Notification of LSA to CDFW for the microhydro generator, and a Special Permit for development in the stream channel is included in this report. The on-site renewable energy system provides 100% of the operational energy needs. A generator is used for domestic purposes only as an emergency backup power source.

§314-55.4.12.3 Performance Standards– Noise	Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site. Existing ambient noise levels shall be determined by take twenty-four measurements on three or more property lines when all cannabis related activities are not in operation.	Power for the operation is provided by solar and hydroelectric. The owner-operator lives on site and uses a 3,000-watt generator for domestic purposes only. The outdoor operation will not result in an increase in noise sources. A condition of approval requires that noise levels from the operation shall be no more than 50 decibels measured 100 feet from the source.
§314-55.4.12.7 Performance Standards – Cannabis Irrigation	A Special Permit shall be required where Irrigation of Commercial Cannabis Cultivation Activities occurs wholly or in part using one or more Diversionary sources of water. All Cannabis Irrigation, regardless of cultivation area, shall be subject to documentation of water use, forbearance periods and storage requirements, metering and recordkeeping.	The irrigation water source is a rainwater catchment pond with a 120,000-gallon capacity. The pond is not connected to any surrounding watercourses. Estimated annual water use is 110,000 gallons. There is 5,000 gallons of hard-tank water storage. A condition of approval is included requiring the applicant to meter the water use.
314-55.4.12.10 Performance Standards – Soils Management	A soils management plan shall be provided detailing the use of imported and native soil on the Parcel(s) or Premises. The plan shall provide accounting for the annual and seasonal volume of soil that is imported and exported and documentation of the approved location of any Parcel(s) used for off-site disposal of spent soil if this occurs or is proposed.	The project has previously imported soil to be used in cultivation. All soil remains onsite and is reused. Soils piles are covered with secured traps and surround by straw waddles or equivalent when not in use. Spent soil will be disposed of at the Fortuna transfer station.

314-55.4.12.11 Performance Standards – Existing Site Reconfiguration	Where an existing site does not conform to one or more performance standards or eligibility criteria, or cannot comply with local, state, or federal regulatory requirements, reconfiguration of the cultivation site and associated infrastructure may be permitted, provided that the reconfiguration results in an improvement in the environmental resources of the site.	The project involves a Special Permit for an existing 5,250-square-foot (SF) outdoor cannabis cultivation operation. The cultivation area was in existence prior to January 1, 2016, and the cultivation configuration has not changed.
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.	Cultivation infrastructure was removed in 2019 due to an abatement order from the Code Enforcement Unit. A restoration plan was provided, and the work was completed as part of resolving this violation in accordance with the compliance agreement signed by the applicant with the County. All soil, cultivation materials and structures were removed from the flats. The restoration called for covering the cut slopes, flat, and fill with straw and seeding. No additional remediation is required as part of the project.
314-55.4.12.16 Performance Standards – Invasive Species Control	It is the responsibility of a certificate or permit holder to work to eradicate invasive species.	The applicant has provided an Invasive Species Management Plan within the Biological Assessment Report. The management considerations call for the management of scotch broom through manual removal along the roadway. A condition of approval is included requiring the applicant adhere to the recommendations of the Biological Assessment.

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 identifies the evidence that supports finding that the proposed development will not adversely impact the environment.

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

ATTACHMENT 3
CEQA Addendum

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

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

APN 108-071-003, 3000 Paradise Ridge Road, Whitethorn, County of Humboldt

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

July 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 5,250 square feet of outdoor cannabis cultivation with one harvest per year. The project will be phased, with cultivation occurring in a single greenhouse in 2020 to obtain a late light deprivation harvest. In 2021 and thereafter, cultivation will occur in 25 square foot holes. Propagation occurs on-site in a 525 square foot greenhouse. Estimated annual water use for irrigation is 110,000 gallons. Water source is an existing rainwater catchment pond with a 120,000 gal. capacity. Drying and processing will occur in a proposed 3,000 square foot building. Up to 3 workers may be needed. Power is provided by solar and a hydroelectric system.

The site is developed with a residence and accessory structure not related to cannabis. The residence is served by a 3000 watt generator. The generator is for domestic purposes only. No generator use is allowed on the TPZ zoning designation for the purpose of supplying energy for a cannabis operation. The water pump, fans, dehumidifiers and trim machine used in the cultivation operation will be exclusively solar powered.

A biological resource report was prepared for the project site by Mara Noelle for Emerald Triangle Associates in June 2020 (see Attachment 4). The report concludes that project activities would have no significant impact on special status plant or wildlife species because the proposed cultivation activity would not disturb suitable habitat. A forest fire occurred on the land in the 1970s. As a result, the trees on the parcel are small and densely packed, with no old-growth characteristics. A stand approximately 1000 feet to the west was not completely burned in the fire and is potential habitat for Northern Spotted Owl (NSO). An NSO activity center is located 1 mile northwest of the project site. The report notes that the associated nest and pair observations are located over a ridge and in a different watershed from the project site. No trees will be removed. The project proposes to conduct outdoor cultivation. Supplemental light in the ancillary nursery will be shielded to prevent light pollution in conformance with CCLUO standards. The operation runs on renewable energy with power provided by a solar system with batteries, supplemented by a hydroelectric system in the winter. A generator is onsite for backup power for use in the residence

only. Noise from the operation will be no more than 50 decibels as measured 100 feet from the source.

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 groundwater well, and electricity from a solar array, 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 5,250 square feet of existing outdoor cannabis cultivation is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

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

- Cultivation and Operation Plan;

- Site Plan;
- *Biological Resources Report* prepared by Mara Noelle for Emerald Triangle Associates;
- Grading and Erosion Control Plan;
- Road Evaluation Report;
- Cultural Resource Survey was prepared for the project site by Archaeological Research and Supply Company on June 9, 2020

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See Purpose statement above.

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

FINDINGS

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

CONCLUSION

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

ATTACHMENT 4

APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (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 one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Site Plan - Attached)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; water source; irrigation plan; projected water usage; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operation Plan - Attached)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (On file – Initial Statement of Water Diversion and Use; Condition of Approval - provide copies of Right to Divert and Use Water)
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 – Site Management Plan prepared for State Water Resources Control Board General Order enrollment)
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 – 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. *Road Evaluation Report* prepared by Omsberg and Preston received December 23, 2019. (Attached)
16. Division of Environmental Health Worksheet. (On file)
17. *Biological Assessment* prepared by Mara Noelle of Emerald Triangle Associates received June 9, 2020. (Attached)
18. *Grading and Erosion Control Plan* and *As-Built Grading Plan* for catchment pond prepared by Omsberg and Preston ... (Attached)

Revised Cultivation and Operations Plan

Jesse Cabral

Location: 3000 Paradise Ridge Road

County: Humboldt

APN: 108071003

Address: P.O. Box 425 Whitethorn, CA 95589

Contact Name: Vanessa Valare

Telephone: 760.613.6520/ 707.923.1180

Email: etahumboldt@gmail.com

Cultivation Site

This project will consist of 3 flowering cannabis gardens and one small vegetative greenhouse. The total pre-existing flowering canopy cultivation for this parcel is 10,529.64sq. ft. This 2.0 application is for 5,250 Sq. ft. All cannabis in gardens grow outdoors in full sun. All cannabis is harvested and dried on site. Cultivation site has 3 (three) outdoor cultivation areas. The three gardens will be, Garden A- 2,100FT² of canopy with 6,000ft² of disturbed space, Garden B- 2,100ft² of canopy with 6,000ft² of disturbed space, and Garden C- 1,050ft² of canopy with 3,000ft² of disturbed space. Applicant is cultivating individual plants in 25ft² wood framed boxes with 6' tall metal cage secured inside the box. Applicant assures that plants will not grow outside of these dimensions. There is also a small greenhouse 525 sq. ft. for immature plants.

One cycle of full-term outdoor cannabis grown between 3 gardens.

Cannabis Garden A- This area contains 1 (one) 2,100 sq. ft. of full-term outdoor cannabis.

Cannabis Garden B- This area contains 1 (one) 2,100 sq. ft. of full-term outdoor cannabis.

Cannabis Garden C- This area contains 1 (one) 1,050 sq. ft. of full-term outdoor cannabis.

Veg Space- This area contains 1 (one) 525 sq. ft vegetative Greenhouse 10' x 50'

Pond- 120,000 gallons approx.

Water Tanks- 1 qty. 4,800 -Gallon HDPE Water Storage Tank for Domestic use
1 qty 2,500-gallon SRA water tank (being installed)

Water Tanks- 1 qty. 2,500-Gallon HDPE Water Storage Tank that stores water from the pond for irrigation.

2020 Cultivation

Cultivation plan for 2020 will include 3 cultivation areas consisting of:

Cultivation area A will have a canopy of 960ft² of full-term outdoor cannabis

Cultivation Area B will be comprised of 40 individual plant spaces (640ft²) for a total canopy of 1140ft² of full-term outdoor cannabis

Cultivation area C will include 2260ft² of canopy of full-term outdoor cannabis.

Immature Plants

Each spring the Applicant takes cuttings or clones from mother plants and rears them in drying shed and greenhouse (immature plant area) till plants are approximately 14 inches tall. The applicant then moves them outside to the full-term cultivation areas.

Cultivation Cycles

The Applicant cultivates outdoors in full sun. Each spring the Applicant takes cuttings or clones from mother plants and rears them in drying shed/propagation greenhouse (immature plant area) till plants are approximately 14 inches tall. The applicant then plants them out in the flowering cannabis gardens for one cycle of full-term cannabis per season.

Soils Management Plan

All soil from cultivation site will be reused and never dumped. Reused meaning the applicant either tills the soils in place in the garden areas or creates a pile with straw waddles at the bottom and covers with black plastic. These areas will meet all BMP's required. Applicant amends the garden soils every year with basic amendments. Greenhouses plants are planted in beds directly in the ground. Protection from overuse of inputs and reuse of these soils shall be a key component of operations. Applicant will bring in approximately 60 yards of compost to mix and till into the native soil. Applicant expects to bring in more compost two years from now (30 yds) to mix with native soil. Operations will protect the resources through the following: The Site management plan will be implemented, Cultivations will occur in beds, air pots, or in the ground. Mixing, tilling, and amending of soils will occur within the receptacles. Composting is in a secure dedicated area. Vegetative materials will be chipped back into the compost pile. Cover crops will be utilized when not in cultivation for a month or more to reduce soil loss. Garbage from the cultivation is limited to bags from amendments and fertilizer containers. All items will be cleaned out properly into the garden area, recycled if possible and if not removed to the transfer station. Cultivation-related wastes including, but not limited to, empty soil/soil amendment/ fertilizer/pesticide bags and containers, empty plant pots or containers, dead or harvested plant waste, and spent growth medium shall, for as long as they remain on the site, be stored at locations where they will not enter or be blown into surface waters, and in a manner that ensures that residues and pollutants within those materials do not migrate or leach into surface water or groundwaters

Monthly Cultivation Site Activities

Month	Activities
January	Finish processing of fall harvest, trimming and storage. Plan new year. Mow cover crop. Check water lines, tanks and all equipment for repairs or damages. Make plan for repairs.
February	Work on trenches/and holes for plants layer more compost in beds. Treat compost if necessary. Finishing processing last year's crop if still necessary.
March	Get clones from other permitted grow operation. Transplant and move into propagation space with seedlings. Amend beds, fix fences, service equipment, make plan for independent contractors i.e.; painting, fence building, etc.
April	Add nematodes compost for pest prevention. Turn beds, fix/ replace and clean drip emitters, check timers. Weed whacking, mowing, and brush cleanup.
May	Plant Long Term Plants. Spray with preventive sulfur. Treat with biodynamic preparations for pest control and mold control. Turn beds, fix/ replace and clean drip emitters, check timers. Double check all water systems for leaks and clogs. Put out sound sensors for rodents.
June	Hay put over each trench for water retention. Use re mesh for supports as well as bamboo stakes which are cleaned with bleach before each use. Bamboo reused for multiple years. Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost.
July	Treat plants with preventive measures. Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost.
August	Monitor water supply, check lines and all areas for insect/ animal disturbance.
September	Prepare for Harvest. Clean and prepare lines and drying spaces in drying shed. Clean all supplies and purchase new items needed. Harvest, cure and trim as outlined above in processing plan.
October	Harvest Long term Plants. Process as outlined above. Pull all root-balls, pack hay and cover crop seeds on beds. Pull drip system. Check all equipment and tools for leaks and damages before storing for winter. Store all supplies possible, cleanup site.
November	Winterize water system, greenhouse and sheds. Clean up drying room remove all lines and debris. Put away all supplies i.e. fans, dehumidifiers. Continue processing cannabis as outlined above.
December	Start amendments for winter. Prep all water and water storage system for shut down. Clean all garden implements. Put all left over supplies away. Driveway fixing, other farm/garden maintenance.

Project Description

This project will consist of 3 flowering cannabis gardens and one small vegetative, greenhouse. The total pre-existing flowering canopy cultivation for this parcel is 10,529ft² sq. ft. 2.0 Application is for 5,250 sq. ft. All cannabis in gardens outdoors. All cannabis is harvested and dried on site. There is also a small greenhouse 525 sq. ft. for propagation/vegetation of plants. The three gardens will be, Garden A- 2,100FT² of canopy with 6,000ft² of disturbed space, Garden B- 2,100ft² of canopy with 6,000ft² of disturbed space, and Garden C- 1,050ft² of canopy with 3,000ft² of disturbed space. Applicant is cultivating individual plants in 25ft² wood framed boxes with 6' tall metal cage secured inside the box. Applicant assures that plants will not grow outside of these dimensions. One cycle of full-term outdoor cannabis grown between 3 gardens. The area was not graded but shaped and flattened out a little to accommodate gardens on a level plain. There are companion plants, native grasses and indigenous plants that grow in the garden and around the area to also help control any type of run off. There are no signs of wastewater runoff or erosion in this garden. Hay is also spread around the area and on the topsoil. The water line as well as manifolds and fittings are checked almost daily for leak or cracks.

Equipment/ Power

Supplemental lighting, water and air pumps, atomizer (for foliage feeding and pest/disease), fans, power tools, surge protectors, dehumidifiers, cannabis trimming machine and all electrical supplies and equipment are run from 16 solar panels with 8 batteries, on a 48V system. There is a generator on site, but it is for DOMESTIC use only. The generator, along with all the supplies necessary to run and maintain generator are fully contained in the inverter system shed behind the garage. The shed is fully enclosed and has a flooring of secondary containment. There is also a hydro electric system that provides back up power in the winter when creek flows are high.

Petroleum Based/ Fuel Products -

Petroleum products and other liquid chemicals, including but not limited to diesel, biodiesel, gasoline, and oils shall be stored to prevent their spillage, discharge, or seepage into receiving waters. Storage tanks and containers must be of suitable material and construction to be compatible with the substance(s) stored and conditions of storage such as pressure and temperature. These fuels are used for generator, weed whacker, lawn mower and other garden tools. We are currently in process of filing Generator Plan through Humboldt Dept of Health and Human Services. Any above ground storage tanks and containers shall be provided

with a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. All five-gallon gasoline cans are stored with secondary containment inside of garage or similar enclosure on flat, stable areas. We will implement spill prevention, control, and countermeasures (SPCC) and will There are no underground storage tanks on the property. All petroleum products on property are stored with secondary containment inside of a shed or similar enclosure on flat, stable areas.

Water Storage and Usage

Projected Water use for this site is approximately 156,262.5-gallons. The projected water use for the cannabis is approx. 84,262.5-gallons. Domestic water use is expected to be approx. 72,000-gallons. This water use is an estimate to the best of my knowledge. Domestic water is sourced from Domestic Use Spring. The irrigation water source for this operation is rainwater stored in a pond that has a capacity of approximately 120,000-gallons. The rainwater stored in the pond provides enough water for all seasonal irrigation uses. There is 1 (one) 2,500-gallon HDPE water storage tanks that are used to store the water from the pond for short periods of time. (less than 30 days).

There is also 1 (one) 4,800-gallon HDPE water storage tank for domestic use. Applicant is planning to install a 2,500-gallon SRA tank for firefighting use near the residence.

Water Discharge

Water storage is separate from all cannabis feeding tanks. Feeding tanks are at least 200 ft from nearest water source and on flat ground. Mulched organic matter is spread on topsoil to help with evaporation and runoff. Heavy amounts of peat moss and coco coir are also amended into soil periodically to help with runoff of fertilizer. No run-off from cultivation watering flows into the ground. Cannabis meets requirements for a Tier 1 low risk after site modifications following abatement through county. Plans to amend discharger status underway.

Land Features

All cannabis grown on flats that existed before the applicant purchased the property. In years past the previous owner used small equipment to aid in shaping and contouring existing flats on the land.

There are no signs of erosion or water runoff. Site is checked on a weekly basis to monitor for performance on BMP.

Access to Property

The site is located on Paradise Ridge road, off of Shelter cove road in the Whitethorn area. Personal driveway is shared with one additional neighbor. To access property from Eureka CA, via Highway 101; take highway 101 South 63 miles to exit 642, Redway. Continue onto Redwood Dr. 1.8 mi. Turn right onto Briceland Road. Take Briceland road 12.1 miles. Take a slight right onto Shelter Cove Road. Follow Shelter Cove Rd for 3.6 mi. Turn right onto Paradise Ridge Road. Follow Paradise Ridge Road 1.1 mile. Take a right at the Y. Follow road all the way to the bottom. Take a right at the gate to your destination.

Proximity

The nearest neighboring properties are 439 ft to the north from 120 to the east from the cultivation sites. There are no schools, school bus stops, or tribal resources within 600 ft of my property. Property is located adjacent to BLM land, and cultivation area is approximately 565 feet from the shared line with BLM. Application is for a special permit consideration to reduce the setback to the BLM property to the West.

Tracking, Records, and Inspections

CERCC requires that the project comply with the Track-and-Trace System and local requirements. The following policies shall be implemented to ensure compliance with the CERCC and CWMP:

- A. In addition to all other tracking requirements, disposal of cannabis waste shall use the Track-and-Trace System with documentation to ensure cannabis waste is identified, weighed, and tracked while on premises and when disposed.
- B. All cannabis plant material identified as cannabis waste shall be reported in the Track-and-Trace System made within three (3) business days of the change in disposition from cannabis plant material into cannabis waste scheduled for destruction or disposal.
- C. Review of on-site cannabis, Track-and-Trace System records, cannabis waste, commercial waste, and any other records shall be available for CDFA inspection or their designated representative. Inspections shall occur at standard business hours from 8:00am to 5:00pm. Prior notice for inspections is not required by the inspecting agency.
- D. No person shall interfere with, obstruct or impede inspection, investigation or audit. This includes, but is not limited to, the following actions: Denying the department access to the licensed premises. Providing false or misleading statements.
Providing false, falsified, fraudulent or misleading documents and records, and failing to provide records, reports, and other supporting documents.
- E. Accurate and comprehensive records shall be maintained on-site for seven (7) years regarding cannabis waste which are subject to CDFA inspection that account for, reconcile, and evidence all activity related to the generation or disposition of cannabis waste.

Trash/Refuse

Refuse and garbage shall be stored in a location and manner that prevents its discharge to receiving waters and prevents any leachate or contact water from entering or percolating to receiving waters. All trash and recycling are stored in cans with lids in a 6' x 6' secured refuse area, in a stable, flat area. The cans are secured to exclude wildlife and prevent discharge or contact with water or receiving waters. Garbage and refuse shall be disposed of at an appropriate waste disposal location. All garbage and refuse are disposed of at an authorized municipal waste transfer station. It will be taken to Redway Transfer station by personal vehicle, i.e. truck, 1-3 times per week depending on garbage accumulation.

Solid Waste/ Recycling

Solid waste and recyclables on the property will be not be stored or collected. They will be taken to Redway Transfer station by personal vehicle, i.e. truck, 1-3 times per week depending on garbage accumulation. All soil will be reused and never dumped. Garbage from the grow is bags from amendments and fertilizer containers. All items will be cleaned out properly into a leach field or garden area, recycled if possible and if not removed to the transfer station. All recycling is sorted in a can with lids in the garage until it is removed. No garbage is stored outside or unattended where animals can access.

Solid Waste and Recyclables Disposal

Redway Transfer Station
Recycling center in Humboldt County, California
Conservation Camp Rd.
Redway, CA 95560
707-923-3944
<https://www.recology.com/recology-eel-river/redway-transfer-station/>

Hazardous Waste Disposal

Humboldt Waste Management Authority
1059 W Hawthorne St.
Eureka, CA 95501
707-268-8680



OMSBERG & PRESTON

Surveyors • Engineers • Planners


402 E Street
Eureka, CA 95501
(707) 443-8651
www.omsberg.com
kpreston@omsberg.com

**ROAD EVALUATION REPORT for
PARADISE RIDGE AND UN-NAMED PRIVATE ACCESS ROAD
WHITETHORN, CALIFORNIA
APN 108-071-003**

Prepared for:
Jesse Cabral

Prepared by:
OMSBERG & PRESTON
402 E Street
Eureka, CA 95501
(707) 443-8651

November 21st, 2019
(Job. No. 19-2118)


Stephen G. Nesvold, P.E.
R.C.E. 25681



Introduction:

The subject of this road evaluation is an a portion of Paradise Ridge Road and an un-named private access road located near Whitethorn in Humboldt County, CA. Evaluation of the access road leading to APN 108-071-003 was conducted on November 14th, 2019 by Stephen G. Nesvold, P.E. and Ben Voelz, Engineering Technician, of Omsberg & Preston. This evaluation was undertaken to determine if the road network used to access the project site is at Humboldt County Road Category 4 standard or equivalent.

Background:

Paradise Ridge road is a dirt/gravel road that is managed by the Bureau of Land Management (BLM) and is accessed from Shelter Cove road (County Road# C4A010). The un-named private access road, also a dirt/gravel road, that leads to the subject parcel spurs from Paradise Ridge road 1.1 miles from the intersection of Paradise Ridge and Shelter Cove roads. The evaluation is carried out for 2.2 miles from the intersection of Shelter Cove and Paradise Ridge road to the property line of APN 108-071-003. The evaluation of the un-named private access road begins at 1.1 miles from the intersection of Paradise Ridge and Shelter Cove roads. Mile Post (MP) markers will be referenced, with MP 0.0 being the intersection of Paradise Ridge and Shelter Cove roads. An aerial photo of the road evaluation route can be seen in Figure 1.

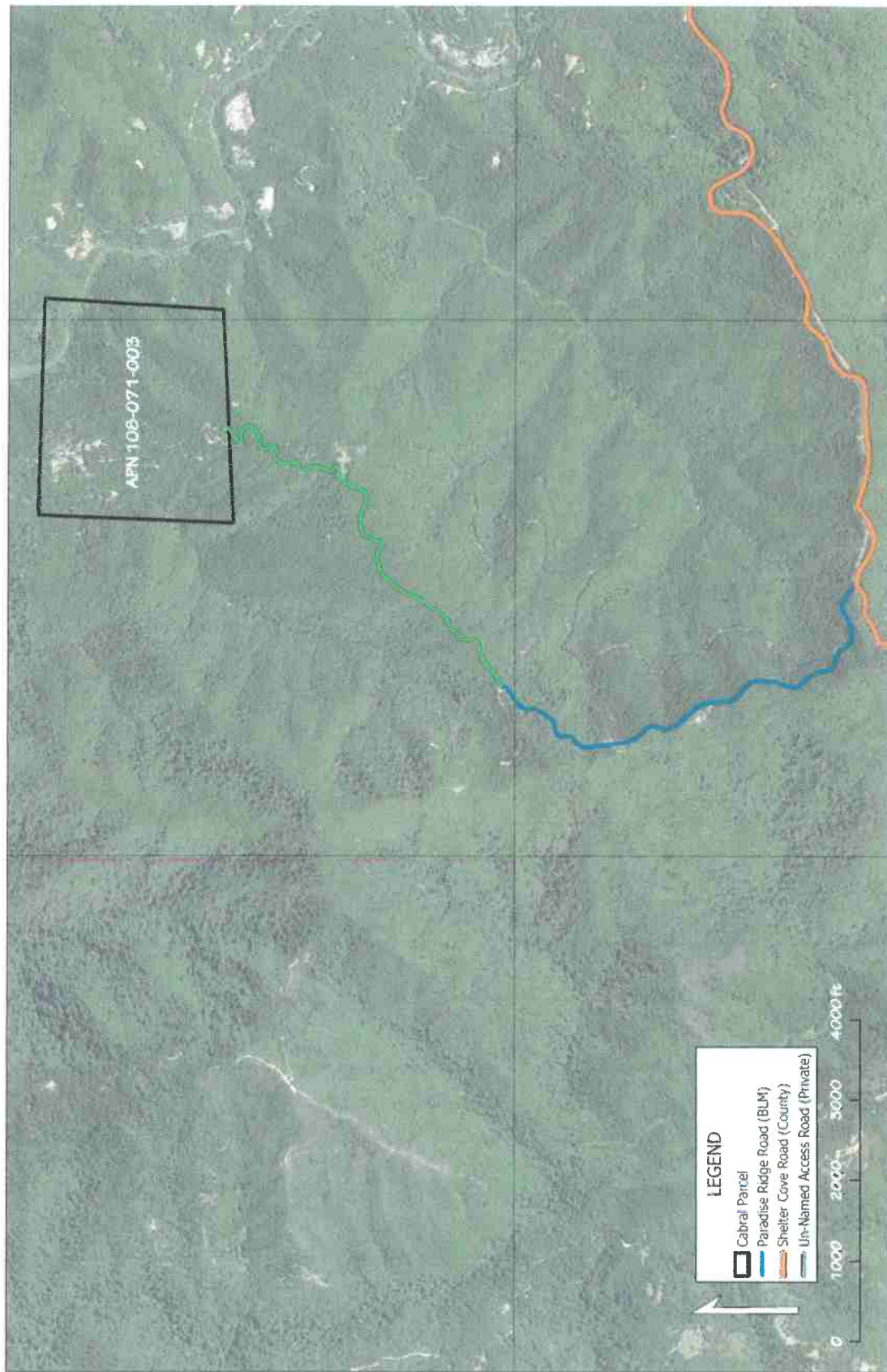


Figure 1: Route Map showing the road network used to access APN 108-031-003.

Findings:

Paradise Ridge Road: The ADT for the evaluated 1.1 mile section of Paradise Ridge road is less than 400 vehicles per day. After the turnoff to the subject parcel the road is mainly used by the BLM.

Site distance along the 1.1 mile portion of road is adequate with turnouts placed every 0.25 miles, more or less. The trees were freshly limbed by the BLM with the limb debris still staged on the side of the road for removal.

Drainage control along this section of road is adequate with rolling dips placed roughly every 0.25 miles. No signs of significant erosion or sediment transport were observed on the date of the evaluation.

Un-named Private Access Road: The ADT for the un-named private access road is much less than 400 vehicles per day. As far as we understand, there are only three other property owners (besides Mr. Cabral) that use the un-named road to access their parcels.

Sight distance is adequate throughout the evaluated length of the road. Turnouts are adequately placed every 0.25 miles, more or less.

Drainage control along the evaluated length of the road is adequate, with no evidence of significant erosion or sediment transport observed along the roadway on the date of the evaluation. Rolling dips/water bars were placed every 0.1-0.2 miles along the un-named private road.

Assessment of culverts and/or stream crossings was not part of our road evaluation.

Recommendations:

There are no recommendations for road improvements at this time, the road system used to access APN 108-071-003 is presently in adequate condition for its intended future purposes and functions equivalent to a Road Category 4 road.

Conclusion:

The road network leading to the subject parcel (APN 108-071-003) will be equivalent to Road Category 4, given the adequate distribution of turnouts, low ADT, and restricted private access. The road network has been kept in very good condition by both Mr. Cabral and the BLM.

Road Evaluation – Supporting Information (Imagery)

Paradise Ridge and Un-named Private Access Road

November 14th, 2019

Steven Nesvoid, P.E. and Ben Voelz, Engineering Technician

Mile 0.0 (Intersection of Shelter Cove and Paradise Ridge Road): 2+20+2=22ft wide road prism;
Good visibility and sight distance. 60ft wide un-paved apron.

Forward



Backward



Mile 0.2 (Paradise Ridge Road): 2+18+0=20ft wide road prism; Good visibility and sight distance.
Forward



Backward



Mile 0.4 (Paradise Ridge Road): 0+26+0=26ft wide road prism; Good visibility and site distance, turnout forward 0.14 miles.

Forward



Backward



Mile 0.6 (Paradise Ridge Road): 1+18+1=20ft wide road prism; Good visibility and sight distance;
Turnout forwards 0.08 miles.

Forward



Backward



Mile 0.8 (Paradise Ridge Road): 10+18+0=28ft wide road prism; Good visibility and sight distance; 10ft-wide turnout forward to right.

Forward



Backward



Mile 1.0 (Paradise Ridge Road): 0+18+0=18ft wide road prism; Good visibility and sight distance;
Turnout backwards to left 0.1 miles.

Forward



Backward



Mile 1.2 (Un-named Private Access Road): 4+18+0=22ft wide road prism; Good visibility and sight distance; Large turnout forwards.

Forward



Backward



Mile 1.4 (Un-named Private Access Road): 1+18+0=19ft wide road prism; Adequate visibility and sight distance; Turnout backwards to left 0.1 miles.

Forward

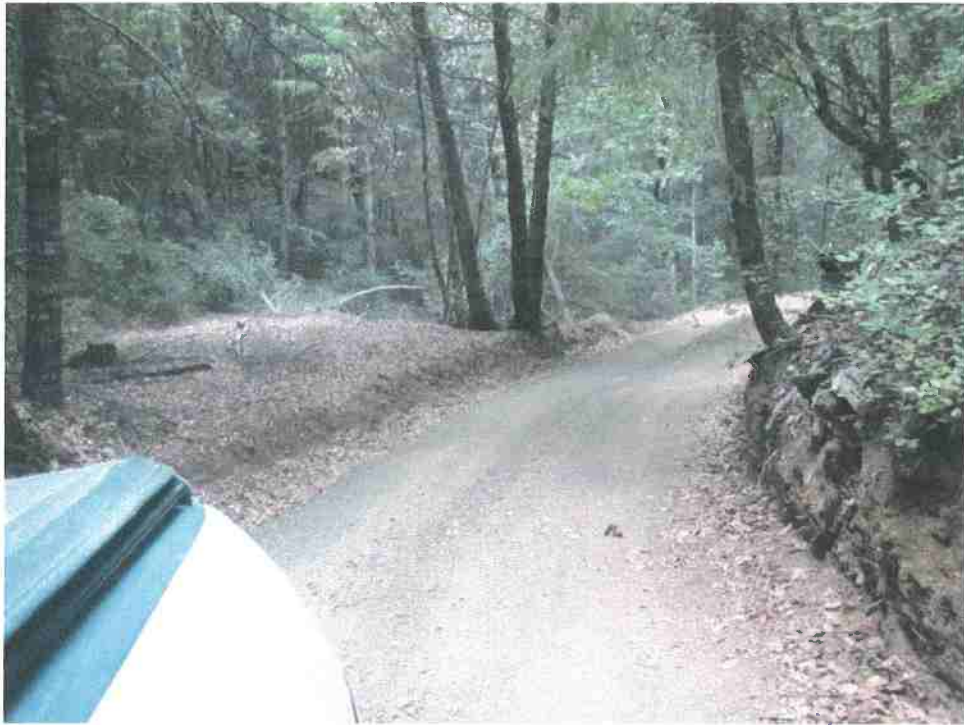


Backward

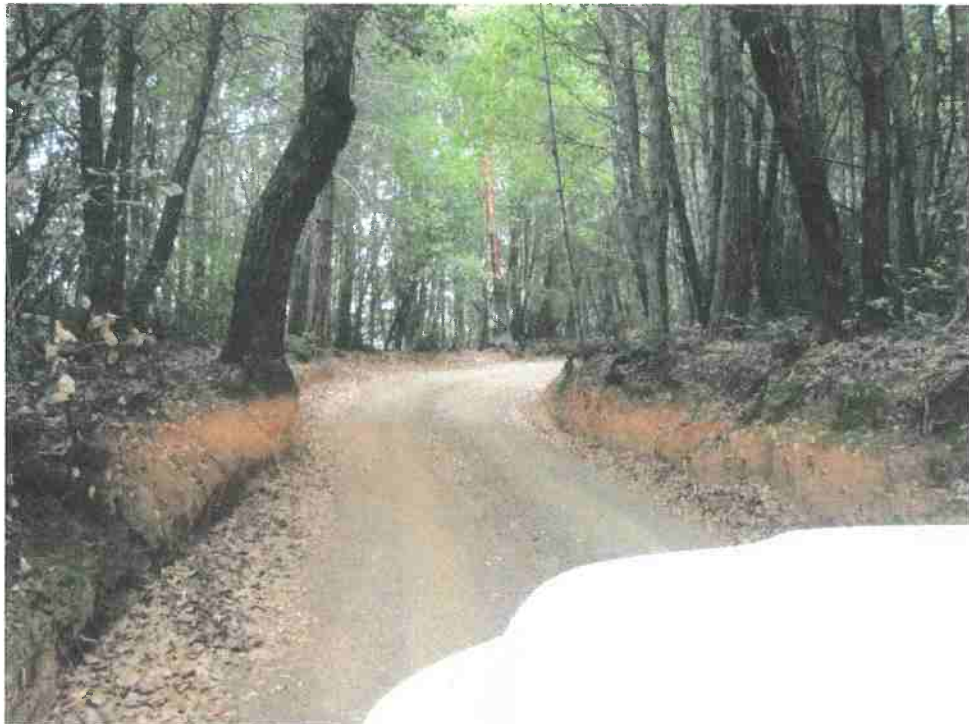


Mile 1.6 (Un-named Private Access Road): 0+15+0=15ft wide road prism; Adequate visibility and sight distance; Turnout backwards to left 0.1 miles.

Forward

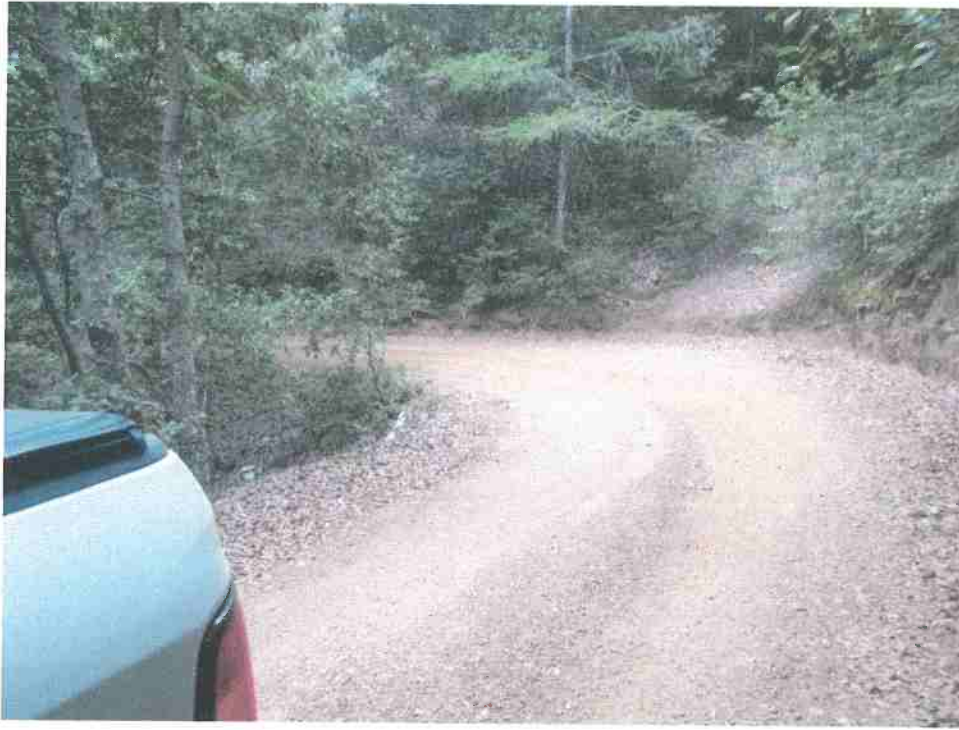


Backward

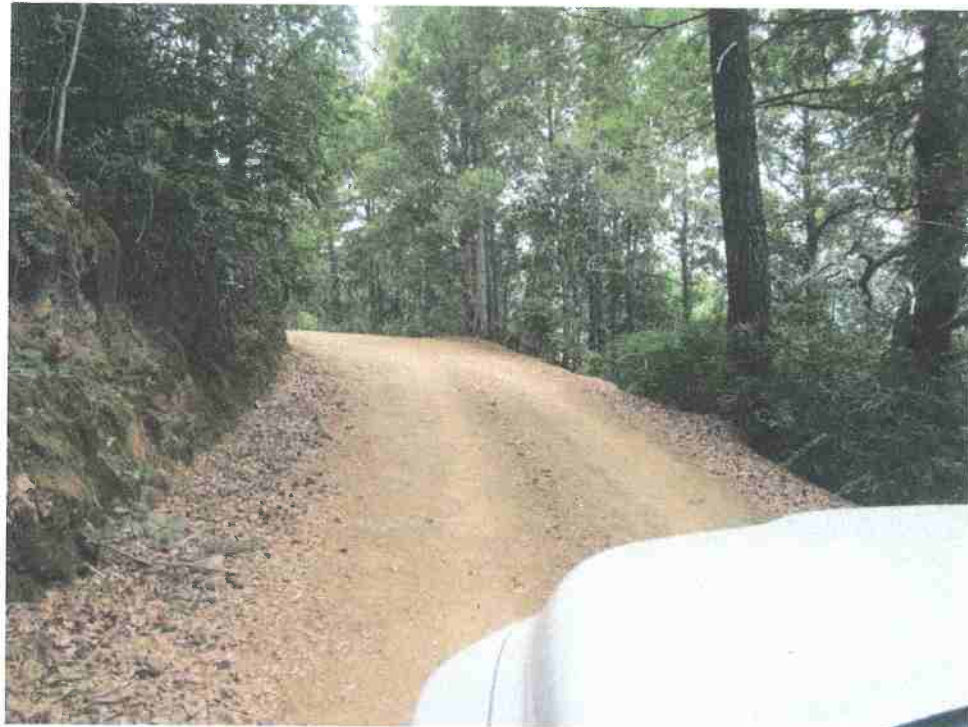


Mile 1.8 (Un-named Private Access Road): $0+15+2=17$ ft wide road prism; Adequate visibility and sight distance; Turnout backwards to left 0.01 miles.

Forward



Backward



Mile 2.0 (Un-named Private Access Road): $1+20+1=22$ ft wide road prism; Adequate visibility and sight distance; Turnout backwards to left 0.04 miles.

Forward



Backward



Mile 2.2 (Un-named Private Access Road): 4+18+0=22ft wide road prism; Adequate visibility and sight distance; Turnout forward to left; Gated entrance to property.

Forward



Backward



GRADING, DRAINAGE & EROSION CONTROL PLAN

for

CABRAL

Whitethorn, California

CAUTION:
UNAUTHORIZED CHANGES & USES

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CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF DESIGN PROFESSIONALS.

NOTES

PLOT PLAN NOTES

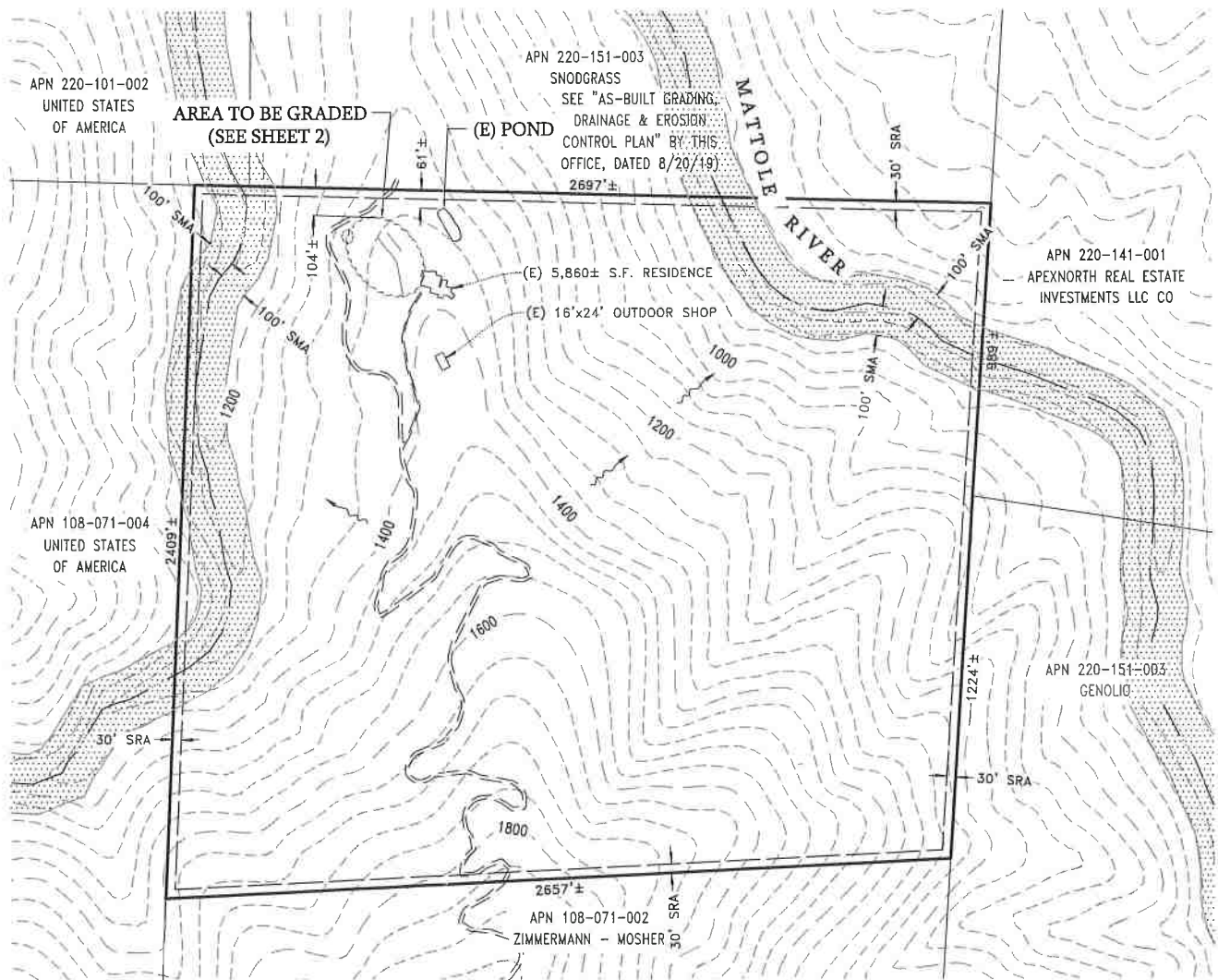
- THIS PARCEL IS ROUGHLY 160 ACRES IN SIZE, IS ZONED TPZ, HAS A GENERAL PLAN DESIGNATION OF "T" AND IS IN THE STATE RESPONSIBILITY AREA (SRA).
- THE PROPERTY IS CURRENTLY DEVELOPED WITH ONE (1) RESIDENCE, ONE (1) OUTDOOR SHOP AND A POND.
- THE AREA WHERE GRADING IS PROPOSED HAS HISTORICALLY NOT BEEN SUBJECT TO FLOODING, PER F.I.R.M. COMMUNITY-PANEL No. 06023C1935G.
- IT IS UNKNOWN AT THIS TIME WHETHER THE SITE IS UNDERLAIN BY SENSITIVE HABITAT AREAS, WETLAND AREAS OR ARCHAEOLOGICAL RESOURCES.

GENERAL

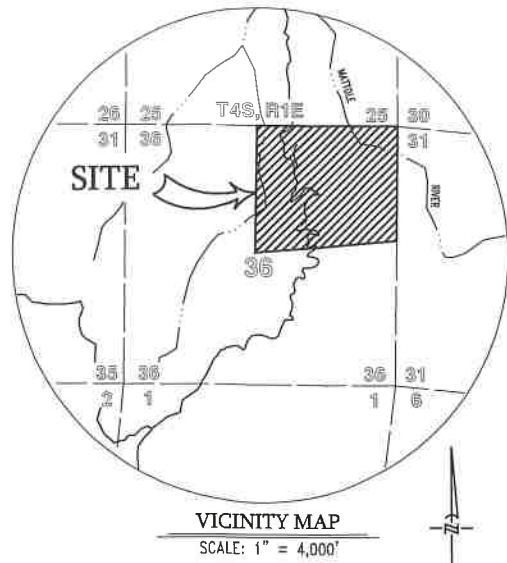
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- CONTOURS ARE BASED ON USGS 1/3 ARC-SECOND DIGITAL ELEVATION MODELS AND ARE AT 40 FOOT INTERVALS.
- MATERIALS AND FUTURE WORK SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS AND STANDARD PLANS OF THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS), LATEST EDITION, AND THE IMPROVEMENT STANDARDS, LATEST REVISION, OF THE COUNTY OF HUMBOLDT.
- THE CONTRACTOR SHALL REMOVE FROM THE SITE AND LAWFULLY DISPOSE OF ALL DELETERIOUS MATERIAL (BROKEN CONCRETE, ASPHALT PAVEMENT, BASE MATERIAL, ROCKS, STUMPS, ROOTS, LIMBS, ETC.) TO A COUNTY APPROVED DISPOSAL SITE.
- THE CONTRACTOR SHALL PROTECT ALL EXISTING IMPROVEMENTS ON OR ADJACENT TO THE PROJECT SITE, INCLUDING BUT NOT LIMITED TO FENCES, CONCRETE CURBS AND GUTTERS, CONCRETE SLABS, UNDERGROUND CONDUITS, STRUCTURES, DECKS, LANDSCAPING, ETC. WHERE DAMAGE TO ADJACENT IMPROVEMENT IS UNAVOIDABLE, THE CONTRACTOR SHALL MAKE ARRANGEMENTS WITH THE PROPERTY OWNER TO REPLACE OR REPAIR THE DAMAGED IMPROVEMENTS.
- DUST SHALL BE CONTROLLED BY WATERING DURING ALL PHASES OF CONSTRUCTION.

GRADING & EROSION CONTROL

- APPROXIMATELY 625 C.Y. OF SOIL MATERIAL WILL BE RELOCATED TO CONSOLIDATE EXISTING AREAS, AS SHOWN ON THIS PLAN.
- ALL NEW GROUND BARED BY THE EARTH-MOVING ACTIVITIES SHALL RECEIVE THE EROSION CONTROL TREATMENT. EROSION CONTROL TREATMENT SHALL CONSIST OF THE FOLLOWING:
 - BROADCAST NON-INVASIVE, NON-PERSISTENT STATE MIX GRASS SEED AT A RATE OF 100 LBS/ACRE AND 16-20-0 FERTILIZER AT A RATE OF 200LBS/ACRE.
 - SPREAD HAY OR STRAW AT THE RATE OF 2 TONS/ACRE.
 - HAY OR STRAW SHALL BE STABLE AND NOT SUBJECT TO REMOVAL BY WIND. THE STRAW OR HAY SHALL BE PLACED WITH PARTIAL EMBEDMENT INTO THE SOIL OR TREATED WITH A SUITABLE STABILIZING EMULSION.
- THE GOAL OF THIS GRADING, DRAINAGE & EROSION CONTROL PLAN IS TO MINIMIZE SEDIMENT LEAVING THE SITE, AND TO ENSURE THAT ANY SEDIMENT THAT DOES LEAVE WILL HAVE AN INSIGNIFICANT IMPACT DOWNSTREAM.
- SITE MONITORING PRIOR TO AND AFTER SIGNIFICANT STORM EVENTS WILL BE MADE BY THE DEVELOPER, TO VERIFY THAT THE EROSION CONTROL MEASURES ARE SATISFACTORY, AND TO DETERMINE IF ADDITIONAL MEASURES ARE REQUIRED IN ORDER TO ACHIEVE THIS PLAN'S GOAL.
- CUT SLOPES SHALL BE 2:1 MAXIMUM AND FILL SLOPES SHALL BE 2:1 MAXIMUM UNLESS OTHERWISE SHOWN ON THE PLANS.
- PROJECT ENGINEER OR OTHER QUALIFIED PROFESSIONAL TO INSPECT GRADING WORK FOR CONFORMANCE WITH THESE CONSTRUCTION PLANS.
- CONTRACTOR TO PROVIDE BMPS AS REQUIRED IN APPENDIX B OF SWRCB ORDER NO. R1-2015-0023, II. STANDARD BMPS FOR CONSTRUCTION.



PLOT PLAN
SCALE: 1" = 600'

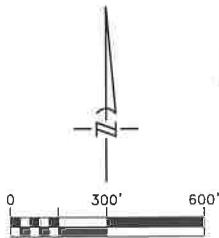


LEGEND

SYMBOL	INDICATES
→	DIRECTION OF SURFACE WATER RUNOFF/FLOW DIRECTION
(P)	PROPOSED
(E)	EXISTING
(TYP.)	TYPICAL
S.F.	SQUARE FEET
GAL.	GALLON
DIA.	DIAMETER
MAX.	MAXIMUM
PVC	POLYVINYL CHLORIDE
SRA	STATE RESPONSIBILITY AREA
C.Y.	CUBIC YARDS
SMA	STREAMSIDE MANAGEMENT AREA
RETAINING WALL	RETAINING WALL
BMP	BEST MANAGEMENT PRACTICES
DBH	DIAMETER BREAST HEIGHT
1200	CONTOURS AT 40 FOOT INTERVALS

DRAWING INDEX

SHEET	DRAWING
1	COVER / TITLE SHEET
2	GRADED AREAS
3	CROSS SECTIONS



APPROVED
APR 20 2020
Humboldt County
Building Division



Kimberly D. Preston
KIMBERLY D. PRESTON
P.L.S. 9153
DATE 2/21/20

OWNER/APPLICANT
JESSE CABRAL
P. O. BOX 425
WHITETHORN, CA 95589
(707) 223-2773

OMSEBERG & PRESTON
402 E Street
Eureka, California
95501
Telephone
(707) 443-8851
SURVEYORS PLANNERS ENGINEERS

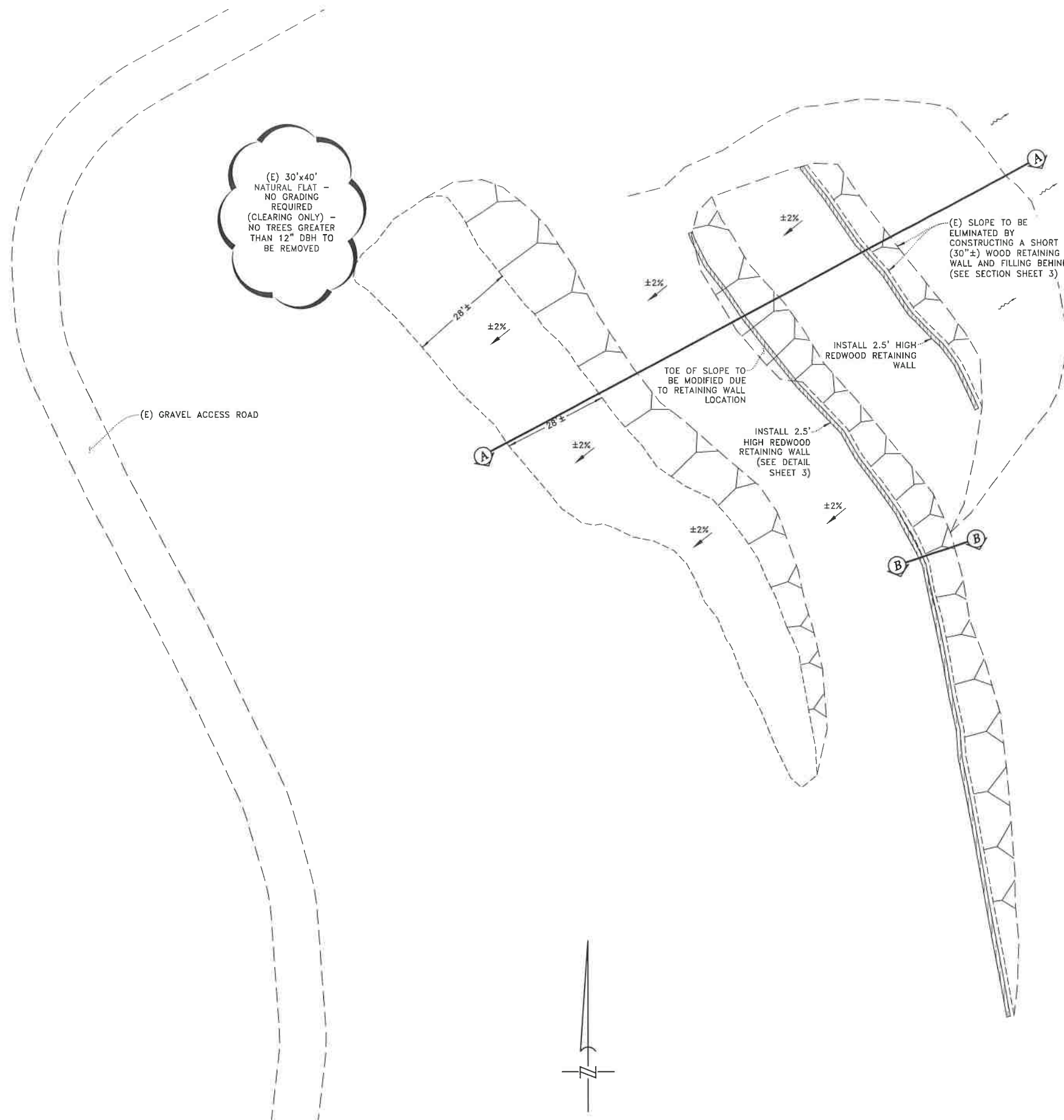
DESIGNED BY
SGN
DATE
05/08/19
DRAWN BY
CWE
DATE
05/08/19
CHECKED BY
KDP
DATE
02/21/20

APN 108-071-003
**GRADING, DRAINAGE
& EROSION CONTROL PLAN**
for
JESSE CABRAL
In the unincorporated area of Humboldt County
Section 36, T.4S., R.1E., H.B.&M.

SCALE
AS SHOWN
JOB NO.
19-2118
SHEET
1
OF
3

0:\Projects_Civil\30\19-2118_Cabral\dwg\2118_GRD02-03.dwg 2/21/2020 8:41 AM

PLN-2019-16072 Jesse Cabral



GRADED AREAS
SCALE: 1" = 30'

July 30, 2020

APPROVED
APR 20 2020
Humboldt County
Building Division

APN 108-071-003

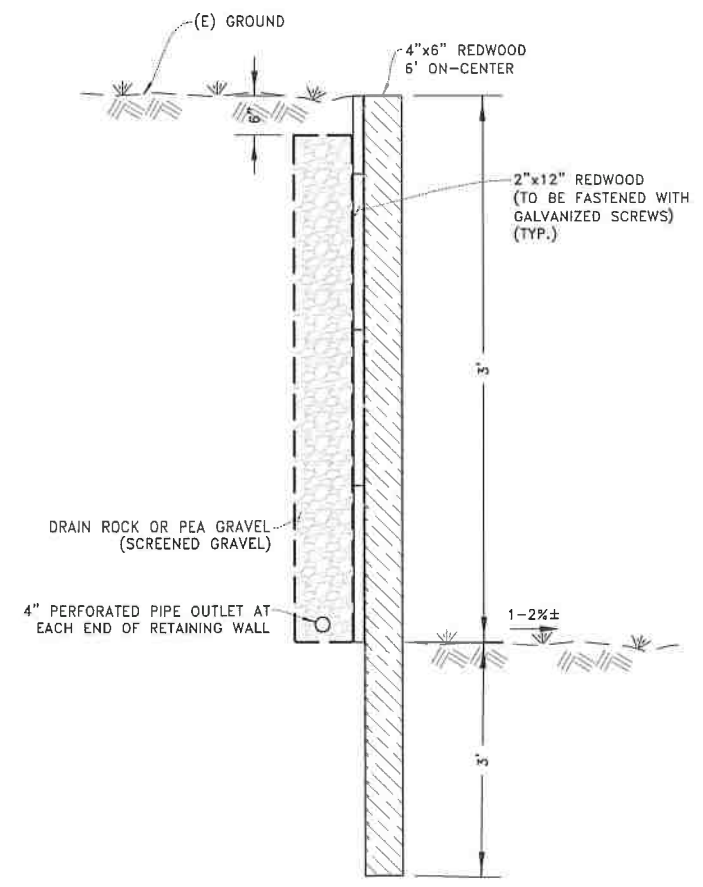
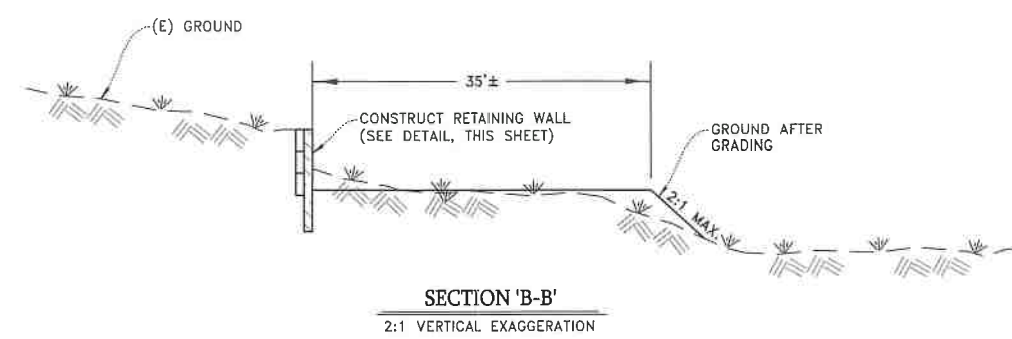
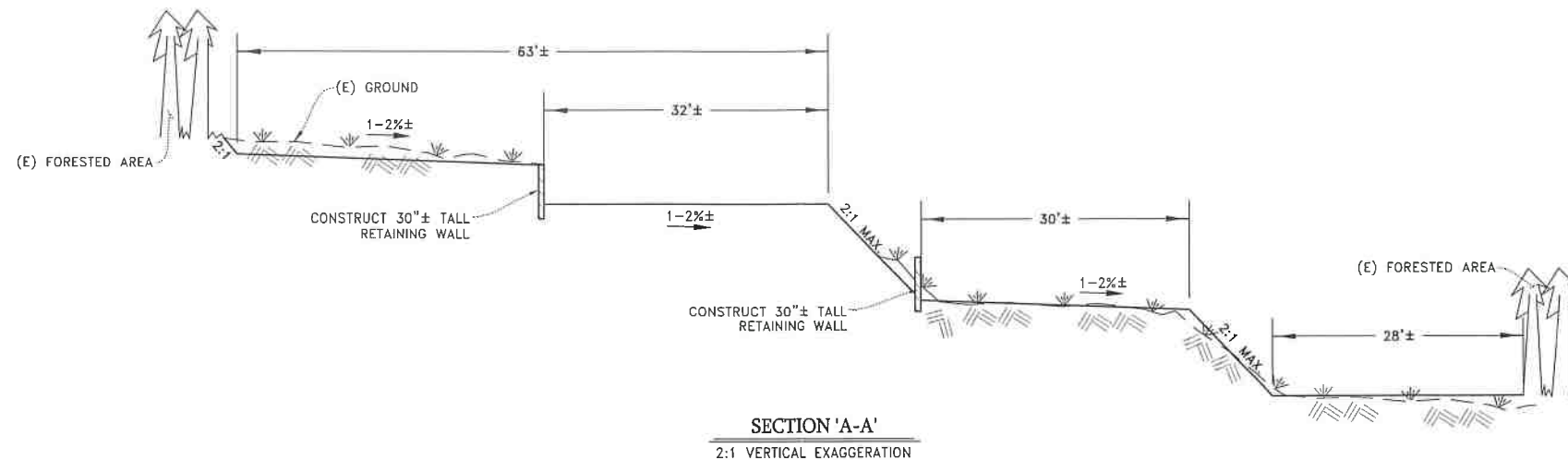
OMSBURG & PRESTON
402 E Street
Eureka, California
95501
Telephone
(707) 443-9861
SURVEYORS PLANNERS ENGINEERS

DESIGNED BY: SGN
DRAWN BY: CWB
ENGINEER OF WORK: *Kimberly B. Preston*
DATE: 05/08/19
DATE: 05/08/19
DATE: *Kimberly B. Preston*
KIMBERLY B. PRESTON RCE: 25681

GRADED AREAS

for
JESSE CABRAL page 67
In the unincorporated area of Humboldt County
Section 36, T.4S., R.1E., H.B.&M.

SCALE
AS SHOWN
JOB NO.
19-2118
SHEET 2 OF 3



APPROVED
APR 2 2020
Humboldt County
Building Division

AS-BUILT GRADING, DRAINAGE
& EROSION CONTROL PLAN
JESSE CABRAL
Whitethorn, California

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NOTES

PLOT PLAN NOTES

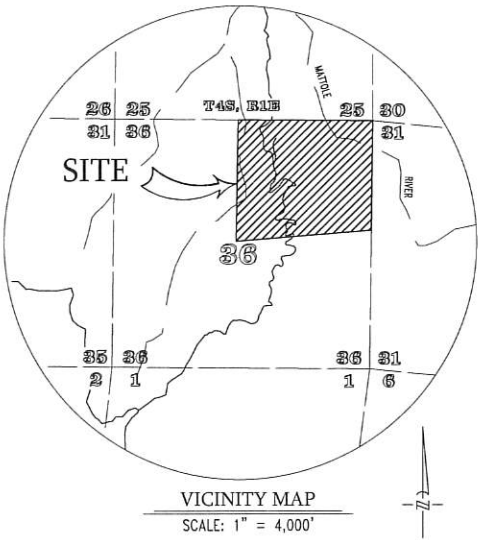
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GENERAL

5. THE INFORMATION AND ELEVATIONS PERTAINING TO EXISTING UNDERGROUND FACILITIES, AS SHOWN HEREON, ARE FROM RECORD INFORMATION AND IS PRESENTED HERE FOR INFORMATIONAL PURPOSES ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING ALL AGENCIES INVOLVED AND SHALL LOCATE THE EXISTING UNDERGROUND FACILITIES PRIOR TO EXCAVATION AND CONSTRUCTION IN ANY AREA. THE CONTRACTOR SHALL CONTACT UNDERGROUND SERVICE ALERT (USA) AT 811 AT LEAST TWO (2) WORKING DAYS IN ADVANCE OF ANY EXCAVATION, AND SHALL NOTIFY THE ENGINEER AND DEVELOPER OF ANY APPARENT DISCREPANCIES IN THE RECORD INFORMATION SHOWN HEREIN.
6. CONTOURS ARE BASED ON USGS 1/3 ARC-SECOND DIGITAL ELEVATION MODELS AND ARE AT 40 FOOT INTERVALS.
7. MATERIALS AND FUTURE WORK SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS AND STANDARD PLANS OF THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS), LATEST EDITION, AND THE IMPROVEMENT STANDARDS, LATEST REVISION, OF THE COUNTY OF HUMBOLDT.
8. IN THE EVENT OF FUTURE DEVELOPMENT OR WORK, THE CONTRACTOR SHALL REMOVE FROM THE SITE AND LAWFULLY DISPOSE OF ALL DELETERIOUS MATERIAL (BROKEN CONCRETE, ASPHALT PAVEMENT, BASE MATERIAL, ROCKS, STUMPS, ROOTS, LIMBS, ETC.) TO A COUNTY APPROVED DISPOSAL SITE.
9. IN THE EVENT OF FUTURE DEVELOPMENT OR WORK, THE CONTRACTOR SHALL PROTECT ALL EXISTING IMPROVEMENTS ON OR ADJACENT TO THE PROJECT SITE, INCLUDING BUT NOT LIMITED TO FENCES, CONCRETE CURBS AND GUTTERS, CONCRETE SLABS, UNDERGROUND CONDUITS, STRUCTURES, DECKS, LANDSCAPING, ETC. WHERE DAMAGE TO ADJACENT IMPROVEMENT IS UNAVOIDABLE, THE CONTRACTOR SHALL MAKE ARRANGEMENTS WITH THE PROPERTY OWNER TO REPLACE OR REPAIR THE DAMAGED IMPROVEMENTS.

GRADING & EROSION CONTROL

10. APPROXIMATELY 1,575 C.Y. OF SOIL MATERIAL WAS RELOCATED TO ACCOMPLISH THE GRADING AS SHOWN HEREON
11. THE GOAL OF THIS GRADING, DRAINAGE & EROSION CONTROL PLAN IS TO MINIMIZE SEDIMENT LEAVING THE SITE, AND TO ENSURE THAT ANY SEDIMENT THAT DOES LEAVE WILL HAVE AN INSIGNIFICANT IMPACT DOWNSTREAM.
12. ANY GROUND BARED BY FUTURE EARTH-MOVING ACTIVITIES SHALL RECEIVE EROSION CONTROL TREATMENT PRIOR TO THE ONSET OF THE WINTER RAINS. EROSION CONTROL TREATMENT SHALL CONSIST OF THE FOLLOWING:
 - a. SPREAD REDWAY SEED MIX AT THE MANUFACTURERS RECOMMENDED RATE.
 - b. SPREAD STRAW AT THE RATE OF 2 TONS/ACRE.
 - c. STRAW SHALL BE STABLE AND NOT SUBJECT TO REMOVAL BY WIND. THE STRAW SHALL BE PLACED WITH PARTIAL EMBEDMENT INTO THE SOIL OR TREATED WITH A SUITABLE STABILIZING EMULSION.
13. SITE MONITORING PRIOR TO AND AFTER SIGNIFICANT STORM EVENTS SHALL BE MADE BY THE DEVELOPER, TO VERIFY THAT THE EROSION CONTROL MEASURES ARE SATISFACTORY, AND TO DETERMINE IF ADDITIONAL MEASURES ARE REQUIRED IN ORDER TO ACHIEVE THIS PLAN'S GOAL.
14. IF FUTURE DEVELOPMENT IS UNDERTAKEN, THE CONTRACTOR IS TO PROVIDE BMPS AS REQUIRED IN APPENDIX B OF SWRCB ORDER NO. R1-2015-0023, II. STANDARD BMPS FOR CONSTRUCTION.
15. PLANT PERIMETER OF POND WITH VEGETATION PER #110, (E) WATER STORAGE AND USE, III BMPS FOR SITE.

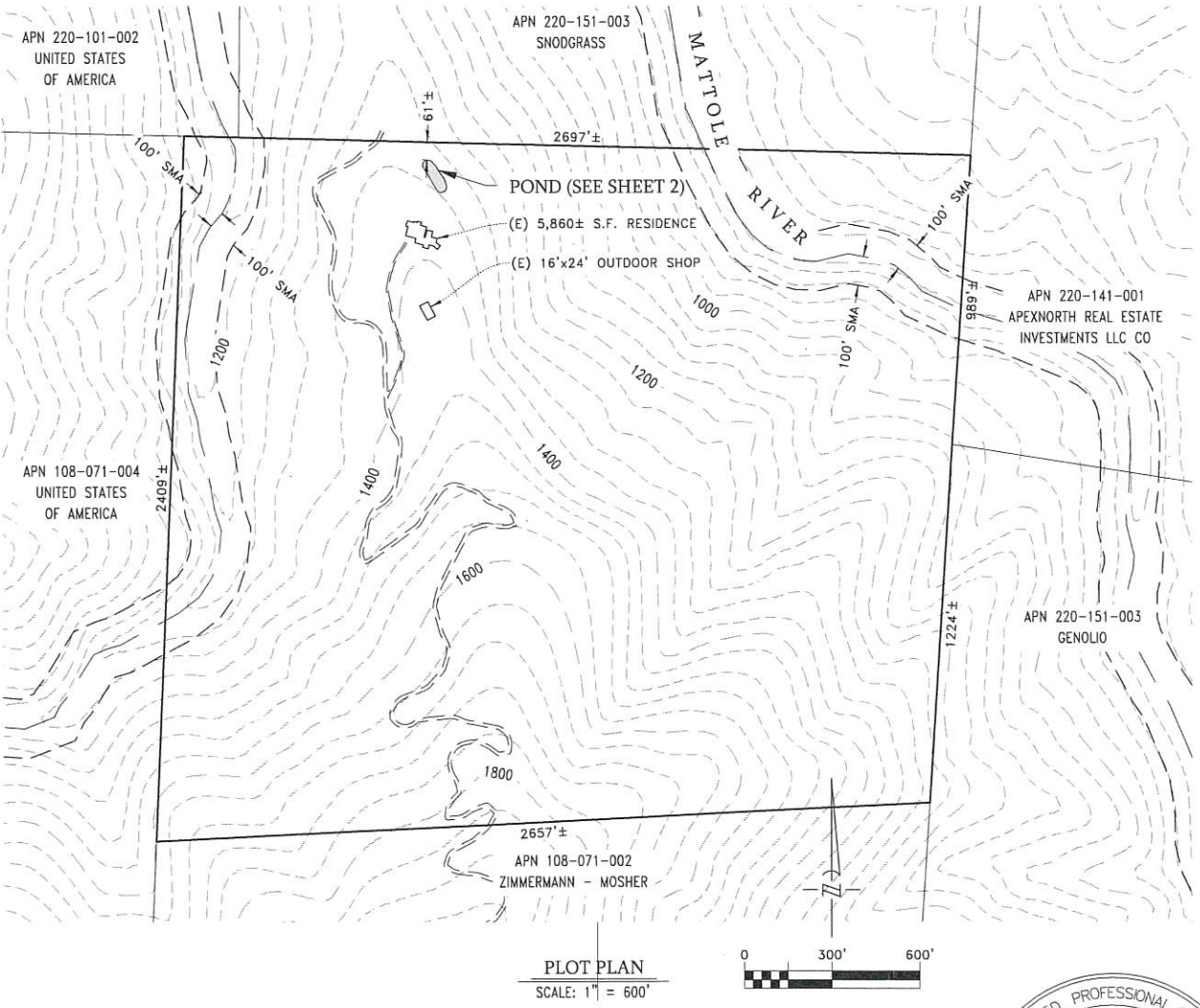


LEGEND

SYMBOL	INDICATES
	DIRECTION OF SURFACE WATER RUNOFF/FLOW DIRECTION
(P)	PROPOSED
(E)	EXISTING
(TYP.)	TYPICAL
S.F.	SQUARE FEET
GAL.	GALLON
DIA.	DIAMETER
PVC	POLYVINYL CHLORIDE
SRA	STATE RESPONSIBILITY AREA
C.Y.	CUBIC YARDS
SMA	STREAMSIDE MANAGEMENT AREA PER HUMBOLDT COUNTY GIS
BMP	BEST MANAGEMENT PRACTICES
1200	CONTOURS AT 40 FOOT INTERVALS

DRAWING INDEX

SHEET	DRAWING
1	COVER / TITLE SHEET
2	POND & CROSS SECTIONS



Stephen G. Nesvold
STEPHEN G. NESVOLD, P.E.
R.C.E. 25681
DATE 8/20/19

OWNER/APPLICANT

JESSE CABRAL
P. O. BOX 425
WHITETHORN, CA 95589
July 20, 2020

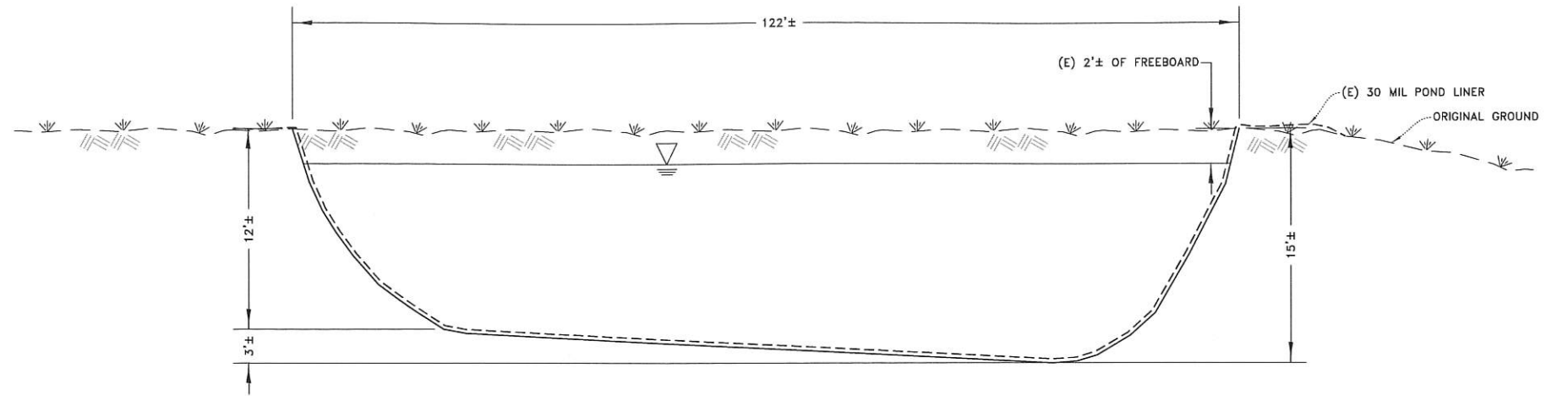
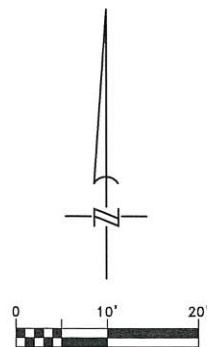
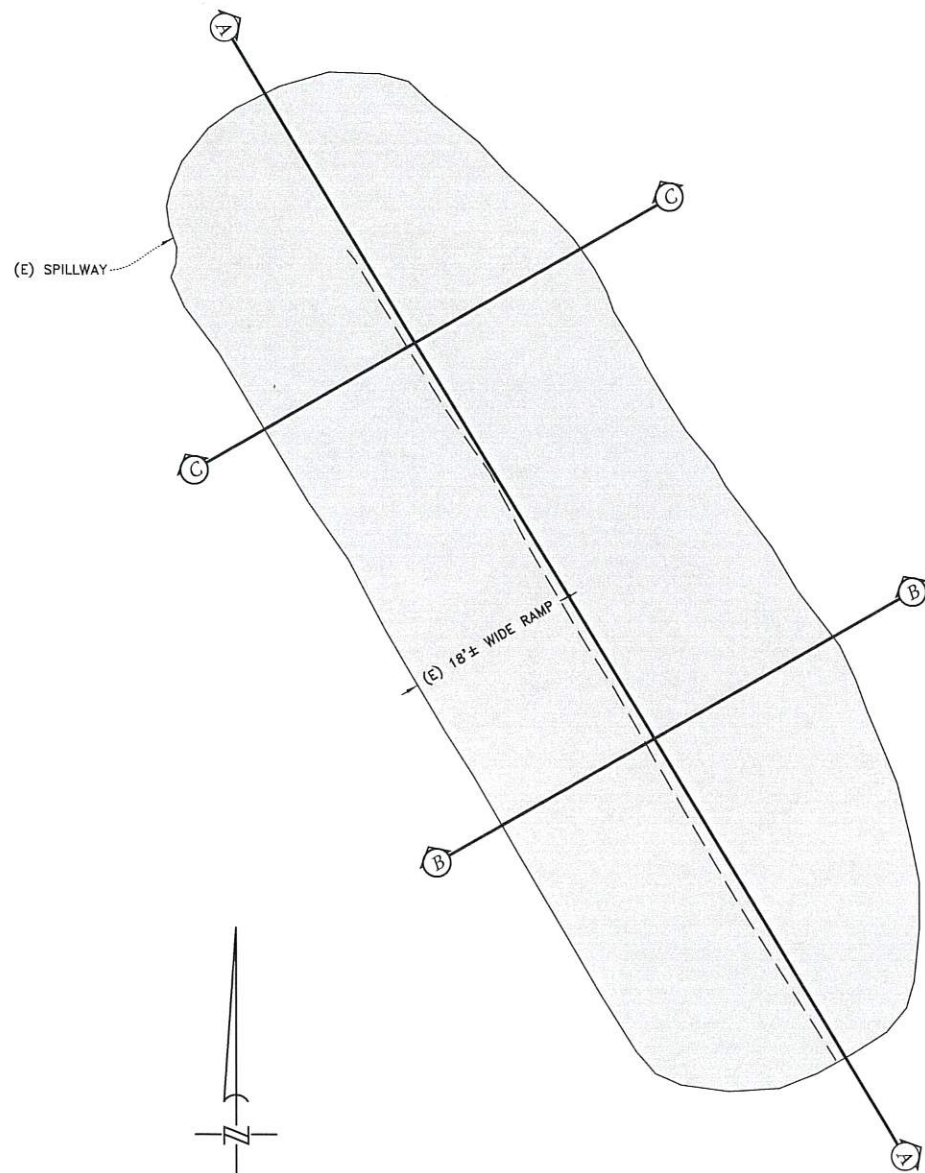
NO.	REVISION	DATE	BY	DESIGNED BY	DATE	DRAWN BY	DATE	CHECKED BY	DATE	SGN	08/20/19

OWNERS & PRESTON
402 E Street
Eureka, California
95501
Telephone
(707) 443-8651
SURVEYORS PLANNERS ENGINEERS

APN 108-071-003
GRADING, DRAINAGE
& EROSION CONTROL PLAN
for
JESSE CABRAL
In the unincorporated area of Humboldt County
Section 36, T.4S., R.1E., H.B.&M.

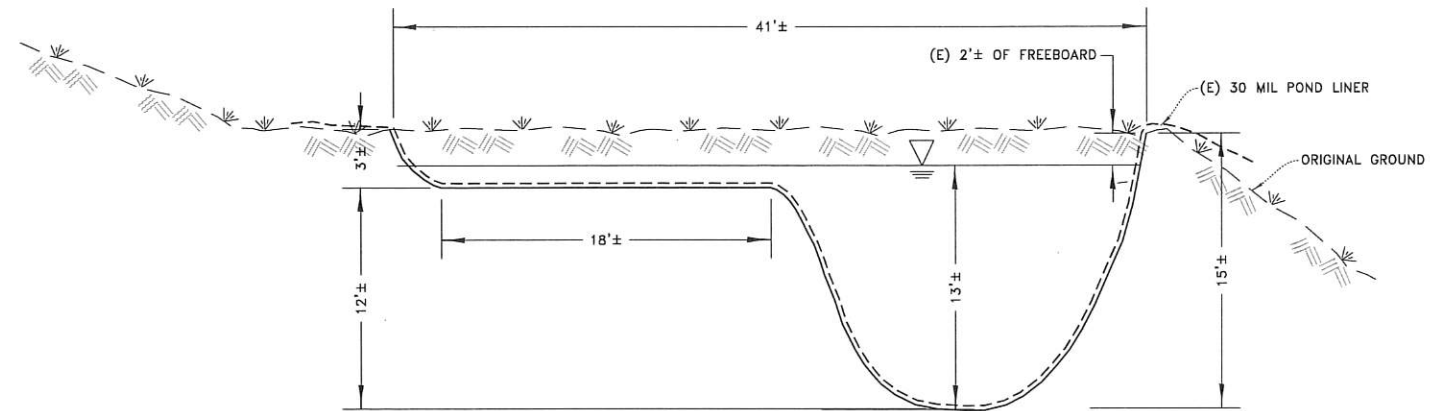
SCALE AS SHOWN
JOB NO. 19-2118
SHEET 1 OF 2

7/19/2019 10:47 AM
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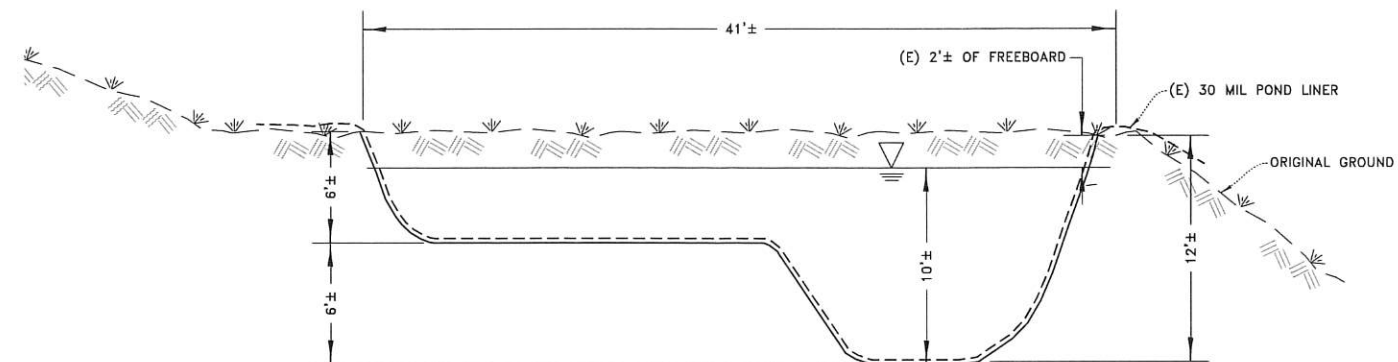
SECTION 'A-A'

NOT TO SCALE



SECTION 'B-B'

NOT TO SCALE



SECTION 'C-C'

NOT TO SCALE

ATTACHMENT 5

Referral Agency Comments and Recommendation

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

Referral Agency	Response	Recommendation	On File
Division of Environmental Health	✓	Approval	Attached
Public Works	✓	Conditional approval	Attached
CA Department of Fish and Wildlife		No response	
Bureau of Land Management (BLM)		No response	Staff request for comments- Attached
CAL FIRE	✓	No comment	On file with Planning
NWIC	✓	Recommended tribal consultation	On file with Planning
Bear River Band Rohnerville Rancheria	✓	Inadvertent Discovery Protocol	On file with Planning
Intertribal Sinkyone Wilderness Council		No response	
CA Division of Water Rights		No response	
Humboldt County Sheriff		Approval	
Southern Humboldt Joint Unified School District		No response	
Whitethorn Fire PDAA		No response	
District Attorney		No response	
NCRWQCB		No response	
Agricultural Commissioner		No response	



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

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

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

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

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

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 05/14/2020

RE:

Applicant Name	JESSE CABRAL
APN	108-071-003
APPS#	PLN-2019-16072

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:

- Review Item #2 on Exhibit "C"
- Applicant has submitted a road evaluation report dated November 21, 2019, no date stamp received by the Humboldt County Planning Division. The road evaluation did not include the required Road Evaluation Report Form developed by the Department. Once the form is submitted the Department will require that all of the recommendations on the submitted report be completed.

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 16072

☐ **COUNTY ROADS- PROXIMITY OF FARMS:**

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.

☐ **COUNTY ROADS- FENCES & ENCROACHMENTS:**

All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way.

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

☐ **COUNTY ROADS- DRIVEWAY (PART 1):**

The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and/or Department of Public Works policies. Notes:

☐ **COUNTY ROADS- DRIVEWAY (PART 2):**

Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches.

- If the County road has a paved surface at the location of the driveway, the driveway apron shall be paved for a minimum width of 18 feet and a length of 50 feet.
- If the County road has a gravel surface at the location of the driveway, the driveway apron shall be rocked for a minimum width of 18 feet and a length of 50 feet.
- If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.

The exact location and quantity of driveways shall be approved by the Department at the time the applicant applies to the Department of Public Works for an Encroachment Permit.

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

☐ **COUNTY ROADS- DRIVEWAY (PART 3):**

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

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

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

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

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

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

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

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

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

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

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

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

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

// END //

Exhibit "D"

Road Evaluation Reports

APPS # 16072

All of the following questions are to be answered by Planning and Building Department staff.

No further involvement with the Department of Public Works is required for these items; however Public Works staff is available to answer any questions that may arise.

1. **ROADS – PART 1.** Does the project take access from a series of non-county maintained roads that connect directly to a State Highway (36, 96, 101, 255, 299, etc...)?

☐ YES ☐ NO

If YES, the project does not need to be referred to the Department. Include the following requirement:

All recommendations in the Road Evaluation Report(s) for non-county maintained road(s) shall be constructed/implemented to the satisfaction of the Planning & Building Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. A grading permit may be required; check with the Building Division of the Planning and Building Department for any permit requirements.

2. **ROADS – PART 2.** Does the project take access from a series of non-county maintained roads that connect directly to a Caltrans State Highway, US Forest Service Road, **BLM Road**, or a City road?

☒ YES ☐ NO

If YES, the Department recommends that prior to the project presented to the Planning Commission or Zoning Administrator, that the project should be referred to the affected road agency(ies).

3. **ROADS – PART 3.** Does the project take access or use a county maintained road that does not have a centerline stripe or is not on the "approved list" of known category 4 roads? ☐ YES ☐ NO

If YES, a *Road Evaluation Report* must be done for the County road(s) that do not have a centerline stripe or are not on the "approved" list. The project along with the road evaluation report(s) for the County maintained road(s) must be referred to Public Works for review to ensure that the Department supports the findings in the report. If the road is on the "not approved" list, then Part B of the *Road Evaluation Report* form must be completed.

4. **Deferred Subdivision Improvements.** Does the project have deferred subdivision improvements? ☐ YES ☐ NO

How to check: Method 1: Planning and Building Department staff review the legal description for the subject property in the deed. If the deed reads similar to "Parcel ___ of Parcel Map No. ___" then there may be deferred subdivision improvements; further research will be needed. Method 2: Planning and Building Department staff need to review the title report(s) for the subject property(ies) to see if a "Notice of Construction Requirements" document is listed. If the document is listed, then there are deferred subdivision improvements.

If YES then the subject property has deferred subdivision improvements. The project cannot be presented to the Zoning Administrator or the Planning Commission until the deferred subdivision improvements are completed. The applicant should be directed to the Department of Public Works regarding the deferred subdivision improvements.

5. **AIRPORT- PART 1 (ALUCP).** Is the project located within Airport Land Use Compatibility Plan (ALUCP) Zone A, B, B1, B2, or B3 as shown on the ALUCP GIS layer? ☐ YES ☐ NO

If YES, include the following requirement:

The applicant shall cause to be dedicated to the County of Humboldt an Avigation Easement. The avigation easement shall be on the form prescribed by the Department of Public Works. 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.

Exhibit "D"

Road Evaluation Reports

The applicant shall conduct all operations consistent with the ALUCP and in a manner that does not attract flocks of birds. Open ponds shall not be permitted.

6. **AIRPORT – PART 2 (County Code Section 333).** Is the project is located within the County Code Section 333 GIS layer **AND** is the project proposing to construct (or permit) a fence, building or other structure? ☐ YES ☐ NO

If **YES**, the applicant shall submit a completed *Airspace Certification Form* prior to the project being presented to the Zoning Administrator or the Planning Commission for approval.

7. **AIRPORT – PART 3 (Height Restrictions).** Planning & Building Staff shall review the completed *Airspace Certification Form* as follows:
- If Box 1 is checked **NO**, the applicant shall either modify the project to comply with County Code Section 333-4 or the applicant shall request a variance pursuant to County Code Section 333-8. The project shall not be presented to the Zoning Administrator or the Planning Commission for approval until the variance is approved by the Board of Supervisors, or the project was modified to comply with County Code Section 333-4.
 - If Box 2 is checked **YES**, the applicant shall submit form FAA 7460-1 to the FAA for review and comment. The project shall not be presented to the Zoning Administrator or the Planning Commission for approval until the FAA supports the project.
 - If Box 3 is checked **YES**, then the project cannot be permitted and must be modified to conform to the easement. As an alternative, the applicant may wish to seek approval from both the County and the FAA to quitclaim a portion of the easement to allow the project to be permitted.
 - If Box 1 is checked **YES** and Box 2 is checked **NO** and Box 3 checked **NO or NA**, then Planning & Building staff shall signoff on the project in the "county use only" section of the form. In the "pre-construction" right of way (or "post construction" right of way if the building exists), check the approval box; date and initial your work.

Note that if the proposed structure is close to the imaginary surface (within 5 feet), then require a post construction certificate to be filed. By including the following requirement:

Applicant shall file a post construction *Airspace Certification Form* to ensure that the proposed structures are in compliance with County Code 333-3. This shall be completed within 90 days of completion of construction or prior to building final, whichever occurs first.

Submit a copy of all processed *Airspace Certification Forms* to the Land Use Division.

8. **MS4/ASBS Areas.** Is the project located within MS4 Permit Area as shown on the GIS layer? ☐ YES ☐ NO

If **YES**, include the following requirement:

The applicant shall demonstrate to the satisfaction of the Planning & Building Department that the project is in compliance with MS4/ASBS requirements.

// END //

From: [Luther, Stephen](#)
To: [Brown, Molly](#); [Heppe, Christopher](#)
Cc: [Johnson, Cliff](#)
Subject: RE: Cannabis Referral Jesse Cabral APN 108-071-003 Record PLN-2019-16072 Targeted Hearing Date: July 30, 2020
Date: Tuesday, June 30, 2020 4:21:00 PM
Attachments: [image001.png](#)
[16072 Biological Assessment 06.09.2020.pdf](#)

Good afternoon,

I am writing to request referral comments from BLM on the above applications request for a setback reduction to King Range National Conservation Area. The project is for 5,250 sq ft of outdoor cultivation occurring on 3 graded flats. An existing residence on the site is lived in by the owner-operator. Supplemental light will be used in a 525 sq ft propagation nursery. The approximate distance from the cultivation area to BLM land is 590 feet. The energy source is solar and a hydroelectric pump. Irrigation water is provided by an off-stream rainwater catchment pond. The applicant is proposing to construct a drying and processing building. Supplemental light from the nursery will be shielded to prevent light spillage, and noise will be limited to no more than 50 decibels 100 feet from the source. A Biological Scoping Survey was prepared for the site, and did not identify any special status plant or wildlife that would be impacted by the project.

The project is targeted to be decided at the July 30 Zoning Administrator hearing. Please let me know if BLM has any comments or concerns on this project.

Sincerely,



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