



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 16, 2020

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Humboldt Gardens, LLC, Special Permit**

Record Number: PLN-2019-15706

Assessor's Parcel Numbers: 107-056-003, 107-233-013, 107-234-013 & 107-234-014

Southeast side of Mattole Road, approximately 1.75 miles east from the intersection of Mattole Road and Brinks Drive, on the property known to be in the southwest quarter of Section 27 of Township 02 South, Range 01 East, Humboldt Base & Meridian, Honeydew 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 July 16, 2020	Subject Special Permit	Contact Stephen Luther
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Project Description: A Special Permit for 43,560-square feet (1 acre) of existing outdoor cannabis cultivation in fifteen (15) greenhouses. Immature plants are transported from an off-site nursery. Irrigation water is sourced from three permitted groundwater wells. Estimated annual water use is 416,756 gallons (9.6 gal/sf). Water storage totals 28,500 gallons in eleven (11) tanks. Power is provided by mobile solar/battery units. Drying and curing occurs onsite in three (3) existing sheds and one (1) proposed shed. Processing will occur off-site at a licensed facility. There will be up to four (4) workers on site during peak operations.

Project Location: The project is located in the Honeydew area on the Southeast side of Mattole Road, approximately 1.75 miles east from the intersection of Mattole Road and Brinks Drive, on the property known to be in the southwest quarter of Section 27 of Township 02 South, Range 01 East, Humboldt Base & Meridian.

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

Present Zoning: Timberland Production Zone (TPZ)

Record Number: PLN-2019-15706

Assessor’s Parcel Numbers: 107-056-003, 107-233-013, 107-234-013 and 107-234-014

Applicant	Owner	Agent
Humboldt Gardens, LLC Gueorgi Mandelov 1928 Central Ave, #112 McKinleyville, CA 95519	Gueorgui Mandelov 3398 The Alameda Concord, CA 94519	Green Road Consulting Kaylie Saxon 1650 Central Avenue, Suite C McKinleyville, CA 95519

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

Major Issue: None.

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

Humboldt Gardens, LLC, Special Permit

Record Number: PLN-2019-15706

Assessor's Parcel Numbers: 107-056-003, 107-233-013, 107-234-013 and 107-234-014

Recommended Zoning Administrator Action:

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

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

Executive Summary

This is an application to allow 43,560 square feet of existing outdoor cannabis cultivation to occur in fifteen (15) greenhouses of varying dimensions as shown on the attached Site Map. The greenhouses will be constructed in the same footprint as they historically existed prior to January 1, 2016. The parcel was served with an abatement notice in 2017. Cultivation materials were removed and the erosion control measures implemented as part of resolving the violation. Planning staff conducted an inspection of the site and verified the Site Plan to be accurate. The applicant has submitted As-Built Grading Plans to the Building Division to retroactively permit the existing graded flats where cultivation is proposed.

The cultivation plan for Humboldt Gardens, LLC, proposes to produce one (1) harvest annually in fifteen (15) greenhouses of varying dimensions. Clones are purchased from a licensed supplier and brought to the site. The irrigation water source is three permitted groundwater wells (DEH 17/18-1483, 17/18-1484, and 17/18-1599). The wells are drilled to a depth of 270 feet through a clay and shale geologic formation. Evidence supports that the wells draw from a confined aquifer and is not connected to surface water. Estimated annual water use is 416,756 gallons (9.4 gal/sf). Water storage totals 28,500 gallons in eleven (11) tanks.

The site is developed with four (4) residences that do not have a nexus to the cannabis operation. The power source for the project will be four (4) 2.5 kW mobile solar generator/battery units to power dehumidifiers for drying. Greenhouses will utilize solar powered snap fans, and well pumps will have dedicated solar panels. The Site Management Plan describes three (3) 6.5 kW and one (1) 8 kW diesel generators on-site for domestic purposes. No generator use is allowed for the purpose of supplying energy for the cannabis operation. Drying occurs onsite in three (3) existing sheds and one (1) proposed shed. The applicant is proposing to expand Dry Shed 2. Storage containers are also used for harvest storage and drying. Processing occurs off-site at a licensed 3rd party facility. There will be four workers on site. The site is served by an unpermitted septic system. The project was referred to the Division of Environmental Health. The response stated the applicant must obtain a permit for the onsite wastewater treatment system serving the operation. Portable toilets and handwashing station will be available for use by cultivation staff.

The parcel is accessed by a private road called Green Gate Road that is currently serving as a County-maintained bypass for Panther Gap Road. A Road Evaluation Report was provided by the applicant self-certifying the roadway is a Category 4 equivalent. The Department of Public Works commented on the project and recommended conditional approval. The applicant will

demonstrate that the driveway intersection is maintained in accordance with the Sight Visibility Ordinance and that all fences and gates are outside the County right-of-way. The driveway apron used to access the cultivation premises will be rocked for a minimum width of 18 feet and a length of 50 feet where it intersects the County-maintained Green Gate Road.

A Biological Resource Report was prepared for the project site by S. McAllister & Associates Wildlife Consultants. The cultivation sites are rocked, dry, disturbed flats previously used for cultivation that lack natural vegetation. The adjacent habitat is coniferous forest dominated by Douglas-fir and tanoak. No special-status species were observed during the site visit. The nearest Northern Spotted Owl (NSO) activity center is located approximately 2.3 miles northwest of the project site. Marbled Murrelet habitat is mapped approximately 0.62 miles to the northeast. The report concludes that project activities would have no significant impact on special status species because the proposed cultivation activity would not disturb suitable habitat. Noise from the project will not result in an increase of more than 3 decibels above pre-project ambient noise levels. No light is used in the operation. The applicant has a Streambed Alteration Agreement for stream crossing encroachments. The project was referred to the California Department of Fish and Wildlife (CDFW) on December 4, 2019. CDFW was subsequently contacted on April 3, 2020 and again on June 26. No comments have been received to date. 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. A condition of approval is also included requiring the applicant to meter the water usage and provide records at the time of annual inspection.

A review of aerial imagery on the Humboldt County WebGIS and Google Earth shows the cultivation area was initially cleared between 2005 and 2009. No timber conversion occurred on the property after January 1, 2016. A Registered Professional Forester (RPF) evaluated the parcel conversion history and identified a total of 3.3 acres of unauthorized timber conversion on the subject parcels (conversion site #2-7). The report found two areas where roads needed treatment. The installation of a water bar at conversion site #2 and improvements to the erosion cut at conversion site #5 are included as conditions of approval. In addition, conversion site #3 and #4 are required to treat the slash. No restocking is necessary. The project was referred to CALFIRE and the response recommended the RPF recommendations should be implemented.

The project requires that APN 107-233-013, which is part of a non-conforming subdivision, be merged with the parcel comprised of APNs 107-056-003, 107-234-013 and 107-234-014 to create a single 463-acre parcel. The project was originally comprised of two separate applications: PLN-2019-15706 was for existing cultivation on APN 107-233-013 and PLN-2019-15942 was for existing cultivation on 107-234-014. In order to legalize the non-conforming TPZ parcel and create a lot size in compliance with state and local subdivision laws, the project was revised in consultation with the Planning Director to combine the cultivation area into a single application for one acre. The existing Biological Survey, Restoration Report, Sound Study, and Winterization Plan specific to record PLN-2019-15942 are included with this application. A condition of approval requires that a Notice of Merger be filed and completed within thirty (30) days of the date of approval. There is no evidence that the merger will create any health of safety problems.

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

require major revisions to the previous mitigated negative declaration. An addendum to the Final EIR has been prepared for consideration per § 15164 of the State CEQA Guidelines.

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

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

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

Resolution Number 20-

Record Number: PLN-2019-15706

Assessor's Parcel Numbers: 107-056-003, 107-233-013, 107-234-013 and 107-234-014

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

WHEREAS, Humboldt Gardens, LLC, submitted an application and evidence in support of approving the Special Permit for 43,560 square feet existing outdoor cannabis cultivation with propagation and processing off-site; 4 employees are required; Irrigation water is a groundwater well; annual water use is 416,756 gallons; and power is provided by solar; 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 Permit (Record Number PLN-2019-15706); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Zoning Administrator on July 16, 2020.

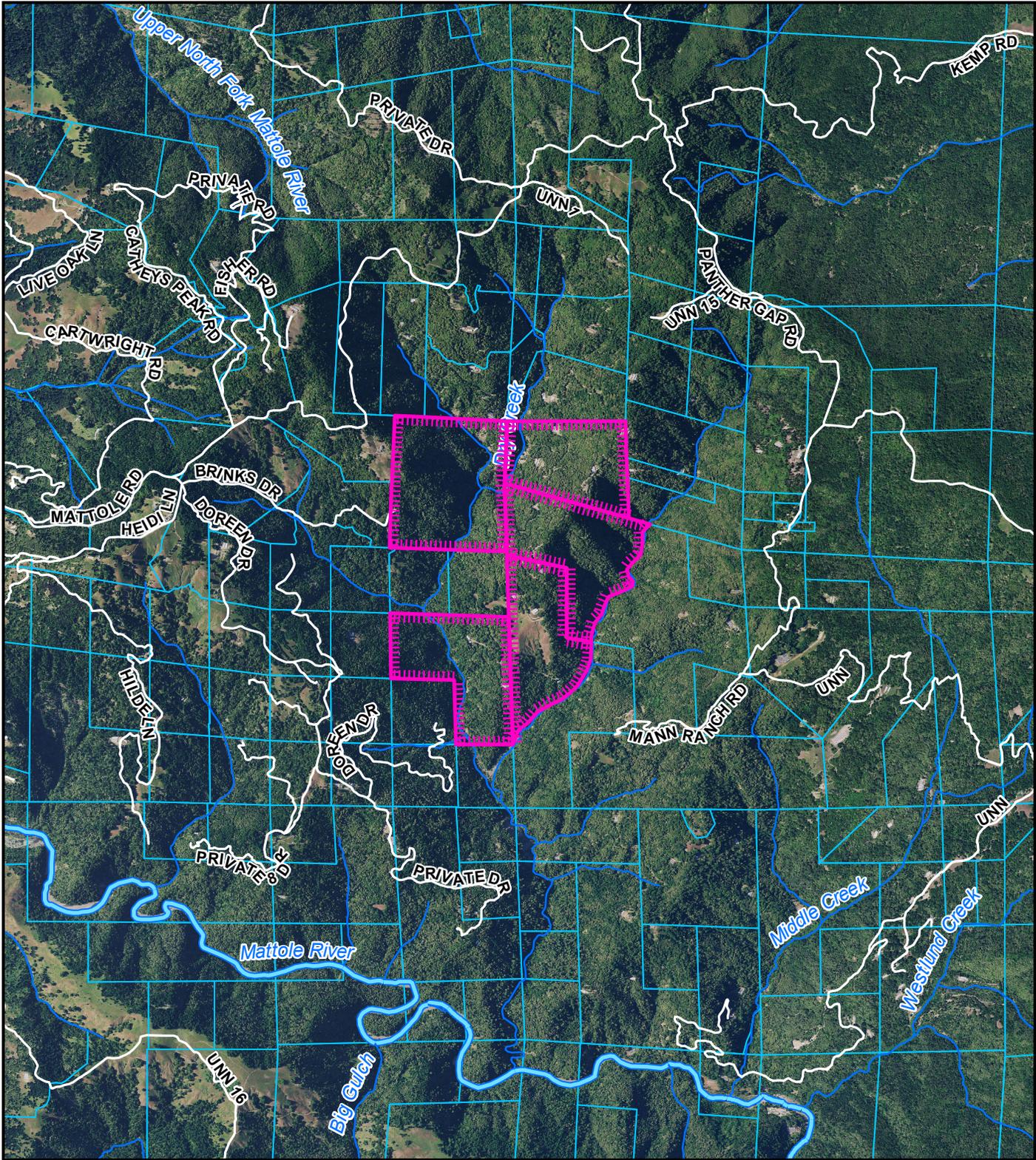
NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Zoning Administrator that:

1. The Zoning Administrator considered the Addendum to the Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance; and
2. The Zoning Administrator makes the required findings for approval in Attachment 2 of the Planning Division staff report based on the submitted substantial evidence; and
3. Special Permit Record Number PLN-2019-15706 is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on July 16, 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



**AERIAL MAP
 PROPOSED HUMBOLDT GARDENS, LLC
 HONEYDEW AREA
 PLN-2019-15706**

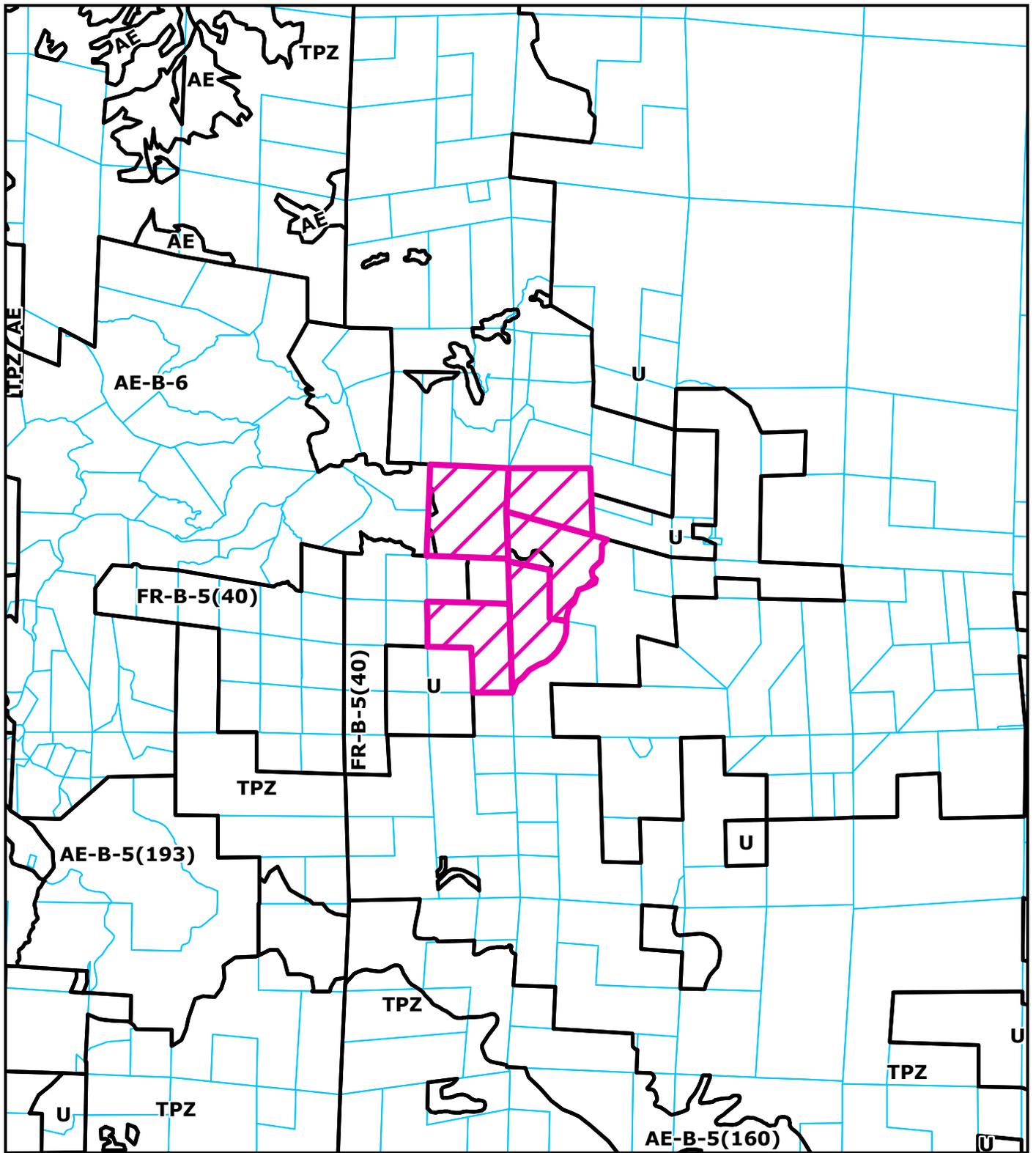
Project Area = 

APN: 107-056-003; ET AL.

T02S R01E S28; S27; S33; S34 HB&M (BULL CREEK)



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



**ZONING MAP
 PROPOSED HUMBOLDT GARDENS, LLC
 HONEYDEW AREA
 PLN-2019-15706**

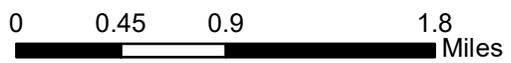
Project Area = 

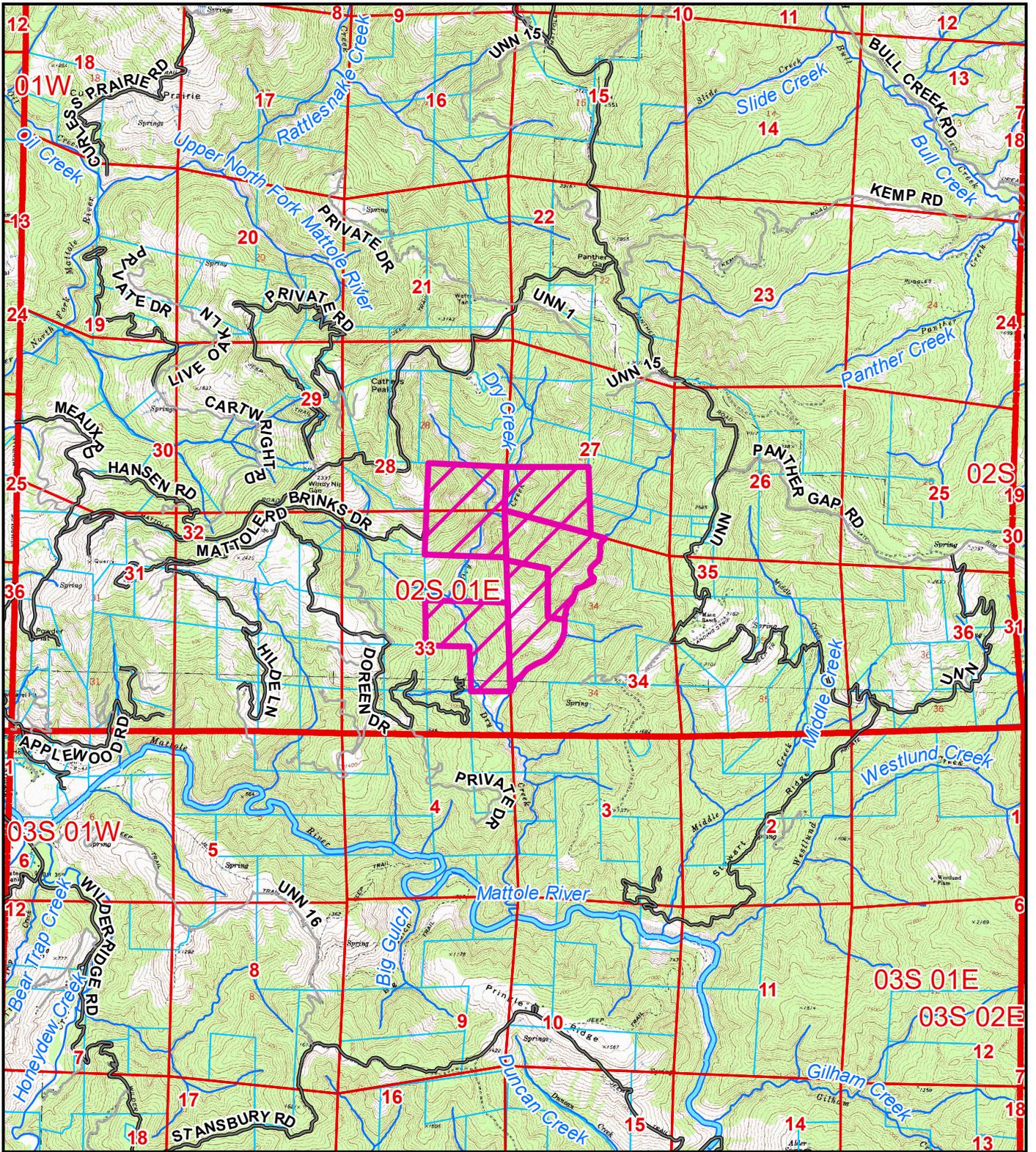
APN: 107-056-003; ET AL.

T02S R01E S28; S27; S33; S34 HB&M (BULL CREEK)



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





TOPO MAP
PROPOSED HUMBOLDT GARDENS, LLC
HONEYDEW AREA
PLN-2019-15706

Project Area = 

APN: 107-056-003; ET AL.

T02S R01E S28; S27; S33; S34 HB&M (BULL CREEK)



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.



HUMBOLDT GARDENS, LLC

APN: 107-234-014, 107-234-013, 107-056-003, 107-233-013

VICINITY MAP

NOT TO SCALE

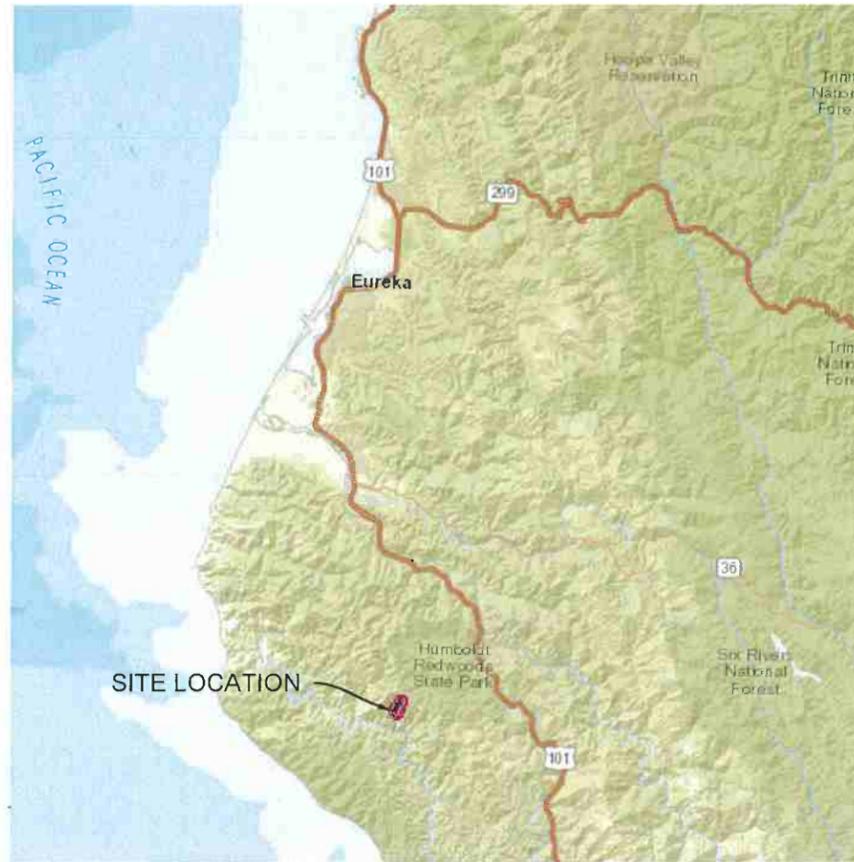


IMAGE SOURCE: ESRI 2018

AERIAL MAP

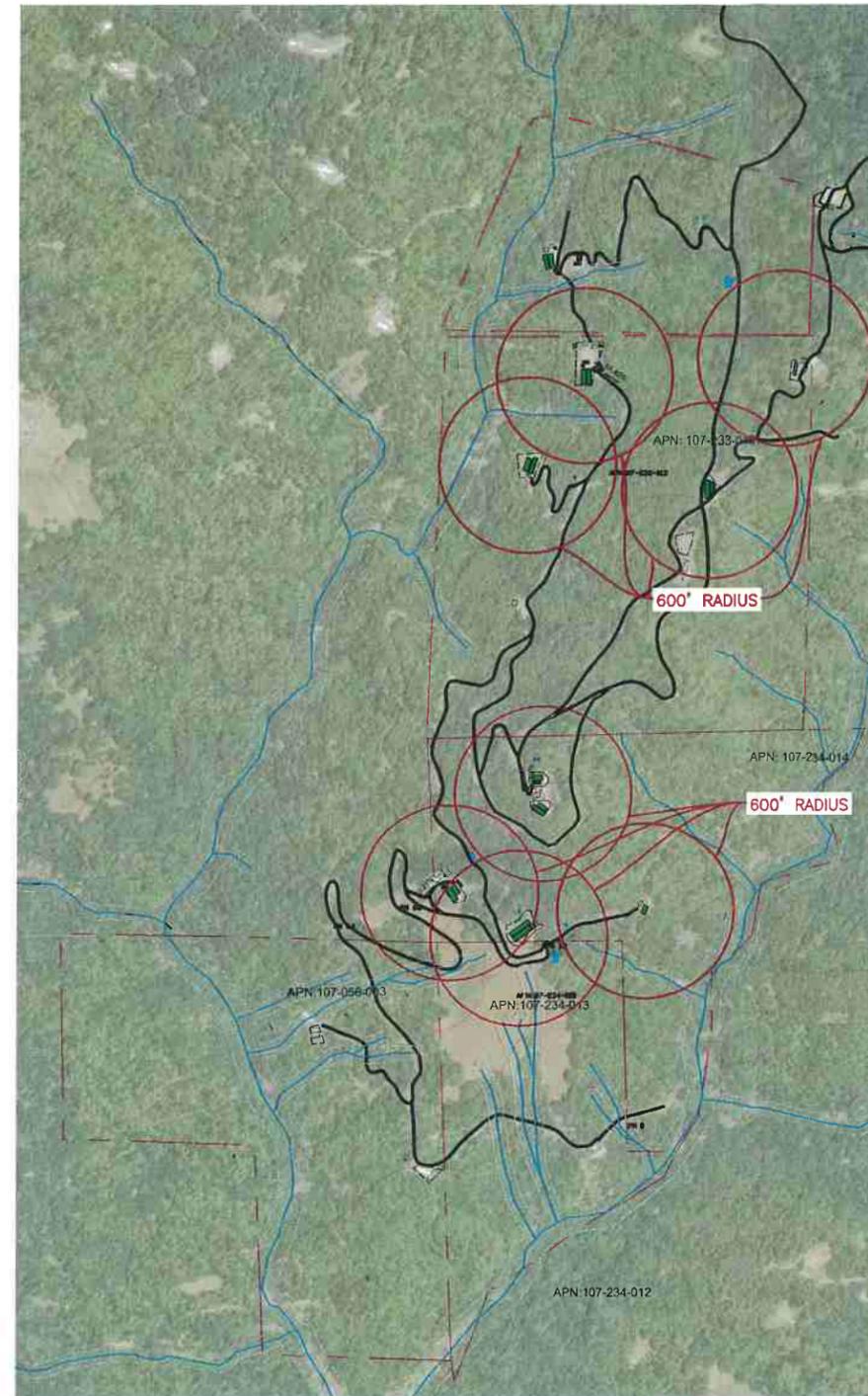


IMAGE SOURCE: BING 2018

PROJECT DIRECTIONS

- FROM: EUREKA, CA
- HEAD SOUTH ON US-101 (41.6 MI)
- TAKE EXIT 633 FOR CA-254 TOWARD SOUTH FORK/HONEYDEW (0.2 MI)
- MERGE ONTO BULL CREEK FLATS RD (.04 MI)
- CONTINUE ONTO LOWER BULL CREEK FLATS RD (1.1 MI)
- CONTINUE ONTO MATTOLE RD (6.4 MI)
- MATTOLE RD TURN RIGHT AND BECOMES CUNEO RD (0.4 MI)
- TURN LEFT ONTO HUMBOLDT REDWOODS STATE PARK (246 FT)
- MAKE A U-TURN (246 FT)
- TURN RIGHT AT THE 1ST CROSS STREET ONTO MATTOLE RD (6.3 MI)
- TURN LEFT TOWARD DOREEN DR (226 FT)
- TURN RIGHT ONTO DOREEN DR (2.0 MI)

TRAVEL TIME

APPROXIMATELY: 1H 46 MIN (65 MI)

SHEET INDEX

- CP-COVER PAGE
- C1-PROJECT OVERVIEW
- C2-PARCEL OVERVIEW

PROJECT INFORMATION

LAT/LONG: 40.2606, -124.0604
 APN: 107-234-014, 107-234-013, 107-056-003, 107-233-013
 APPLICANT: HUMBOLDT GARDENS, LLC
 PARCEL SIZE: 415± ACRES
 ZONING: AE;TPZ CURRENT GENERAL PLAN:T

COASTAL ZONE: N
 100 YEAR FLOOD: N

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

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



PROJECT INFORMATION	
PROPERTY OWNER	GUEORGUI MANDELOV
ADDRESS	107-234-014, 107-234-013, 107-056-003, 107-233-013
SHEET INFO	COVER PAGE



REVISIONS		
NO.	NOTES	DATE
1	NOTES INITIALS	00/00/00

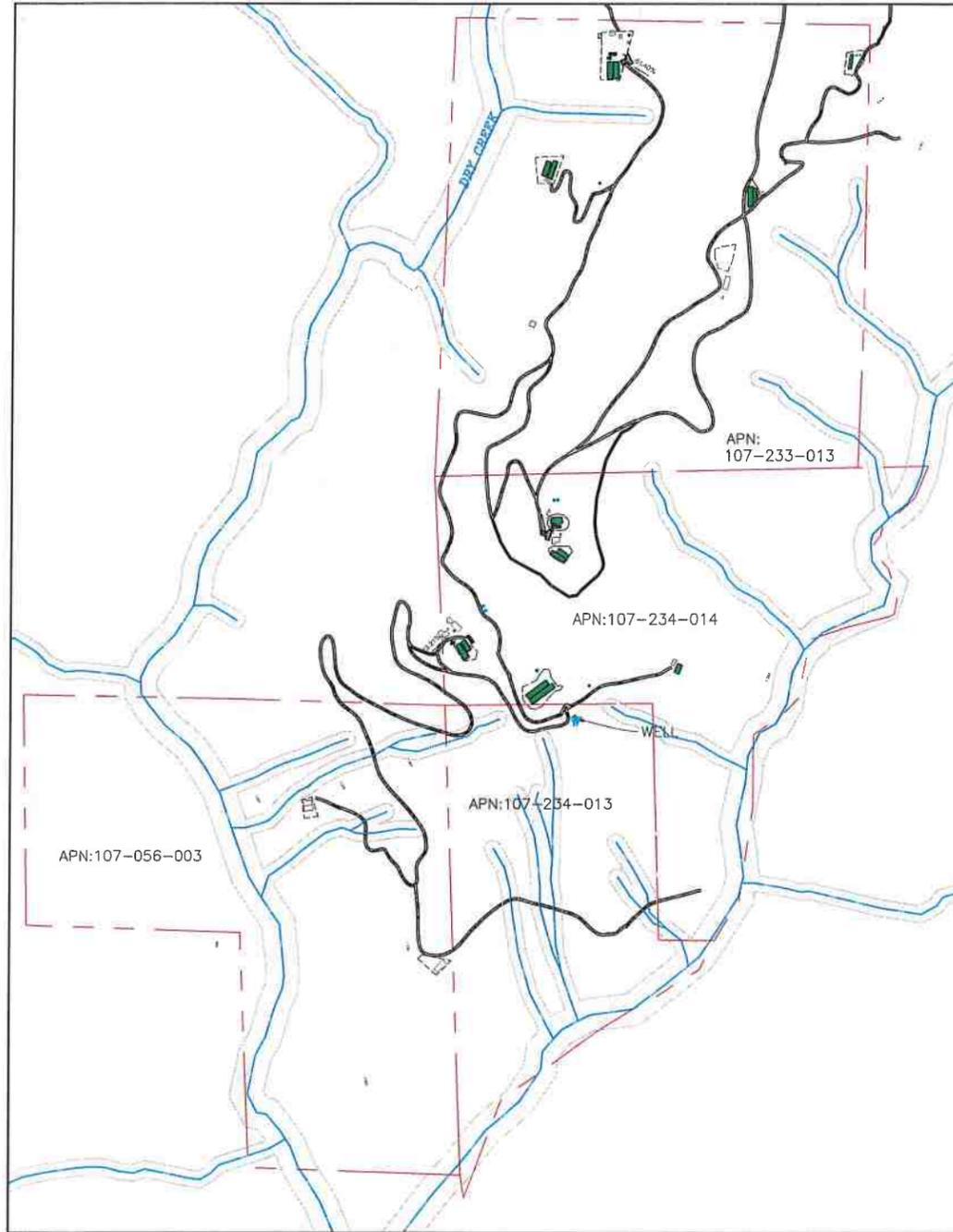
DATE	6/12/20
DRAFTER	DDV
SCALE	AS SHOWN
SHEET	
CP	

6/12/2020 - X:_Projects\Man_Hu_Ho_17\11_Gueorguil & Stoyan\CAD\CULTIVATION\MAIN-234-013-CUL_recover.dwg - 2:06 PM - GFC

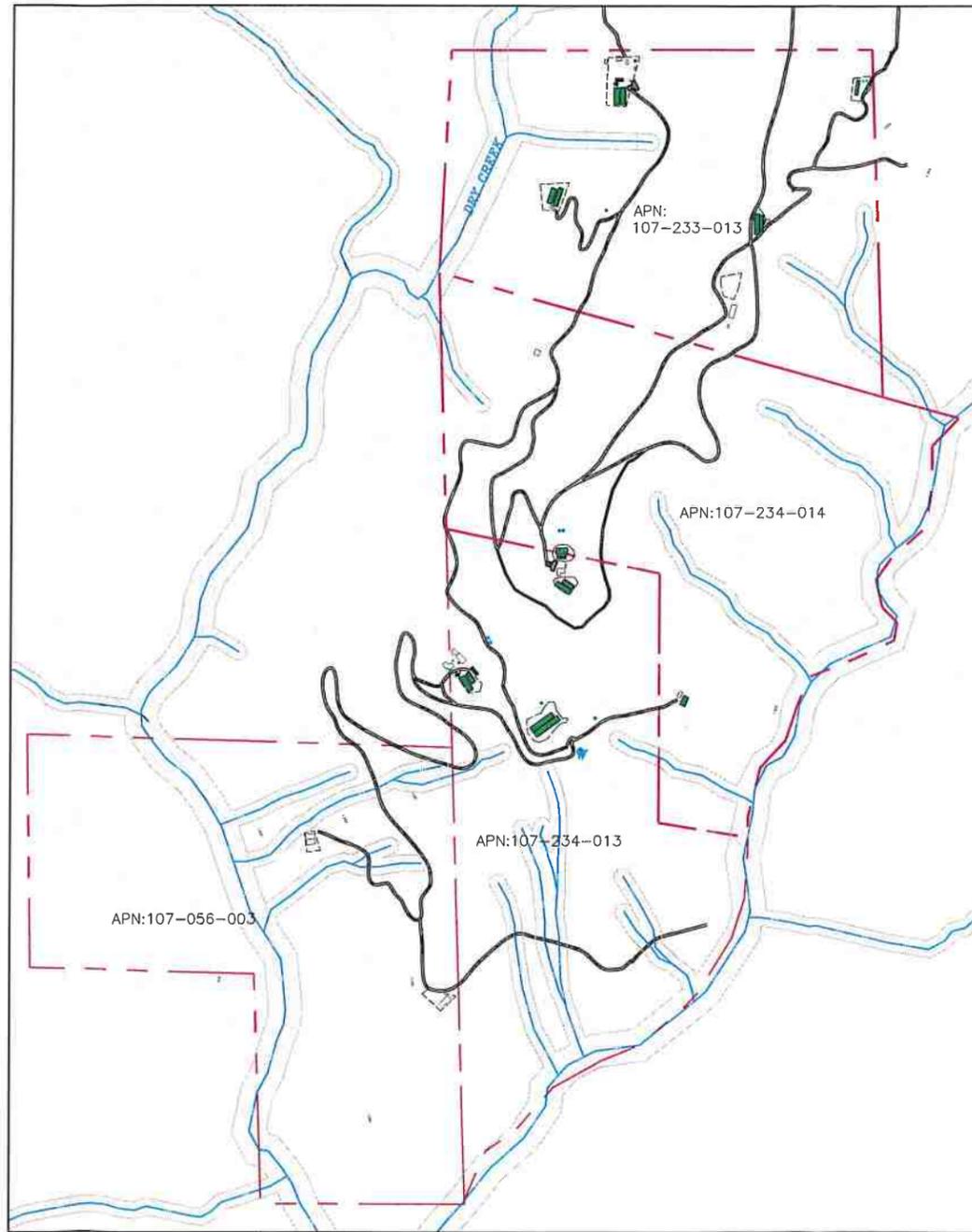
PARCEL OVERVIEW

APN: 107-234-014, 107-234-013, 107-056-003, 107-233-013

PRELIMINARY KOLSTAD SURVEY PARCEL BOUNDARY



HUMBOLDT GIS PARCEL BOUNDARY



GREEN ROAD CONSULTING



PROJECT INFORMATION

PROPERTY OWNER: GUEORGUI MANDELOV
 ADDRESS: 107-234-014, 107-234-013, 107-056-003, 107-233-013
 SHEET INFO: PARCEL OVERVIEW

REVISIONS

NO.	NOTES	DATE
1	NOTES INITIALS	00/00/18



DATE: 6/12/20
 DRAFTER: DDV
 SCALE: AS SHOWN

SHEET
C2

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. **Within 30 days of the approval date**, the applicant shall submit a complete application package for a Notice of Merger. No cultivation may occur until the merger is complete and APN 107-233-013 is determined to be a legal parcel.
3. The applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Merger have been paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Notice of Merger to satisfy this condition.
4. The applicant shall submit a completed Notice of Merger and Certificate of Subdivision Compliance document along with legal review fees, notary fees and recording fees, as applicable.
5. The applicant shall obtain all necessary building permits and grading permits from the Building Inspection Division (BID) for all structures related to the commercial cannabis cultivation operation, including all greenhouses and grading. 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.
6. The applicant shall permit 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.
7. The applicant shall 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.
8. The applicant shall provide a copy of the Notice of Applicability from the SWRCB.
9. The applicant shall implement the recommendations of the Timber Conversion Evaluation Report as shown in Table 2 and Table 3 of the report. An annual monitoring report

documenting the implementation of road stabilization and hazard mitigation recommendations shall be provided to the Department for a period of two years shall satisfy this condition.

10. The applicant shall meter water usage and maintain records on-site for review by staff at the time of annual inspection.
11. The applicant shall provide a post-project sound evaluation study. Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise, as documented in the pre-project Sound Evaluation Report prepared by Green Road Consulting received July 15, 2019.
12. The applicant shall contact the local fire service provider [Honeydew Volunteer Fire Company] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
13. The driveway shall be rocked for a minimum width of 18 feet and a length of 50 feet where it intersects Green Gate Road. 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.
14. All 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.
15. The applicant shall provide an annual report of the ongoing monitoring of the erosion control measures as detailed in the Restoration Plan.
16. The applicant shall provide an invasive species management control plan.
17. 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.
18. 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.
19. 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 is to be supplied by the mobile solar and battery units, solar snap fans, and solar array. 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.
9. This merger does not guarantee that developable lots will result. Issuance of a building permit will require demonstration of all applicable development standards at the time a permit is requested.
10. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments, if applicable.
11. The term of this approval shall be thirty-six (36) months from the date of the Planning Commission's action on this request.

ATTACHMENT 2

Required Findings for Approval

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

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

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

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

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations 4.8</p>	<p>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.</p> <p>Density range is 40-160 acres/unit.</p>	<p>The proposed project is for 43,560 square feet of outdoor cannabis cultivation on lands designated as Timberland. General agriculture is allowable use type for this designation.</p>
<p>Circulation Chapter 7</p>	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1,CT-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County. (C-G4, C-G5)</p> <p>Related policies: C-P3. Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>The parcel is accessed by a private road called Green Gate Road that is currently serving as a County-maintained bypass for Panther Gap Road. A driveway turnout off the private road is used to access the premises, which is served by 6.2 miles of seasonal access roads. The applicant provided a Road Evaluation Report in July 15, 2019 that identified the access road from the intersection of Mattole Road to the subject parcel as a private road. The Department of Public Works commented on the project and noted that the access road has since been developed into a bypass road maintained by the County and is the functional equivalent of a category 4 road. Public Works recommended conditional approval. The applicant will demonstrate that the driveway intersection is maintained in accordance with the Sight Visibility Ordinance and that all fences and gates are outside the County right-of-way. The driveway apron used to access the cultivation premises will be rocked for a minimum width of 18 feet and a length of 50 feet where it intersects Green Gate Road.</p>
<p>Housing Chapter 8</p>	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and</p>	<p>The project does not involve residential development, nor is the project site part of the Housing element Residential Land Inventory. However, the project will not preclude any future residential development. The project will not reduce</p>

	<p>measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory.</p>	<p>the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces. (CO-G1, CO-G3)</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program.</p>	<p>The proposed project is located within Open Space Land Plan because the project site is planned Timberland and is zoned Timber Production. The project can be found consistent with the Open Space Plan because the proposed project is an agricultural use that is consistent with the allowable uses of the Land Use Designation.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1. Compatible Land Uses, BR-P5. Streamside Management Areas.</p>	<p>The project site is on a ridgetop in the Middle Mattole River. There are ten (10) cultivation areas. The project site is bordered by two Class II watercourses and multiple Class III ephemeral drainages. All cultivation areas are setback more than 150 feet from watercourses. The project will not impact riparian habitat associated with the watercourses.</p> <p>A Biological Resource Report was prepared for the project site by S. McAllister & Associates Wildlife Consultants (see Attachment 4). The cultivation sites are located on rocky, dry, disturbed flats that were previously used for cultivation and lack natural vegetation. All proposed cultivation will occur on existing graded flats that were previously used for cannabis cultivation. A Restoration Plan was prepared and implemented to resolve the abatement order issued for unpermitted cultivation and grading in 2018 (see Attachment 4). All soil, cultivation materials and structures were removed from the flats. As</p>

		<p>reconstruction to natural contours would have resulted in more sediment delivery than leaving the flats, the restoration called for covering the cut slopes, flat, and fill with straw and seeding. One cultivation area on APN 107-234-013 was decommissioned to prevent sediment delivery to a downslope watercourse. No additional remediation is required as part of the project.</p> <p>The adjacent habitat is coniferous forest dominated by Douglas-fir and tanoak. No special-status species were observed during the site visit. The report concludes that project activities would have no significant impact on special status species because the proposed cultivation activity would not disturb suitable habitat. The nearest Northern Spotted Owl (NSO) activity center is located approximately 2.3 miles northwest of the project site. Critical habitat for the Marbled Murrelet is 0.62 miles from the parcel. Power is provided by portable solar with batteries, and no generators are allowed for use in the cannabis operation. A pre-project sound evaluation survey was conducted on the parcel and noise levels were measured at approximately 41 decibels. The project is conditioned on providing a second sound survey after project activities begin, and noise levels cannot increase by more than 3 decibels. No supplemental light is used in the operation, and any security or work lighting will be shielded to prevent glare. By adhering to the standards in the CCLUO, the operation will not impact biological resources.</p> <p>The applicant has a Streambed Alteration Agreement with the California Department of Fish and Wildlife (CDFW) for five (5) stream crossings. The project was referred to CDFW on December 4, 2019. Comments were requested on April 3 and June 26, 2020. No comments have been received to date. Standard operational conditions regarding the protection of wildlife have been included.</p>
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<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources) Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation.</p>	<p>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 indicating a Cultural Resource Survey may be needed. The Bear River Band responded indicating an archaeological survey is not required at this time. A Cultural Resource Investigation was prepared by Archaeological Research and Supply Company in November 2018 with 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.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.7</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways 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.</p>	<p>The subject parcel is forested with a Timberland land use designation. The cultivation site is located 0.6 miles from the Humboldt Redwoods State Park. The cultivation areas occupy flats that were historically used as log landings. Timber conversion occurred in 2009. The commercial activities are limited to small clearings that do not change the scenic value of the timberland.</p>
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and</p>	<p>The applicant is required to enroll in the State Cannabis Discharge program. Conditions of approval require the applicant to submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Applicability. A Site Management Plan was prepared by Green Road Consulting evaluating the disturbed areas of the project site. The road system within the parcel was renovated in 2019, and the</p>

	<p>the economy. (WR-G1, WR-G2, WR-G7, WR-G8, WR-G9)</p> <p>Related policies: WR-P10. Erosion and Sediment Discharge; WR-42 Erosion and Sediment Control Measures.</p>	<p>recommendation is to implement erosion control measures by installing wattles downslope of road spoils, recountouring a steep road leading to Cultivation Area 10, and treating a legacy logging road. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.</p>
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution. (WR-G6, WR-G9, WR G10)</p> <p>Related policies: WR-IM7. Basin Plan Septic Requirements; and IS-P20. On-Site Sewage Disposal Requirements.</p>	<p>The site is developed with three (3) residences served by unpermitted septic systems. The project was referred to the County Division of Environmental Health which has recommended conditional approval of the project. As a condition of approval, the applicant must permit the on-site wastewater treatment system serving the operation, and continue to furnish receipts showing the continual use of portable bathroom facilities until the OWTS is permitted and demonstrated to be sufficient to meet the needs of workers.</p>
<p>Noise Chapter 13</p>	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards. (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.</p>	<p>Noise sources in the cultivation operation include solar-powered snap fans, the well pump, and dehumidifiers used in drying. The nearest Northern Spotted Owl (NSO) activity center is located approximately 2.3 miles northwest of the project site. Critical habitat for the Marbled Murrelet is 0.62 miles from the parcel. A pre-project sound evaluation survey was conducted on the parcel and the highest ambient noise level measured at approximately 41 decibels. The project is conditioned on providing a second sound survey after project activities begin, and noise levels cannot increase by more than 3 decibels. The standard for noise from the operation to not exceed 50 dB as measured 100 feet from the source will therefore be met.</p>

<p>Safety Element Chapter 14</p> <p>Geologic & Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury. (S-G1, S-G2)</p> <p>Related policies: S-P11. Site Suitability, S-P7. Structural Hazards.</p>	<p>The parcels are mapped as having moderate geologic instability. The project site is not located in a mapped Alquist-Priolo fault zone or subject to liquefaction. Areas of the parcel are mapped with historic landslides. The flats where cultivation occurs are within an area of mapped historic landslides. According to USGS data layer on Humboldt County WebGIS, the slopes where cultivation occur are variable from less than 15% to more than 50%. A Restoration Plan and Winterization Plan was prepared by Green Road Consulting in response to the abatement order issued in 2017 (see Attachment 4). Restoration activity included the decommission of an area located on a landslide, where all human articles were removed, bare areas stabilized with erosion control measures, and the flat replanted with native vegetation. Winterization measures have been in place since 2017 to stabilize slopes by laying straw mulch, erosion seed, and straw wattles around the graded flats. The road system within the parcel was renovated in 2019, and the recommendation is to implement erosion control measures by installing wattles downslope of road spoils, re-countouring a steep road leading to Cultivation Area 10, and treating a legacy logging road. The applicant has provided as-built grading plans to obtain a retroactive grading permit. The Building Division pre-site investigation approved the soils report. No new structures are proposed in the operation. There is no evidence the existing flats will pose a threat to public safety from exposure to natural or manmade hazards. The existing uses are not expected to be affected by geologic instability.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order</p>	<p>The subject site is outside any mapped flood hazard areas. The project site is not within a mapped dam or levee inundation area and is outside the areas subject to tsunami run-up.</p>

	<p>to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.</p>	
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential.</p> <p>Related policies: S-P15, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The subject parcel is located within an area with a high fire hazard severity. The subject property is located within the Honeydew Volunteer Fire Department response area and within the State Fire Responsibility Area for fire protection (CAL-FIRE). California Department of Forestry and Fire Protection comments recommended compliance with the requirements of the County's Fire Safe Regulations. The Humboldt County Fire Safe Ordinance (Section 3111-1 <i>et seq.</i>) establishes development standards for minimizing wildfire danger in state responsibility designated areas.</p> <p>A maximum of four employees are required during peak operations. All existing and proposed improvements are setback at least 30 feet from all property lines. Applicant has a designated fire turn-around and pullout area for emergency vehicles and 2,500 gallons of water storage dedicated for fire suppression. Additionally, there are groundwater wells and 28,500 gallons of water storage in rigid tanks that can be used for fire suppression in an emergency.</p>
<p>Community Infrastructure and Services Element Chapter 5</p> <p>Implementation Action Plan</p>	<p>IS-S5 requires new industrial, commercial and residential development located outside of fire district boundaries to obtain written acknowledgment of available emergency response and fire suppression services from the local fire agency, including any recommended mitigation.</p>	<p>To implement this policy, conditions of approval for the proposed project required the applicant to contact the local fire service provider [Honeydew Volunteer Fire Company] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s)</p>

		on a form provided by the Humboldt County Planning Division.
Air Quality Chapter 15	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements. (AQ-G3)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading Dust Control, AQ-P7. Interagency Coordination.</p>	<p>Applications for grading and/or building permits shall be referred to the North Coast Unified Air Quality Management District (NCUAQMD) for review and consultation. Dust control practices during construction and grading shall achieve compliance with NCUAQMD fugitive dust emission standards.</p>

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

Zoning Section	Summary of Applicable Requirements	Evidence That Supports the Zoning Finding
§312-1.1.2 Legal Lot Requirement	Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	Per LLA-54-97 the configuration of APNs 107-056-003, 107-234-013 and 107-234-014 combined comprise one legal parcel as described in Notice of Lot Line Adjustment Certificate of Subdivision Compliance 1999-0369. 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. APN 107-233-013 is part of a non-conforming parcel with APN 107-051-009 created by 2003 subdivision performed in non-compliance with local and State subdivision regulations then in effect. A condition of approval requires the applicant submit a Notice of Merger application to voluntarily merge APN 107-233-013 with the adjacent parcel, thereby creating a single legal parcel of 463 acres.
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 43,560 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.	463 acres upon recordation of NOM to create legal parcel comprised of APNs 107-056-003, 107-233-013, 107-234-013, and 107-234-014
Min. Lot Width	None specified	2,500 feet
Max. Ground Coverage	None specified	<5%
Minimum Yard Setbacks: (Through the SRA requirements)	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 project site is on a ridgetop in the Middle Mattole River. There are ten (10) cultivation areas. The project site is bordered by two Class II watercourses and multiple Class III ephemeral drainages. All cultivation areas are setback more than 150 feet from watercourses. The project will not impact riparian habitat associated with the watercourses. The Biological Report states there is no riparian habitat associated with the watercourse. No project activities are proposed in the SMA. The irrigation water source is a well. The project will not impact any SMAs and therefore no Special Permit is required.
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)		

<p>§314-55.4.5.4</p> <p>Permit Limits and Permit Counting</p>	<p>No more than eight acres of Commercial Cannabis permits may be issued to a single Person. No more than ten (10) Persons shall be granted permits authorizing three (3) or acres of cultivation pursuant to the provisions of 55.4.6.1.2(c).</p>	<p>According to records maintained by the Planning Department, Humboldt Gardens, LLC submitted four applications proposing approximately one acre of existing cultivation area and is entitled to eight acres. This application is one Special Permit for a 43,560-square-foot cultivation area.</p>
<p>§314-55.4.6.0</p> <p>Conversion of Timberland</p>	<p>Cultivation sites may only be located within an Non-Forested area that was in existence prior to January 1, 2016.</p>	<p>A review of aerial imagery on the Humboldt County WebGIS and Google Earth shows the cultivation area was initially cleared between 2005 and 2009. No timber conversion occurred on the property after January 1, 2016. A Registered Professional Forester (RPF) evaluated the parcel conversion history and identified a total of 3.3 acres of unauthorized timber conversion on the parcel 107-233-013 and 107-234-013 identified as conversion sites #2-7 (see Attachment 4). The report found two areas where logging roads needed treatment. The report recommended the installation of a water bar at conversion site #2 and improvements to the erosion cut at conversion site #5, as well as treating slash at conversion site #3 and #4. The report did not recommend any restocking. The project was referred to CALFIRE and the response recommended the RPF recommendations should be implemented. The implementation measures are included as conditions of approval.</p>
<p>§314-55.4.6.4.4</p> <p>Standard Setbacks</p>	<p>The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, 300 feet from any residence on an adjacent parcel or 270 feet from any undeveloped adjacent parcel, 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs) and 1,000 feet from all Tribal Ceremonial Sites.</p>	<p>The applicant's site plan shows that the cultivation area conforms to the 600-foot setback for schools, school bus stops, parks, or places of religious worship. No nearby Tribal Cultural Resources or Tribal Ceremonial Sites have been identified. The cultivation area (Greenhouse #5) is setback 86 feet from the nearest property line and more than 270 feet from the nearest property that is not owned by the applicant.</p>

<p>§314-55.4.11 Application Requirements</p>	<p>Identifies the Information Required for All Applications</p>	<p>Attachment 4 identifies the information submitted with the application and shows all the required information was received.</p>
<p>§314-55.4.12 Performance Standards</p>	<p>Identifies the Performance Standards for Cannabis Cultivation Activities.</p>	<p>All the applicable performance standards are included as conditions of project approval. They are required to be met throughout the timeframe of the permit.</p>
<p>§314-55.4.12.1.8 Performance Standards– Road Systems</p>	<p>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.</p>	<p>The parcel is accessed by a private road known as Green Gate Road that is currently serving as a County-maintained bypass for Panther Gap Road. A driveway turnout off the County-maintained road is used to access the premises. The project meets the road performance standards.</p>
<p>§314-55.4.12.1.10 Performance Standards– Biological Resource Protection</p>	<p>Projects proposing new development activities shall provide the necessary information to implement Mitigation Measures 3.4-1a – 3.4-1l, 3.4-3a, 3.4-4, 3.4-5 and 3.4-6 from the Final Environmental Impact Report.</p>	<p>A biological resource report was prepared for the project site by S. McAllister & Associates Wildlife Consultants. The cultivation sites are rocky, dry, disturbed flats previously used for cultivation that lack natural vegetation. The adjacent habitat is coniferous forest dominated by Douglas-fir and tanoak. No special-status species were observed during the site visit. The nearest Northern Spotted Owl (NSO) activity center is located approximately 2.3 miles northwest of the project site. The nearest Marbled Murrelet habitat is 0.62 miles from the project site. The report concludes that project activities would have no significant impact on special status species because the proposed cultivation activity would not disturb suitable habitat. The project is conditioned on providing a post-project noise survey demonstrating project noise does not increase by more than 3 decibels over ambient noise levels. No light is used in the operation. As conditioned, the operation meets the mitigation measures of the EIR.</p>

<p>§314-55.4.12.2 Performance Standards– Commercial Cannabis Cultivation</p>	<p>Identifies the Performance Standards for Cannabis Cultivation Activities.</p>	<p>The project as proposed and conditioned meets all of the requirements stipulated in the cited section. In Attachment 1, these performance standards have been incorporated into the On-going Conditions of Approval that must be satisfied for the life of the project.</p>
<p>§314-55.4.12.4 Performance Standards– Light Pollution Control</p>	<p>a) Structures used for Mixed Light Cultivation and Nurseries shall be shielded so that no light escapes between sunset and sunrise. b) Where located on a Parcel abutting a residential Zoning District or proposed within Resource Production or Rural Residential areas, any Security Lighting for Commercial Cannabis Activities shall be shielded and angled in such a way as to prevent light from spilling outside of the boundaries of the Parcel(s) or Premises or directly focusing on any surrounding uses.</p>	<p>The proposed project is for 43,560 square feet of existing outdoor cannabis cultivation with one (1) harvest. No mixed-light or ancillary propagation activities are authorized by this permit. Clones are sourced off-site from a licensed nursery. Security lighting will comply with performance standards.</p>
<p>§314-55.4.12.5 Performance Standards– Energy Use</p>	<p>All electricity utilized by Commercial Cannabis Cultivation, Manufacturing or Processing activities shall conform to one or more of the following standards:</p> <ul style="list-style-type: none"> • Grid power supplied from 100% renewable source; and • On-site renewable energy system with twenty percent net non-renewable energy use <p>Grid power supplied by partial or wholly non-renewable source with purchase of carbon offset credits.</p>	<p>The power source for the project will be four (4) 2.5 kW mobile solar generator/battery units for use at Dry Sheds 1, 3 and 4 to power dehumidifiers. Greenhouses will utilize solar powered snap fans, and well pumps will have dedicated solar panels. The Site Management Plan describes three (3) 6.5 kW and one (1) 8 kW diesel generators on-site. The generators are used for domestic purposes only.</p>

<p>§314-55.4.12.3 Performance Standards– Noise</p>	<p>Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site. Existing ambient noise levels shall be determined by take twenty-four measurements on three or more property lines when all cannabis related activities are not in operation.</p>	<p>Power for the operation is provided by solar. The applicant provided a pre-project 24-hour baseline noise survey prepared by Green Road Consulting (see Attachment 4). The average noise levels taken from the northeast and southwest corners of the parcel with no project activities were 36 decibels. A second noise survey will be provided following the commencement of cultivation activities. The operation cannot result in an increase of more than 3 decibels.</p>
<p>§314-55.4.12.7 Performance Standards – Cannabis Irrigation</p>	<p>A Special Permit shall be required where Irrigation of Commercial Cannabis Cultivation Activities occurs wholly or in part using one or more Diversionary sources of water. All Cannabis Irrigation, regardless of cultivation area, shall be subject to documentation of water use, forbearance periods and storage requirements, metering and recordkeeping.</p>	<p>The irrigation water source is three permitted groundwater wells (DEH 17/18-1483, 17/18-1484, and 17/18-1599). The wells are drilled to a depth of 270 feet through a clay and shale geologic formation. The well characteristics documented in the well completion reports support the conclusion the wells are not hydrologically connected to surface water. Estimated annual water use is 416,756 gallons (9.4 gal/sf). Water storage totals 28,500 gallons in eleven (11) tanks. A condition of approval is included requiring the applicant to monitor water use and provide the records at the time of inspection.</p>
<p>314-55.4.12.10 Performance Standards – Soils Management</p>	<p>A soils management plan shall be provided detailing the use of imported and native soil on the Parcel(s) or Premises. The plan shall provide accounting for the annual and seasonal volume of soil that is imported and exported and documentation of the approved location of any Parcel(s) used for off-site disposal of spent soil if this occurs or is proposed.</p>	<p>The Materials Management Plan for the project identifies a total of 287 cubic yards of soil needed for the operation. Soil will be amended and 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.</p>

<p>314-55.4.12.11 Performance Standards – Existing Site Reconfiguration</p>	<p>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.</p>	<p>The project involves a Special Permit for an existing 43,560 square foot (SF) outdoor cannabis cultivation operation. The cultivation area was in existence prior to January 1, 2016, and the proposed cultivation configuration has not changed.</p>
<p>314-55.4.12.13 Performance Standards – Remediation Activities</p>	<p>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.</p>	<p>All proposed cultivation will occur on existing graded flats that were previously used for cannabis cultivation. The cultivation infrastructure was removed in 2018 due to an abatement order from the Code Enforcement Unit. A restoration plan was provided, and the work was completed in 2018 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. As reconstruction to natural contours would have resulted in more sediment delivery than leaving 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. However, an annual report of the ongoing monitoring of the erosion control measures as detailed in the Restoration Plan is required as a condition of approval.</p>

314-55.4.12.16 Performance Standards – Invasive Species Control	It is the responsibility of a certificate or permit holder to work to eradicate invasive species.	Conditions of approval require the applicant to submit a plan for the removal of invasive species to the Planning Department for review and approval. The plan shall include, but not be limited to, identification of types of invasive plant species, where they are located, and a plan to control their spread. The applicant shall provide a monitoring report during the annual inspection that indicates if invasive species were present at the site and how the removal of the invasive species complied with approved plan.
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4. Public Health, Safety and Welfare. The following table identifies the evidence which supports finding that the proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

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

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

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

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

As lead agency, the Department prepared an Addendum to the previously adopted Environmental Impact Report (EIR) (State Clearinghouse # 2017042022) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) and adopted by the County Board of Supervisors May 8, 2018. The EIR prepared for the CCLUO established that the environmental effects of existing cultivation operations would be reduced from the baseline impacts through the regulations applied by the CCLUO. The EIR prepared for the CCLUO also established local land use regulations to allow for continued commercial cannabis operations in the unincorporated area of the County that ensure the health and safety of residents, employees, County visitors, neighboring property owners and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all mitigation measures of the EIR. The project is for the approval of an existing cultivation operation with irrigation water provided by a groundwater well, solar power, on-site drying and off-site processing. 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 107-056-003, 107-233-013, 107-234-013 and 107-234-014, Southeast side of Mattole Road,
approximately 1.75 miles east from the intersection of Mattole Road and Brinks Drive, on the
property known to be in the southwest quarter of Section 27 of Township 02 South, Range 01 East,
Humboldt Base & Meridian, Honeydew, County of Humboldt*

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

June 2020

Background

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

The modified project is for 43,560 square feet of cannabis cultivation proposed in fifteen (15) greenhouses that were in existence prior to January 1, 2016. The greenhouses were considered as part of the CEQA baseline conditions. Humboldt Gardens, LLC is anticipating one harvest annually. Clones are purchased from a licensed supplier and brought to the site. The irrigation water source is three permitted groundwater wells (DEH 17/18-1483, 1484, and 1599). The wells are drilled to a depth of 270 feet through a clay and shale geologic formation.. Evidence supports that the well draws from a confined aquifer and is not connected to surface water. Estimated annual water use is 416,756 gallons. Water storage totals 28,500 gallons in eleven (11) tanks.

The site is developed with four (4) structures. A residence and a garage constructed pre-2012 do not have a nexus to the cannabis operation. The residence is served by a 6.5 kW Honda generator. The generator use for domestic purposes is not regulated by the CCLUO. However, no generator use is allowed on the TPZ zoning designation for the purpose of supplying energy for a cannabis operation. The well pump, fans and dehumidifiers used in the cultivation operation will be exclusively solar powered. Drying occurs onsite in the existing shipping containers. Processing occurs off-site at a licensed 3rd party facility. There will be up to four (4) workers on site.

A biological resource report was prepared for the project site by S. McAllister & Associates Wildlife Consultants. The cultivation sites are rocky, dry, disturbed flats previously used for cultivation that lack natural vegetation. The adjacent habitat is coniferous forest dominated by Douglas-fir and tanoak. No special-status species were observed during the site visit. The nearest Northern Spotted Owl (NSO) activity center is located approximately 2.3 miles northwest of the project site. The nearest Marbled Murrelet habitat is 0.62 miles from the project site. Conditions of approval require all work light from the cultivation operation be shielded, and noise must be less than 50 decibels as measured 100 feet from the source. With these standards in place, the report concludes that project activities would have no significant impact on special status species because the proposed cultivation activity would not disturb suitable habitat.

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 groundwater wells, 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 43,560 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:

- Cultivation and Operation Plan;
- Site Plan prepared by Green Road Consulting;
- Biological Resources Report prepared by S. McAllister & Associates Wildlife Consultants;
- Lake and Streambed Alteration Agreement (1600-2019-0325-R1);

- Well Completion Reports (Permit 17/18- 1483; 17/18-1484, and 17/18-1599).);
- Sound Evaluation Report prepared by Green Road Consulting;
- Cultural Resource Survey prepared by Archaeological Research and Supply Company in November 2018;
- Timberland Conversion Evaluation Report prepared by Blair Forestry; and
- Site Management Plan prepared by Green Road Consulting for SWRCB General Order;

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:

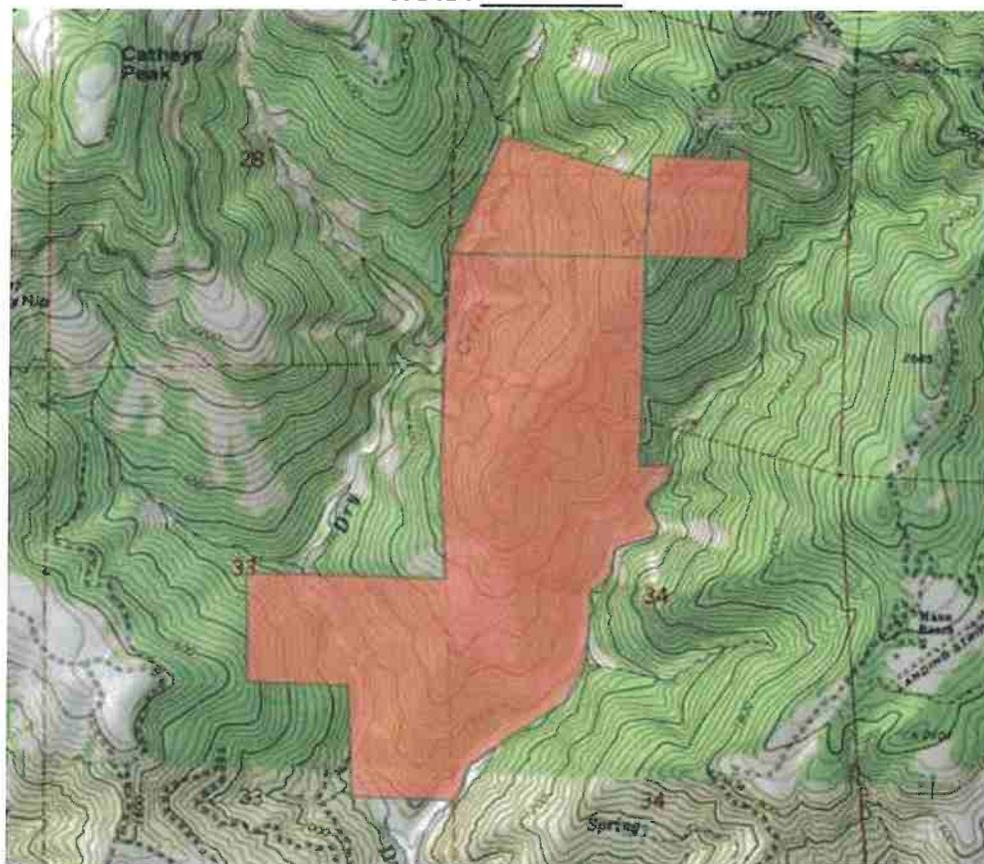
1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (Not Applicable)
3. Site plan showing the entire 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 prepared by Green Road Consulting received July 15, 2019- Attached)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; water source; irrigation plan; projected water usage; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operation Plan prepared by Green Road Consulting received June 12, 2020 - Attached)
5. Road Evaluation Report prepared by Green Road Consulting received July 15, 2019. (Attached)
6. Sound Evaluation Report prepared by Green Road Consulting received July 15, 2019. (Attached)
7. Division of Environmental Health Worksheet. (On file)
8. Biological Report prepared by S. McAllister & Associates Wildlife Consultants received July 15, 2019. (Attached)
9. Well Completion Reports (Permit 17/18- 1483, 17/18-1484, and 17/18-1599). (Attached)
10. Site Management Plan prepared for State Water Resources Control Board General Order enrollment. (Attached - prepared by Green Road Consulting for SWRCB General Order)

11. Timberland Conversion Evaluation Report prepared by Blair Forestry received February 18, 2020. (Attached)
12. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
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. Lake and Streambed Alteration Agreement Notification No 1600-2019-0325-R1. (Attached)
15. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under Senate Bill 18 (Burton) and Assembly Bill 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to tribal cultural resources (see Informational Note #3 for examples of resources). Examples of mitigation include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
16. Restoration Plan prepared by Green Road Consulting received July 15, 2019. (Attached)
17. Winterization Plan prepared by Green Road Consulting received July 15, 2019. (Attached)



Site Management Plan

WDID: _____



Prepared for:

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

Prepared by:

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

Date of completion:

6/8/2020



General Site Information

Discharger: Humboldt Gardens LLC

Landowner: Gueorgui Mandelov

Site Address: Panther Gap Road, Honeydew CA 95545

Mailing Address: 3398 The Alameda Concord CA, 94519

Parcel Numbers: 107-233-010, 107-300-008, 107-233-013, 107-234-014, 107-234-013, & 107-056-003

General Plan Designation: Timberland

Zone: TPZ

Parcel Size: 557 acres (Total)

HUC12 Watershed: Middle Mattole River

Disturbed Area: 259,121 square feet

Cultivation Area: 55,800 square feet

Tier Level: Tier 2

Risk Level: Low Risk

Abbreviations

BPTC	Best Practical Treatment and Control Measures
CA	Cultivation Area
CPP	Corrugated Plastic Pipe
CMP	Corrugated Metal Pipe
CDFW	California Department of Fish and Wildlife
DRC	Ditch Relief Culvert
GRC	Green Road Consulting
HDPE	High-density Polyethylene
IBD	In-board Ditch
LSAA	Lake or Streambed Alteration Agreement
NCRWQCB	North Coast Regional Water Quality Control Board
PWA	Pacific Watershed Associates
POD	Point of Diversion
POF	Point of Overflow
SIUR	Small Irrigation Use Registration
SWRCB	State Water Resources Control Board
STX	Stream Crossing

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Best Practical Treatment or Control (BPTC) Measures.....	Error! Bookmark not defined.

1. Introduction

This document was prepared by Green Road Consulting (GRC) for Humboldt Gardens LLC; parcel numbers 107-233-010, 107-300-008, and a recently merged parcel (formerly 107-233-013, 107-234-014, 107-234-013, & 107-056-003 (contiguous), as required by the SWRCB Order WQ 2017-0023-DWQ¹. The purpose of the order is to provide a regulatory structure for cannabis cultivation that reduces contributions to existing water quality issues and prevents additional adverse impacts to water resources throughout California. The purpose of the Site Management Plan is to identify conditions present on a parcel that may pose a threat to water quality and resources and establish a plan to meet or surpass requirements set forth in the order. GRC has made an initial assessment of this parcel through field work as well as through a variety of county, state, and private websites (e.g. USDA web soil survey, USGS stream stats program, Google Earth, Humboldt County Web GIS). The parcel boundaries are approximate and obtained from Humboldt County. Property lines on maps created by GRC may be shifted to match property line and corners located in the field. The site was surveyed with a GPS unit (2 to 4-meter accuracy) to document roads, buildings, cultivation sites, watercourses, and areas requiring remediation. Maps were created using the software ESRI ArcMap.

2. Site Characteristics

2.1. General

The site is in Southwestern Humboldt County, approximately 30-miles north of the City of Honeydew and can be accessed from Panther Gap Road, just off Mattole Road, which links Honeydew with Hwy 101. Parcel boundaries on the attached maps are the result of a parcel line survey conducted in the summer of 2019 by a licensed surveyor. The elevation of the site is approximately 1,100-2,500 feet above sea level. The parcel is located on a mountainous ridge with unnamed drainages that flow West into Dry Creek and East into an unnamed tributary of Dry Creek. Dry Creek is in turn a tributary of the Mattole River; the confluence of the two lying about 2 miles downstream from the site. The Mattole River is on the USEPA's Section 303(d) list for impairment or threat of impairment to water quality associated with elevated sediment and temperature levels. The Mattole River Watershed is known to have Coho and Chinook Salmon as well as Steelhead trout which are designated as a Federally and State threatened species. Slopes on the site range from 0% ridgetops to historical cuts made in 50% slopes. No disturbed area was observed on naturally >50% slopes. The hillslopes in the region are known to have moderate instability. The site geology is part of the Franciscan Complex which is primarily composed of Late Cretaceous to Pliocene sandstone, shale and minor conglomerate. The region was historically logged with legacy logging roads and landings throughout the site.

2.2. Site Overview

Structures on the approximately 550-acre property include three (3) residences, eleven (11) storage sheds, and multiple Conex-box containers. Other developments include three permitted groundwater wells, three unpermitted septic systems, two flats used for miscellaneous storage, and ten (10) cultivation flats. Water for cultivation and for domestic uses is drawn from permitted groundwater wells. The parcel is not grid tied and currently uses generators as its source of power. There are large fuel storage tanks on

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

the site.

The site currently has nine location where cultivation takes place (CA). The total cultivation area is 55,580 -ft². The site had approximately 259,121-ft² of disturbed area. There was no disturbed area located within riparian setbacks. Proper adherence to the erosion and sediment control measures specified in the “Erosion Prevention and Sediment Capture” section of this report will be necessary to ensure all land disturbances are sufficiently mitigated. Existing roads are stable, with no disturbed areas within the riparian setbacks. Therefore, GRC determines this site to be of a *Low Risk* to watershed impairment.

Table 1. Cultivation area overview.

Cultivation Area (CA)	Disturbed Area (ft ²)	Natural Slope (%)	Distance to Water Body (ft)*	Water Body Classification
CA1	24,344	0-5%	180	Class III
CA2	18,918	30-35%	310	Class III
CA3	9,669	40-45%	650	Class III
CA4	16,714	35-40%	370	Class II
CA5	13,111	0-5%	230	Class III
CA6	23,574	20-25%	595	Class III
CA7	41,284	20-25%	370	Class III
CA8	24,883	30-35%	180	Class III
CA9	6,264	45-50%	330	Class III
CA10	40,000	30-35%	125	Class III

*Distance to Waterbody (ft) is not an exact distance; slope is not factored in.

2.3. Access Roads

The site contains 6.2-miles of seasonal access roads, all of which were renovated on the summer of 2019. Roads were bladed and compacted, with drainage features installed as needed, including rolling dips, inboard ditches, and ditch relief culverts. The entire road system is therefore currently in excellent condition. The seasonal access roads on the site are maintained on an as-need basis. The roads are only used during cultivation season, May through October. The roads are used minimally by workers navigating the site and bringing in supplies. Workers are on the site daily and most supplies are brought in the beginning of the season. Vehicles are mainly parked near the residence or the cultivation areas. Existing roads are stable, with no disturbed areas located near riparian setbacks. Roads are designed, constructed, and maintained, or reconstructed consistent with the *Road Handbook for Forest, Ranch, and Rural Roads* by Pacific Watershed Associates and implement the interim and long-term erosion control prevention and soil stabilization measures contained in “Attachment A”.

2.4. Stream Crossings

Across all three parcels, there is only one stream crossing that is the responsibility of the property owner. Most of the road system was installed on the top and sides of a ridge above the heads of various Class III watercourses which drain West into Dry Creek and East into an unnamed tributary of Dry Creek. The single stream crossing (STX1) is on a seasonal access road leading downhill from CA1 on APN 107-233-010 towards a neighboring property. This road is only used by the neighbor for access to their property. It is not used in any way for commercial cannabis activities associated with Humboldt Gardens LLC. An LSA agreement has been applied for, with recommendations to upgrade the crossing by installing a new

culvert at grade. All instream work will be fully permitted through the appropriate agencies (e.g. CDFW, SWRCB) before work commences.

Table 2. Overview of stream crossing on the property.

Stream Crossing (STX)	Existing Size (inch)	Type	Watercourse Class	Action
STX1	12	Culvert	Class II	Remove culvert and install rocked ford
STX2	18	Culvert	Class III	Upgrade to 36" culvert
STX3	20	Culvert	Class III	Remove culvert and restore channel
STX4	24	Culvert	Class III	Armor outlet and monitor
STX5	24	Culvert	Class III	Armor outlet and monitor
STX6	n/a	Dirt Ford	Class III	Install Rocked Ford
STX7	n/a	Dirt Ford	Class III	Install 24" culvert
STX8	20	Culvert	Class III	Upgrade to 30" culvert
STX9	n/a	Dirt Ford	Class III	Install Rocked Ford
STX10	n/a	Dirt Ford	Class III	Install Rocked Ford

2.5. Legacy Waste Discharges

The entirety of the 488 acres area on these three parcels was historically logged. The majority of the access roads on the property were constructed during these operations, as well as landings. Most of these have been redeveloped since then (such as renovation of the road system). Based on multiple site visits, the mapped roads appear to be the extent of the historical road system, but other skid trails may exist, though in a reasonably denaturalized state.

3. Erosion Prevention and Sediment Capture

The disturbed areas consisted of the cultivation areas, soils/amendment piles, erosion-prone road segments, and a storage area as shown on the Site Map. Map points correspond to the Remediation Summary Table found in section 10 of this report.

4. Water Uses

Water for cannabis irrigation is sourced from the sites three permitted groundwater wells. Water for domestic uses is drawn from these same wells. All irrigation infrastructure will be regularly inspected for leaks and immediately repaired if any are found. Woodchips or rice straw will be used as mulch in cultivation areas that do not have vegetative ground cover to reduce evaporation and conserve water. The cultivator will record irrigation water usage by daily checking water meters and maintaining records on site for a minimum of 5 years. Since the site sources water from a confined aquifer there are no forbearance restrictions. The estimated annual water use is summarized below in table 3.

Table 3. Annual water uses on the parcel.

Source	Use	Start Date	End Date	To Storage (gallons)	To Use (gallons)
Well 1	Cannabis	Apr. 1	Nov. 1	3,500	100,000
Well 1	Domestic	Jan. 1	Dec. 31	2,500	120,000
Well 2	Cannabis	Apr. 1	Nov. 1	10,500	230,000

Well 2	Domestic	Jan. 1	Dec. 31	2,500	20,000
Well 3	Cannabis	Apr. 1	Nov. 1	10,500	230,000
Well 3	Domestic	Jan. 1	Dec. 31	2,500	100,000

*Water use has been estimated if water meters are not installed.

The site has a total of 32,000 gallons of water storage available which is summarized in Table 4. Water is pumped from the various wells to holding tanks above each cultivation and domestic use area, then gravity fed for actual application. Therefore, no forbearance is required and water storage is summarized here for the sake of comprehensiveness. Irrigation methods will ensure water is applied at agronomic rates. Using drip irrigation and irrigating deeply during the early morning is recommended.

Table 4. Summary of water storage on the parcel.

Water Storage Type	Size (gallons)	Quantity	Total (gallons)
Hard Tank	1,000	1	1,000
Hard Tank	2,500	10	25,000
Hard Tank	3,000	2	6,000
		Total	32,000

5. Fertilizers, Pesticides and Herbicides

5.1. Application, Storage and Disposal

All fertilizers, pesticides, herbicides and rodenticides will be mixed or prepared in locations where they cannot enter a waterbody (surface or groundwater). Fertilizers, pesticides, herbicides and rodenticides shall be applied at agronomic rates specified on the product label. The enrollee will keep a log of their fertilizers, pesticides and herbicides use for annual reporting. All labels will be kept, and directions followed when amendments and fertilizers are applied. All liquid chemicals will be stored in separate secondary containment. During the off season all chemicals will be stored in a covered building. Agricultural chemicals will not be applied within 48-hr of a predicted rain event with a 50% or greater chance of 0.25-inches. Disposal of unused products will be consistent with labels on containers. Empty containers will be disposed of at an authorized recycling center. A spill clean-up kit will be stored in the garage/shop. No restricted materials or pesticides will be used or stored on site. No greater than 319 pounds of nitrogen per acre per year shall be applied. A summary of fertilizers, pesticides, and herbicides used annually are listed below in Table 5.

Table 5. Overview of annual chemical use.

Product Name	Chemical Type	N-P-K or Active Ingredient	Annual Use (lbs. or gallons)
Age Old Grow	Fertilizer	12-6-6	35 Gal
Age Old Bloom	Fertilizer	5-10-5	35 Gal
Soluble Kelp	Fertilizer	0.5-0.5-17	25 lbs.

Triple 16	Fertilizer	16-16-16	15 lbs.
Cal Mag	Fertilizer	9-0-0	20 lbs.
Full Vex	Fertilizer	16-4-8	25 lbs.
Green Clean	Insecticide Fungicide	Soybean Oil, Sodium Lauryl Sulfate, citric acid and isopropyl alcohol	15 Gal

5.2. Spill Prevention and Clean Up

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

6. Petroleum

6.1. Use, Storage, and Disposal

The site is not grid tied and uses petroleum-powered generators for domestic and cultivation-related power supply. The site currently utilizes three 6.5 KW and one 8 KW diesel generators as well as a limited solar array. Due to county regulations, use of generators will be phased out quickly, with solar arrays installed for pumping wells, running greenhouse fans, powering drying rooms, etc. in the mean time, generators will need to be stored with a covered drip containment basin outside of riparian setbacks. Fueling of the generators, as well as any other equipment or vehicles, will also take place outside of the riparian setbacks. All equipment containing petroleum derivatives will be inspected regularly for leaks. When the generators are not in use they will be stored in a covered building with an impermeable floor. A summary of annual petroleum use is listed below in Table 6.

Table 6. Overview annual petroleum usage.

Product	Chemical Type	Annual Use (lbs. or gallons)
Diesel	Petroleum	950 gallons
Motor Oil	Petroleum	65 gallons

7. Cultivation Waste, Trash/Refuse and Domestic Wastewater

7.1. Trash/Refuse Overview

All trash is locked up in the garbage storage on site in three designated trash receptacle areas. and is removed on a regular basis to a waste management facility in Fortuna, CA. No trash or debris will be allowed to enter a watercourse or riparian setback area. Compostable cultivation waste will be stored in a location and manner where it cannot be transported to surface waters. Spent growth medium (e.g. soil)

shall either be reused, disposed of at an appropriate waste site, or be spread outside of riparian setbacks and planted with native vegetation.

7.2. Domestic Wastewater BPTC Measures

There are three residential buildings at this site, all of which have unpermitted septic systems installed. Portable toilets are brought onto the site for seasonal workers as needed. Portable toilets will be serviced regularly and located outside of riparian setbacks and away from unstable areas.

8. Winterization Measures

8.1. Summary

It is required that winterization measures be completed annually before the onset of the winter rainy season. The SWRCB has defined the winter season as beginning November 1st and concluding April 1st. Winterization measures apply to cultivation areas, any additional disturbed areas including roads, and stream crossings. These measures aim to prepare the site for an extended period of heavy precipitation during which frequent access, monitoring, and maintenance can be challenging or infeasible. The end goal is to reduce the erosion of unstable areas and prevent the delivery of eroded sediment to sensitive waterways. One of the primary techniques of winterization consists of stabilizing all bare soils with straw and seed. Fiber rolls shall additionally be installed at grade breaks and along slopes of disturbed areas to break up flow paths, thereby reducing the speed and erosive energy of runoff. No heavy machinery shall be used during the winter season to avoid the degradation of saturated roadways and unstable surfaces. Soil stockpiles shall be guarded before the onset of winter with a cover and/or perimeter controls such as fiber rolls. Culverts shall be inspected and maintained to ensure integrity during winter. This includes clearing inlets and outlets of sediment and/or debris and ensuring that sufficient energy dissipation exists at outlets to reduce bank erosion. Seasonal access roads shall be locked to ensure that roads are not in use during the wet season by trespassers. Aside from the erosion control components to winterization, a general and thorough site cleanup will be performed to remove all refuse from the site. Additionally, all fertilizers and petroleum products to be left on site will be stored in secondary containment and locked in the shipping container to avoid spillage and discharge to surface or groundwater. Winterization measures for medium risk sites are covered in more detail in the Site Erosion and Sediment Control Plan to be submitted for that site.

9. Monitoring

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

Table 7. Facility status monitoring requirements.

Monitoring Requirement	Description
------------------------	-------------

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

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

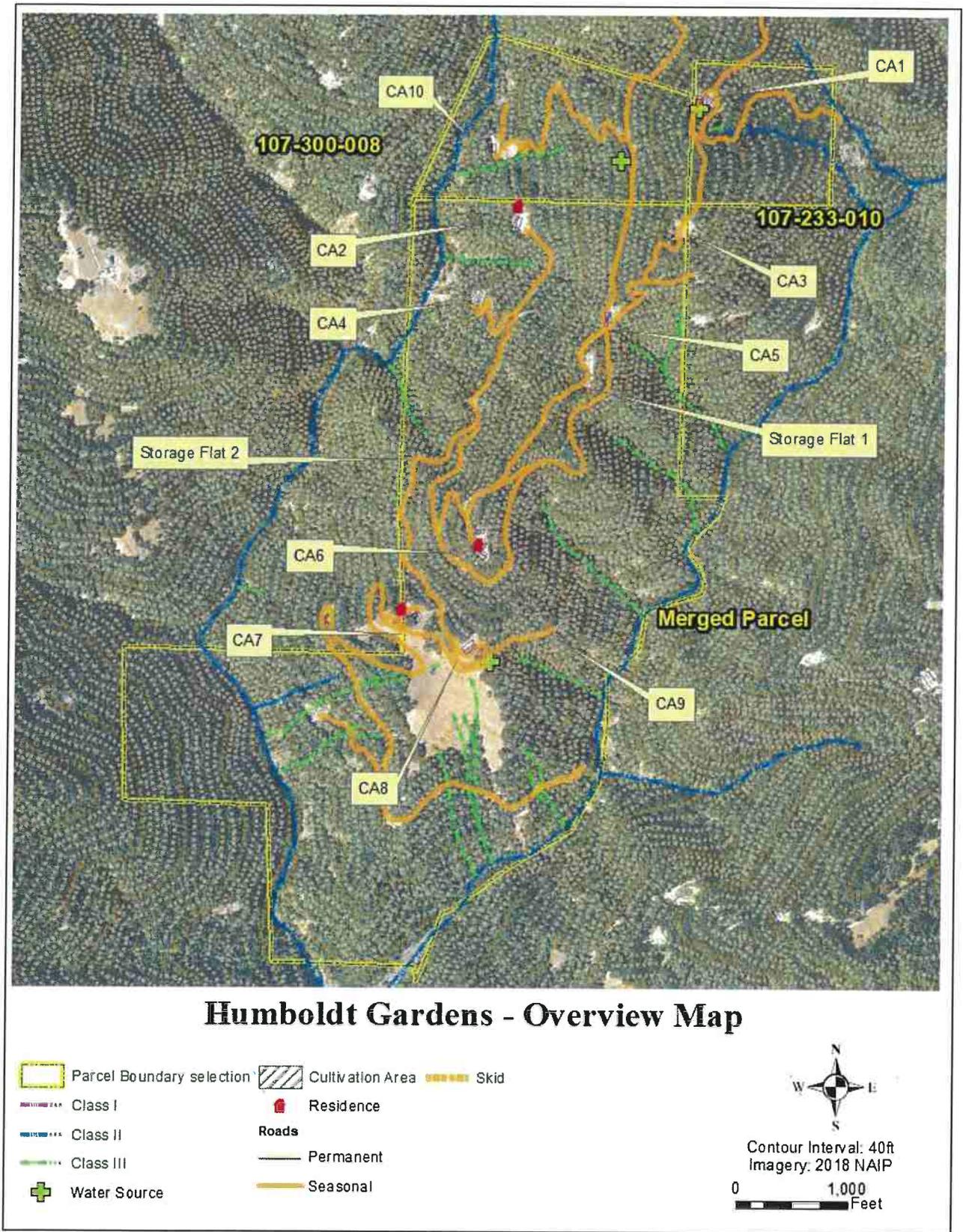
Legally Responsible Person _____ **Date** _____

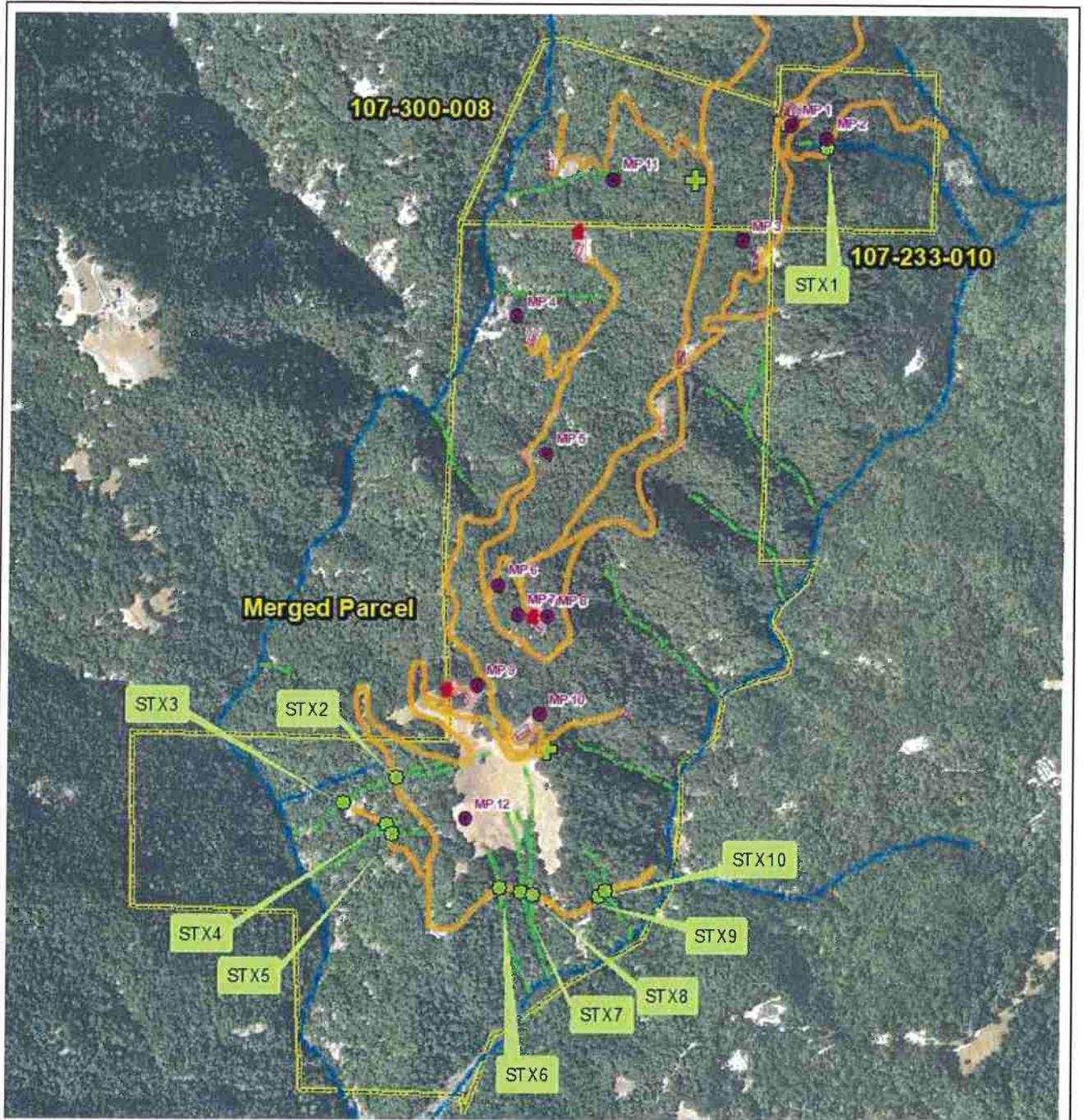
10. Remediation Summary Table

Map Point (MP)	Topic	Issue	Remediation Measure	Treatment Priority	Expected Completion Date	Actual Completion Date
MP1	Fertilizers, Pesticides and Petroleum Products	6.5KW generator is stored without secondary containment	Install a catchment basin and rain cover for all petroleum equipment. Ensure filling of generators and fuel storage does not occur over bare soil	Moderate	November 2020	
MP2	Stream Crossing Installation and Maintenance	A 12" stream crossing culvert is undersized and not installed to stream grade	Replace STX culvert with 18" corrugated metal pipe at stream grade, after CDFW agreement is finalized	Moderate	October 2021	
MP3	Land Development and Maintenance	A storage/multipurpose shed is located on the property line between two legal parcels. The neighboring parcel does not have coverage under the waterboard general order	Move shed from parcel boundary or construct new area for materials storage that is located within the boundaries of APN 107-233-010	Low	October 2021	
MP4	Land Development and Maintenance	Relatively freshly moved soil from grading on flat is in need of additional erosion control measures	Apply straw mulch and grass seed for stability on all bare soil areas. Install three rows of straw wattle on the fill slope face, perpendicular to slope	Moderate	October 2021	
MP5	Fertilizers, Pesticides and Petroleum Products	Several generators that are not in use are stored on a roadside flat without proper secondary containment	Even when not in use, petroleum-fueled equipment shall be stored over a catchment basin with adequate rain cover	Low	October 2021	
MP6	Erosion Control	A steep section of road that was recently bladed for proper runoff (out sloped w/ waterbars) has left unconsolidated road spoils at the road edge, near a steep embankment	The road spoils will be covered with straw and seeded for stability, with wattles installed downhill to slow runoff and catch sediment.	High	November 2020	

Map Point (MP)	Topic	Issue	Remediation Measure	Treatment Priority	Expected Completion Date	Actual Completion Date
MP7	Fertilizers, Pesticides and Petroleum Products	6.5KW generator is stored without secondary containment	Install a catchment basin and rain cover for all petroleum equipment. Ensure filling of generators and fuel storage does not occur over bare soil	Moderate	November 2020	
MP8	Soil Disposal and Spoils Management	Potting soil has been piled for long-term storage	Consolidate and cover potting soil spoils with waterproof tarp and surround with straw wattle perimeter through the wet season.	Low	October 2021	
MP9	Erosion Control	A legacy logging road contributing to concentrated runoff and erosion was recently fixed, but appropriate soil stabilization was not applied	Apply erosion control on fresh grading by installing straw wattle at 6-foot intervals, covering all bare soil with straw mulch, and seed with native grass seeds	High	November 2022	
MP10	Erosion Control	Erosion noted where concentrated road runoff drains to hillside	Armor drainage dip with rock and monitor	Moderate	October 2020	
MP11	Erosion Control	The switch backing road that leads to Cultivation Area CA10 is overly steep with poor drainage increasing the risk of hydrologic connectivity with a nearby class III watercourse.	The road will be recontoured with drainage dips installed to convey stormwater north away from the nearby watercourse, with sediment settlement and energy dissipation features installed as appropriate.	High	October 2021	
MP12	Stream Crossing Installation and Maintenance	Nine stream crossings on the southern portion of the parcel must be maintained to CDFW standards for 100 year storm event	All stream crossings will be maintained, replaced, or removed as specified in the Lake and Streambed Alteration Agreement (LSAA) issued by CDFW	Moderate	October 2021	

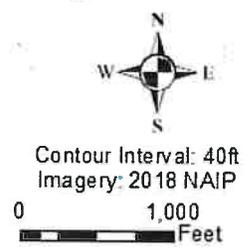
11. Appendices

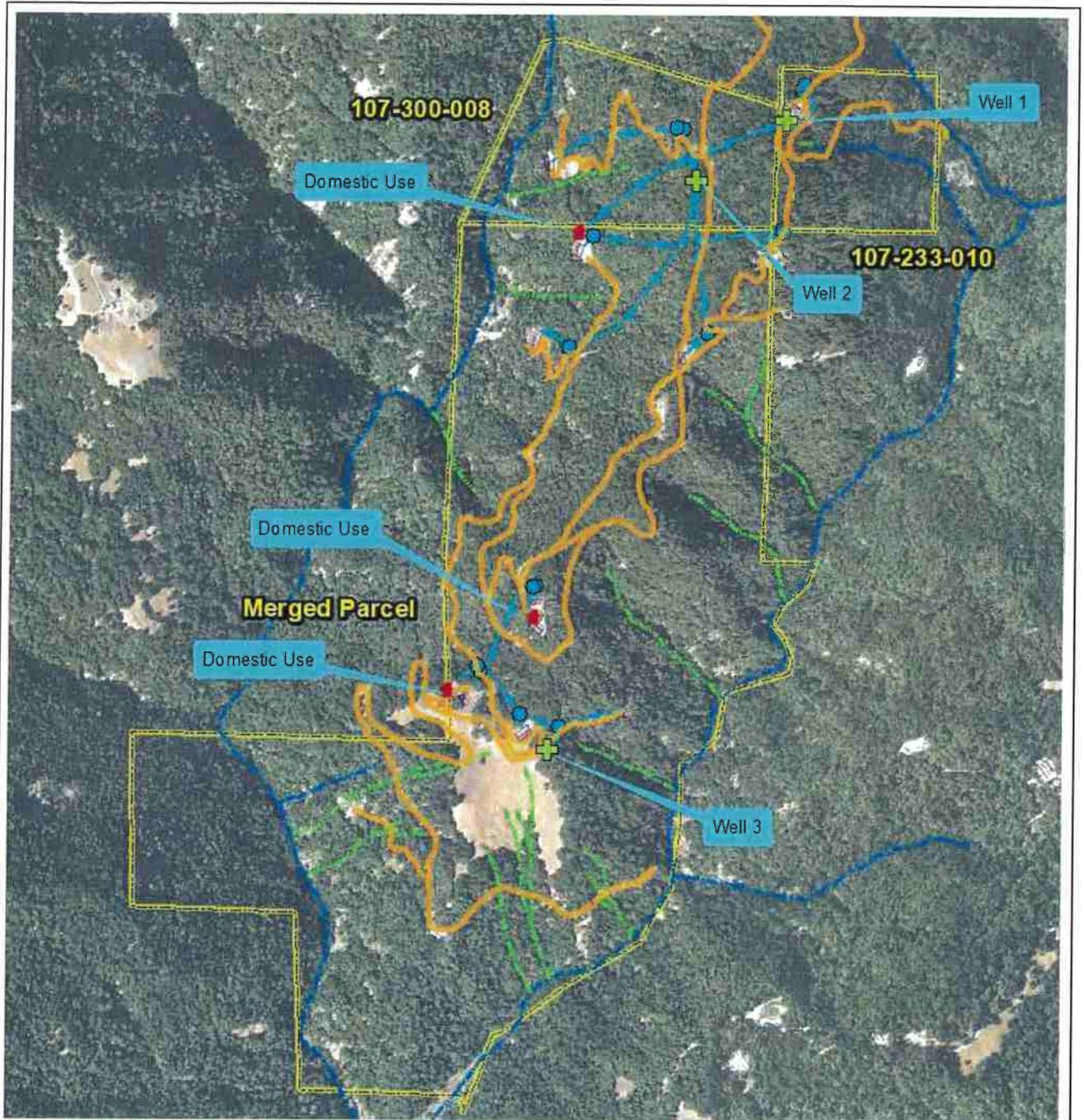




Humboldt Gardens - Disturbed Areas Map

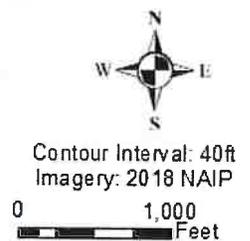
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|---------------------------|------------------|------------|
| Parcel Boundary selection | Water Source | Roads |
| Class I | Stream Crossing | Permanent |
| Class II | Cultivation Area | Seasonal |
| Class III | Residence | Skid |
| Disturbed Area | | Map Points |





Humboldt Gardens - Water Use Map

- | | | |
|---------------------------|------------------|--------------|
| Parcel Boundary selection | Water Tank | Roads |
| Class I | Water Line | Permanent |
| Class II | Cultivation Area | Seasonal |
| Class III | Residence | Skid |
| Water Source | | |





GREEN ROAD CONSULTING

15706

Site Plan Overview and Cultivation and Operations Plan

Applicant/Owner

Humboldt Gardens, LLC

1928 Central Avenue, #112

McKinleyville, CA 95519

APNs: 107-233-013, 107-234-014, 107-234-013 & 107-056-003 (Merged)

Phone Number: 925-595-0704

Agent

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1650 Central Avenue, Suite C

McKinleyville, CA 95519



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I. Site Plan Overview

1.0 Project Information

Humboldt Gardens, LLC ("Applicant") is submitting this application for a Special Permit for 43,560-square feet of existing outdoor commercial cannabis cultivation in greenhouses on a 463-acre parcel, located near Honeydew, CA ("Parcel"). The subject parcel has been created through the merger of Assessor's Parcel Numbers 107-233-013, 107-234-014, 107-234-013 and 107-056-003 in June 2020.

The Applicant sources water from three (3) permitted ground water wells on the parcel. A well completion report is included with the project and has been submitted to the California Department of Fish and Wildlife via a 1602 Lake and Streambed Alteration Agreement notification.

There are eleven (11) HDPE water tanks onsite totaling to 28,500-gallons of water storage for the parcel. The Applicant estimates their annual water use to be 416,756-gallons.

There are eleven (11) buildings on site, six (6) of which are related to cannabis cultivation. There are three residences (residences 1, 2, & 3) and two sheds (sheds 1 & 2) with no nexus to cannabis cultivation and used for domestic purposes. Locations and dimensions of the buildings are listed on the attached Plot Plan.

Three shipping containers (#1, #2 and #3) are used for storage of tools and amendments for cannabis cultivation activities. It is proposed that shipping container 2 be relocated and in its place a new metal storage building will be constructed (Shed 3). Three existing shed structures are used for drying and storing harvested cannabis (Dry Sheds 1, 3, and 4). A new ag-exempt shed structures is proposed (Dry Shed 2) as well as an extension of Dry Shed 3. Locations and dimensions of existing and proposed cannabis-related structures are listed on the attached Plot Plan.

Power is provided to the primary residence through a 6.5 kW generator. Four 2.5 kW mobile solar generator/battery units are used for cultivation-related power uses (such as powering dry sheds) and the other residences. The greenhouses will have solar powered snap fans. The well pumps run off of dedicated solar panels. The Applicant does not anticipate the need for any additional power for the cultivation.

There are no compost or soil piles on site. Trash and refuse are stored in water tight containers on each flat.

Following code enforcement action, all existing cultivation infrastructure had been removed from the entire site. However, the Applicant intends to replace the greenhouses that were existing prior to January 1, 2016 on site totaling to 43,560 ft² of cultivation area. Ag-exempt building plans have been submitted for these structures. The Applicant is anticipating one (1) harvest annually from the greenhouses, sometime in October. The Applicant will be hiring a licensed 3rd party processor.

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

The Special Permit would achieve the following results for the Applicant:

- a. Permit 43,560 square feet of outdoor commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CCLUO.
- b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the State Water Resources Control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near Honeydew, CA. The Parcel is comprised of 463-acres and is identified by Assessor's Parcel Numbers ("APNs") 107-233-013, 107-234-014, 107-234-013, and 107-056-003. These parcels were merged into a single legal parcel, but at this time no new APN covering the entire area has been issued. There is no street address for the parcel.

2.1 Zoning Classification

The County's Zoning Classification of the Parcel is TPZ with a Current General Plan Framework of T. The CCLUO permits existing commercial cannabis cultivation on land zoned as TPZ with open air cultivation sites between 10,000 square feet and 43,560 square feet with a Special Permit.

2.2 Site Topography

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

3.0 Easements

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

Exhibit A

DESCRIPTION

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

PARCEL ONE

The Southwest Quarter of Section 27, In Township 2 South, Range 1 East, Humboldt Meridian.

EXCEPTING THEREFROM all coal and other minerals In said land, together with the right to prospect for, mine and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat. 862) as reserved by the United States Patent to Albert Johnson, recorded May 18, 1923 In Book 23 of Patents, Page 311.

PARCEL TWO

A non-exclusive pipeline easement for the purpose of transporting water over a strip of land 5 feet in width together with the "right to take water from a tributary of Dry Creed". The North line of said pipeline easement is described as follows:

BEGINNING at a point on the South line of Section 27, Township 2 South, Range 1 East, Humboldt Meridian, a distance of 5 feet Westerly from the Southeast corner of the southwest Quarter of said section and thence along said South line Easterly 150 feet, more or less to a tributary of Dry Creek.

PARCEL THREE

A non-exclusive easement for ingress and egress over a strip of land 50 feet in width located within the Southwest Quarter of Section 22 and the Northwest Quarter of Section 27, Township 2 South, Range 1 East, Humboldt Meridian, the center line of which is described as follows:

COMMENCING at the Southwest corner of Section 22, Township 2 South, Range 1 East, Humboldt Meridian;

thence North 2 degrees 37 minutes East 2216.81 feet to a point which is the intersection of the Mattole Road (Country Road Number F3D010) and an existing road. Said point being the true point of beginning;

thence traversing the approximate following center line:

Continue North 74 degrees East 332.3 feet;

thence South 69 degrees 30 minutes East, 296.6 feet;

thence South 61 degrees 45 minutes East, 298.8 feet;

thence South 60 degrees 30 minutes East, 108.1 feet; thence North 85 degrees East, 136.7 feet;

thence South 52 degrees 15 minutes East, 230.9 feet;

thence South 13 degrees 45 minutes East, 241.4 feet; thence North 76 degrees East, 180.2 feet;

thence South 47 degrees East, 295.8 feet;

thence South 51 degrees 30 minutes East, 158.1 feet; thence South 15 degrees East, 204.2 feet;

thence South 71 degrees 30 minutes East, 237.5 feet;

thence South 47 degrees 30 minutes East, 90.1 feet; thence South 29 degrees West, 298.0 feet;

thence South 5 degrees East, 65.2 feet;

thence South 42 degrees 30 minutes East, 276.6 feet;

thence South 5 degrees 30 minutes West, **96.6** feet;

thence South 31 degrees 15 minutes East, 145.4 feet; thence due South 249.8 feet;

thence South 53 degrees 45 minutes West 279.4 feet;

thence South 83 degrees West, 160.8 feet;

thence South 42 degrees 30 minutes West, 104.1 feet;

thence South 24 degrees 30 minutes West, 480.9 feet; thence South 29 degrees East, 133.2 feet;

thence South 78 degrees 45 minutes East, 299.0 feet; thence South 35 degrees East, 298.5 feet;

thence South 80 degrees East, 145.1 feet; thence South 20 degrees East, 141.9 feet; thence South 60 degrees West 176.8 feet;

thence South 31 degrees 30 minutes West, 219.3 feet;

thence South 41 degrees 15 minutes West, 164.0 feet;

thence South 75 degrees 15 minutes West, 198.7 feet;

thence South 2 degrees 45 minutes West, 155.7 feet;

thence South 12 degrees 15 minutes West, 210.1 feet;

thence South 13 degrees 30 minutes East, 570.7 feet; thence South 8 degrees East, 59.7 feet;

thence South 35 degrees 45 minutes West, 66.3 feet; thence South 0 degrees 15 minutes West, 155.0 feet; thence South 19 degrees 30 minutes West, 353.1 feet;

thence South 3 degrees 15 minutes West, 201.4 feet;

thence South 4 degrees 15 minutes East, 135.5 feet; thence South 21 degrees West, 217.1 feet;

thence South 27 degrees West, 101.9 feet;

thence South 9 degrees 15 minutes East, 295.4, feet;

thence South 9 degrees East, 92.1 feet;

thence South 13 degrees 30 minutes West, 137.0 feet;

thence South 11 degrees East, 176.8 feet; thence South 57 degrees West **381.6** feet;

thence South 14 degrees 15 minutes West, 105.4 feet; thence South 16 degrees East, 241.0 feet;

thence South 35 degrees 30 minutes East, 142.0 feet;

thence South 15 degrees 45 minutes West, 130.7 feet;

thence North 64 degrees 15 minutes West, 101.8 feet;

thence North 51 degrees 15 minutes West, 173.2 feet;

thence South 67 degrees 45 minutes West, 224.6 feet;

thence South 35 degrees 15 minutes West, 201.1 feet;

thence South 20 degrees 30 minutes West, 101.7 feet; thence South 35 degrees West, 98.5 feet;

thence South 0 degrees 15 minutes West, 104.6 feet;

thence South 16 degrees 30 minutes West, 145.0 feet;

thence South 17 degrees 30 minutes East, 287.6 feet;

thence South 10 degrees 45 minutes West, 76.3 feet;

thence South 51 degrees 45 minutes West, 239.5 feet;

thence North 56 degrees 30 minutes West, 443.2 feet;

thence North 33 degrees 15 minutes West, 251.4 feet;

thence North 7 degrees 15 minutes West, 452.9 feet;

thence North 63 degrees 45 minutes East, 259.3 feet; thence North 17 degrees East, 149.4 feet;

thence North 15 degrees 45 minutes West, 104.5 feet; thence North 47 degrees East, 245.6 feet;

thence North 1 degree 45 minutes East, 159.7 feet; thence North 45 degrees West, 127.3 feet;

thence South 14 degrees 30 minutes East, 201.8 feet;

thence South 52 degrees 15 minutes West, 273.3 feet;

thence South 11 degrees 15 minutes West, 196.7 feet;

thence North 88 degrees 30 minutes West, 274.1 feet; thence South 13 degrees West, 295.4 feet;

thence South 12 degrees 30 minutes West, 230.9 feet;

thence South 20 degrees 15 minutes East, 245.7 feet;

thence South 14 degrees 15 minutes West, 199.6 feet; thence South 46 degrees East, 293.9 feet;

thence South 43 degrees 30 minutes East, 251.7 feet;

thence South 3 degrees 15 minutes West, 207.6 feet; thence South 49 degrees East, 113.6 feet;

thence South 11 degrees East, 162.3 feet;

thence South 38 degrees 30 minutes East, 151.0 feet;

thence North 72 degrees 45 minutes East, 215.3 feet; thence South 19 degrees West, 85.3 feet;

thence South 83 degrees 45 minutes West, 244.4 feet, more or less, to the South line of the

Northwest Quarter of the Northwest Quarter of Section 34, Township 2 South, Range 1 East, Humboldt Meridian, and this being the terminating point of said easement.

EXCEPTING THEREFROM that portion thereof lying Southerly of the Northerly line of Parcel One above described.

PARCEL FOUR

A non-exclusive right of way for Ingress, egress and utilities being the same as granted to Doyle Metheny and Gwendolyn Metheny by Easement Deed recorded November 10, 1998 as Instrument No.1998-29183-4, Humboldt County Official Records.

4.0 Natural Waterways

The property is bordered by two class two watercourses, with multiple small ephemeral class III water courses draining east, south and west from the ridgetop that comprises most of the property. The cultivation is located atop this ridge and is well outside of the 50-foot and 100-foot riparian setbacks around the watercourses.

5.0 Location and Area of Existing Cultivation

Outdoor, Open-Air Cultivation – 43,560 ft²

*The Applicant anticipates one harvest annually from their cultivation areas.

Greenhouse #1 and #2

Greenhouse #1 and #2 are 100'x30' greenhouses (3,000 ft² each) totaling 6,000 ft² of canopy area.

Greenhouse #3

Greenhouse #3 is a 90'x30' greenhouse totaling 2,700 ft² of canopy area.

Greenhouse #4

Greenhouse #4 is a 110'x24' greenhouse totaling 2,640 ft² of canopy area.

Greenhouse #5

Greenhouse #5 is a 90'x20' greenhouse totaling 1,800 ft² of canopy area.

Greenhouse #6

Greenhouse #6 is a 80'x20' greenhouse totaling 1,600 ft² of canopy area.

Greenhouse #7

Greenhouse #7 is a 120'x24' greenhouse totaling 2,880 ft² of canopy area.

Greenhouse #8

Greenhouse #8 is a 70'x38' greenhouse totaling 2,660 ft² of canopy area

Greenhouse #9

Greenhouse #9 is a 70'x28' greenhouse totaling 1,960 ft² of canopy area

Greenhouse #10

Greenhouse #10 is a 100'x28' greenhouse totaling 2,800 ft² of canopy area

Greenhouse #11

Greenhouse #11 is a 60'x34' greenhouse totaling 2,040 ft² of canopy area

Greenhouse #12

Greenhouse #12 is a 170'x34' greenhouse totaling 5,780 ft² of canopy area

Greenhouse #13

Greenhouse #13 is a 157'x34' greenhouse totaling 5,338 ft² of canopy area

Greenhouse #14

Greenhouse #14 is a 100'x24' greenhouse totaling 3,400 ft² of canopy area

Greenhouse #15

Greenhouse #15 is a 70'x28' greenhouse totaling 1,960 ft² of canopy area

6.0 Setbacks of Cultivation Area

Greenhouse #1, #2, #5, #14 & #15 reside within 300 feet of a neighboring parcel. All other cultivation areas are setback from the parcel lines by more than 300 feet. The applicant will be obtaining written consent from any neighboring parcel that he does not already own.

7.0 Access Roads

The following details regarding the Access Roads, Stream Crossings and Legacy Waste Discharges were gathered from an initial Site Investigation, which was conducted in accordance with SWRCB Order WQ 2017-0023-DWQ.

All roads on site will be maintained by the property owner. In 2019, all roads were brought up to the standards set forth in the Pacific Watershed Associates (PWA) "Handbook for Forest, Ranch, and Rural Roads" in order to minimize the impact these roads will have on nearby watercourses. All roads on the site are in excellent working condition from both a traffic safety and environmental quality perspective.

There are eight (8) stream crossings located on the site, which are all confined to the southern portion of the property.

8.0 Graded Flats

There are twelve (12) graded flats on the parcel, for which as-built grading plans have been prepared and submitted to the Humboldt County Building Department.

9.0 Buildings

9.1 Existing Buildings

Domestic Buildings

Residence 1

Residence 1 is an 1,847 ft² home located on the parcel. It does not have a nexus to the cannabis cultivation activity. It was constructed around 2002.

Residence 2

Residence 2 is a 1,956 ft² home located on the parcel. It does not have a nexus to the cannabis cultivation activity. It was constructed around 2004.

Residence 3

Residence 3 is a 1,300 ft² home located on the parcel. It does not have a nexus to the cannabis cultivation activity. It was constructed around 2004.

Shed 1

Shed 1 is a 1,785 ft² garage/storage shed constructed around 2001 for domestic storage.

Shed 2

Shed 2 is a 1,051 ft² shed constructed around 2014 for use as a gymnasium and other domestic uses and storage.

Cultivation Related Buildings

Shipping Container #1

Shipping Container #1 is a 20'x10' structure that holds the cultivation's nutrients and pesticides in secondary containment totes. It has been on site since 2013.

Shipping Container #2

Shipping Container #2 is a 20'x10' structure that is used to dry and store harvested cannabis. It has been on site since 2013.

Shipping Container #3

Shipping Container #3 is a 20'x10' structure that is used to dry and store harvested cannabis. It has been on site since 2013.

Dry Shed 1

Dry Shed 1 is a 916 ft² shed structure used for drying, curing and storing harvested cannabis. It was constructed around 2014.

Dry Shed 3

Dry Shed 3 is a 1,704 ft² shed structure used for drying, curing and storing harvested cannabis. It was constructed around 2004.

Dry Shed 4

Dry Shed 4 is a 2,469 ft² shed structure used for drying, curing and storing harvested cannabis. It was constructed around 2002.

9.2 Proposed Buildings

Domestic Buildings

Shed 3

Shed 3 is a proposed 2,400 ft² metal building to be used for domestic storage.

Cultivation Related Buildings

Dry Shed 2

Dry Shed 2 is a proposed 1,920 ft² structure to be used for drying, curing and storing harvested cannabis.

Dry Shed 3 Extension

A extension to Dry Shed 3 measuring roughly 1,600 ft² is proposed for Dry Shed 3.

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

10.1 Water Source

Water used for cannabis irrigation is sourced from two permitted groundwater wells. A third permitted groundwater well is used for domestic water at Residence #3 and is located on an adjacent property (same owner).

10.2 Water Storage

The Applicant has eleven (11) HDPE tanks totaling to 28,500-gallons of water storage as outlined below. These tanks are used for temporary storage for each cultivation area, as water is sourced from non-jurisdictional wells not subject to summer forbearance restrictions.

- Nine (9) 2,500-gallon HDPE tanks
- Two (2) 3,000-gallon HDPE tanks

10.3 Irrigation Plan

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

10.4 Projected Water Use

The amount of water used for the cultivation of cannabis will vary throughout the year, with peak periods of water use occurring during the late summer months. Projected water use is estimated as 416,756. The Applicant's cultivation and water use is outlined in the Cultivation and Water Usage Chart, attached as Attachment "B."

10.5 On-Site Water Conservation Measures

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

10.6 Water Use Record Keeping Practices

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

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

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

The following details were gathered from an initial Site Investigation by environmental scientists with Green Road Consulting Inc., which was conducted in order to create a Site Management Plan in compliance with SWRCB Order WQ 2017-0023-DWQ. The Applicant will be enrolled in the Order prior to the beginning of cultivation, between receiving county licensure and application to CalCannabis. The Site Management Plan prepared for the state waterboard is included with this application. All flats have recently been stabilized and the entire road network has been upgraded. There are no major issues on this site in regards to water quality, and the site will be enrolled with the state waterboard under Low Risk status.

All fertilizers, Pesticides, Herbicides and Rodenticides will be mixed or prepared in locations where they cannot enter a waterbody (surface or groundwater). Fertilizers, Pesticides, Herbicides and

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

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

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

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

Portable toilets will be brought onto the site for the seasonal workers until a permitted septic can be installed. Portable toilets will be serviced regularly and located outside of riparian setbacks and away from unstable areas.

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

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

Aside from the erosion control components to winterization, a general and thorough site

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

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

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

- Facility Status, Site Maintenance, and Storm Water Runoff Monitoring
- Name and contact information for the person responsible for operation, maintenance, and monitoring.
- Reporting documents can be emailed to northcoast@waterboards.ca.gov or mailed to 5550 Skylane Blvd., Ste. A, Santa Rosa, CA 95403.

11.0 Biological Assessment

A full biological assessment was completed for the parcel by two qualified biologists, one who focused on a Wildlife Resource Report and one who focused on a Botanical Resource Assessment.

The Wildlife Resource Report came to the conclusion that the proposed action of cannabis cultivation will have no effect on any special status species, either because the project is outside of their known range, suitable habitat is lacking or the proposed project will not result in adverse impacts to the species or their suitable habitat. Project activities are not expected to produce adverse cumulative effects to sensitive wildlife species due to the small size of the project and lack of significant habitat alteration.

The Botanical Resource Assessment found that while the parcel may have several special status plant species habitats, the project proposes no additional disturbance to natural vegetation, and should not have adverse impacts to special status plants assuming they are present on the property. The project is not expected to have indirect impacts such as significant shading or alteration of hydrology.

12.0 Stormwater Management Plan

The Applicant's Compliance Agreements required a Remediation Plan, which was designed specifically to address erosion issues from stormwater and is included with the application. The Applicant has followed through with remediation measures, and along with their rainwater catchment system, anticipate little issues of erosion from stormwater.

13.0 Energy Use

Power is provided to the primary residence through a 6.5 kW generator. Four 2.5 kW mobile solar generator/battery units are used for cultivation-related power uses (such as powering dry sheds) and the other residences. The greenhouses will have solar powered snap fans. The well pumps run off of dedicated solar panels. The Applicant does not anticipate the need for any additional power for the cultivation.

14.0 Compliance Agreement Summary Status

The Applicant has an executed compliance agreement and has completed all necessary documentation. All fees/fines have been paid. A copy of all items produced for the Compliance Agreement are included in this Application.

15.0 Timber Conversion Evaluation

A timber conversion evaluation has been completed for the properties to determine compliance with best forest practice rules.

16.0 Distances from Significant Landmarks

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

II. Cultivation and Operations Plan

1.0 Materials Storage

All fertilizers and amendments are located in Shipping Containers 1, 2 & 3 on the parcel. Fertilizers and amendments are placed on the shelves and floor where any spill will be contained. All labels are kept and directions are followed when nutrients are applied. The storage area is in need of posted instructions for storing fertilizers and amendments, instructions for cleaning up spills and a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (kitty litter).

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

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

1.1 On-Site Waste Treatment System Information

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

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

2.0 Cultivation Activities

The Applicants Cultivation Chart is included as Attachment "B."

Cultivation Standards

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

- Maintain compliance with all applicable state laws and County ordinances
- Maintain valid licenses issued by the appropriate state licensing authority or authorities for the type of activity being conducted, as soon as such licenses become available.
- Where subject to state licensures, participate in local and state programs for "Track and Trace" once available.
- Maintain a current, valid business license at all times.
- Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays).
- Pay all applicable application and annual inspection fees.
- Comply with any special conditions applicable to the permit or Premises which may be imposed.

3.0 Processing Practices

Plants will be harvested one at a time using hand shears and taken into Dry Sheds 1, 3 and 4 where they will be dried and cured. Harvested cannabis will be processed by an off-site, licensed 3rd party processor.

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

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

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

- Applicant shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code.)
- Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions which may include:
 - Emergency action response planning as necessary;

- Employee accident reporting and investigation policies;
- Fire prevention;
- Hazard communication policies, including maintenance of material safety data sheets (MSDS);
- Materials handling policies;
- Job hazard analyses; and
- Personal protective equipment policies, including respiratory protection.
- Applicant will visibly post and maintain an emergency contact list which includes at a minimum:
 - Operation manager contacts;
 - Emergency responder contacts;
 - Poison control contacts.
- At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
- On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

The Applicant will ensure the licensed 3rd party processor of their choosing upholds the following standards.

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

Parking and Public Accommodations

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

4.0 Security Measures

The access road to the parcel is gated and locked.



**GREEN
ROAD**
CONSULTING



Sound Evaluation Report

Prepared For:

Humboldt Gardens, LLC

APN: 107-233-013

Signature of Civil Engineer

Date



Seal

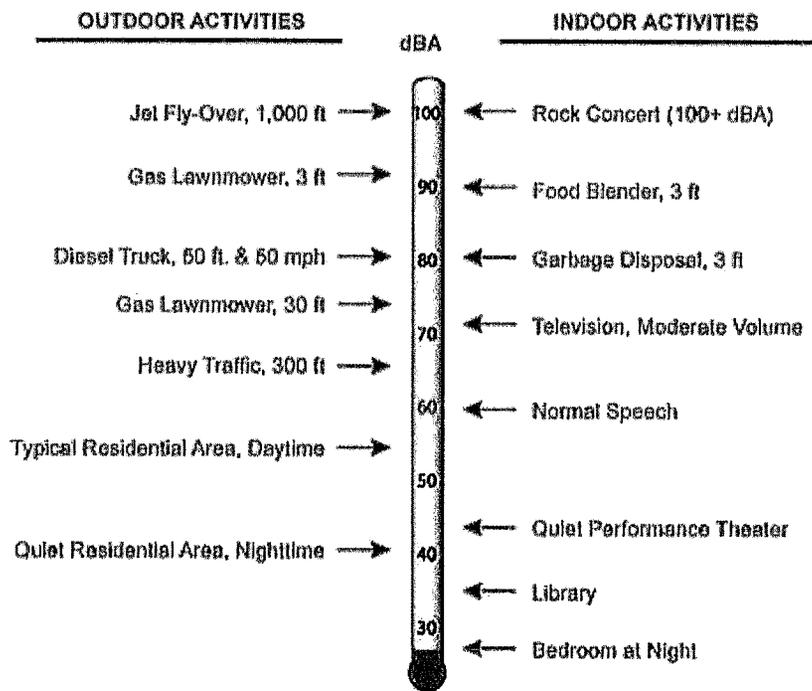
Introduction:

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

Background:

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

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



Sources: FTA, 1995; ATS Consulting, 2005

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

Site Summary:**APN:** 107-233-013**Coordinates:** <40.2658, -124.0609>**Acreage:** 155**Zoning:** TPZ**Methods:**

Two, 24-hour studies will be conducted by GRC on APN 107-233-013 using four CEM DT-8852 Industrial High Accuracy Digital Sound Noise Level Meter Data Loggers. These sound level data loggers feature a measurement range of 30-130 dB with an accuracy of ± 1.4 dB, and internal memory for standalone data recording. The first study was conducted before cannabis cultivation activities began on the parcel to establish a baseline ambient sound level to compare to future measurements. After cannabis cultivation activities begin, a second 24-hour study will be conducted to capture the increase, if any, of sound levels related to cannabis cultivation.

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

Two sound monitoring studies are required to determine how cannabis cultivation activities effect the ambient noise levels on the property. For the duration of each study, one (1) noise level data logger was placed as close to each property boundary line as possible (minimum of 3) to capture the noise level being emitted from within the parcel (Figure 2). Data was collected every 6 seconds for at least 24 hours. The first 24-hour study was conducted from 12/6/2018 through 12/7/2018, before cannabis cultivation activities occurred on the property. The data was uploaded to Microsoft Excel, where a moving average was performed on 2,000 data points to relax any extreme short-term fluctuations in the time-series data. The second 24-hour study will be conducted when commercial cannabis activities begin.

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

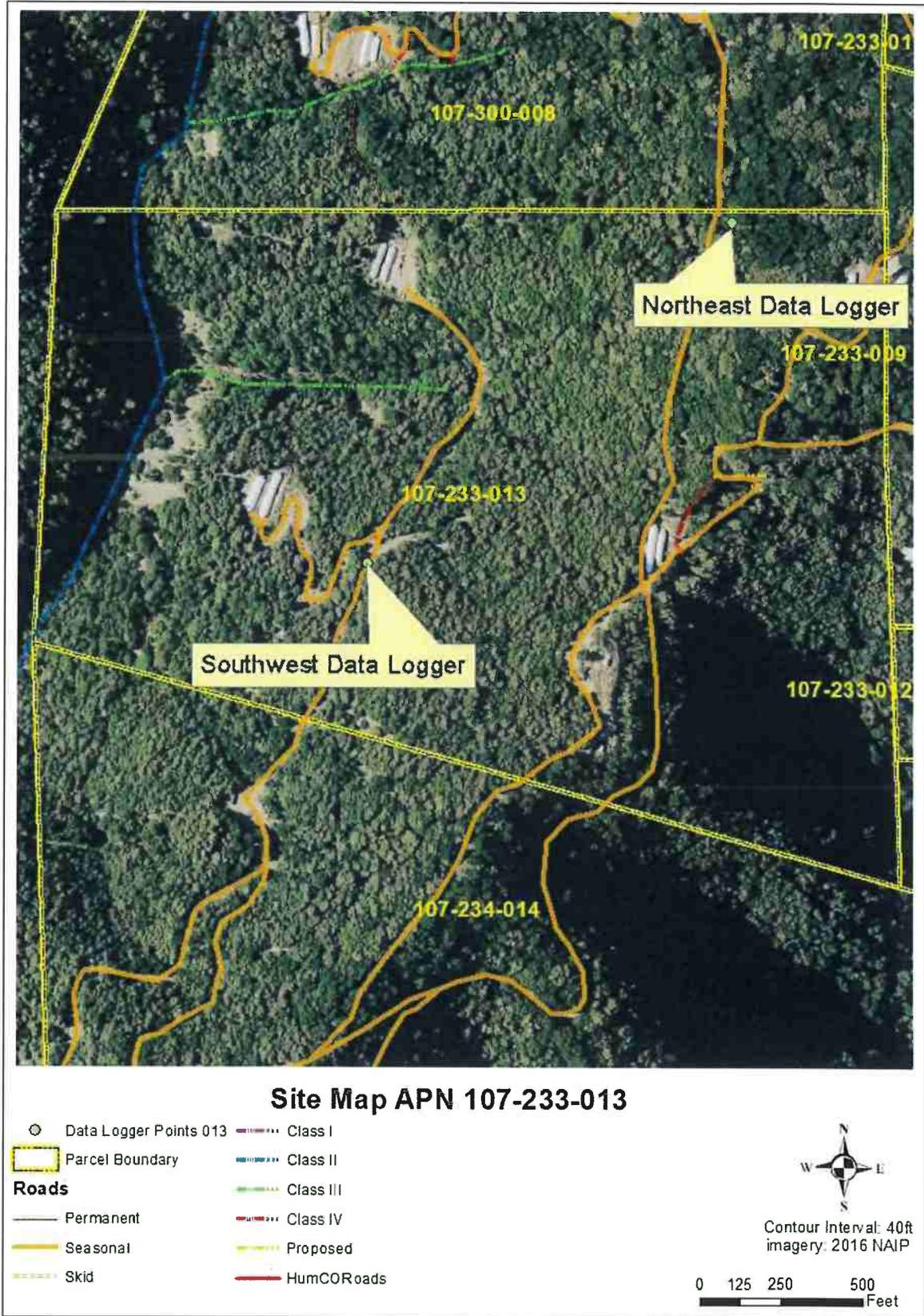


Figure 2: Location of the CEM DT-8852 Noise Level Data Loggers on APN 107-233-013.

Results:

Data from the sound study conducted during the no-cultivation period were imported into excel and plotted on a line chart to visualize the measurements over time. Rolling averages were applied to groups of 2,000 data points, which were compared to the original data (Figures 3-4).

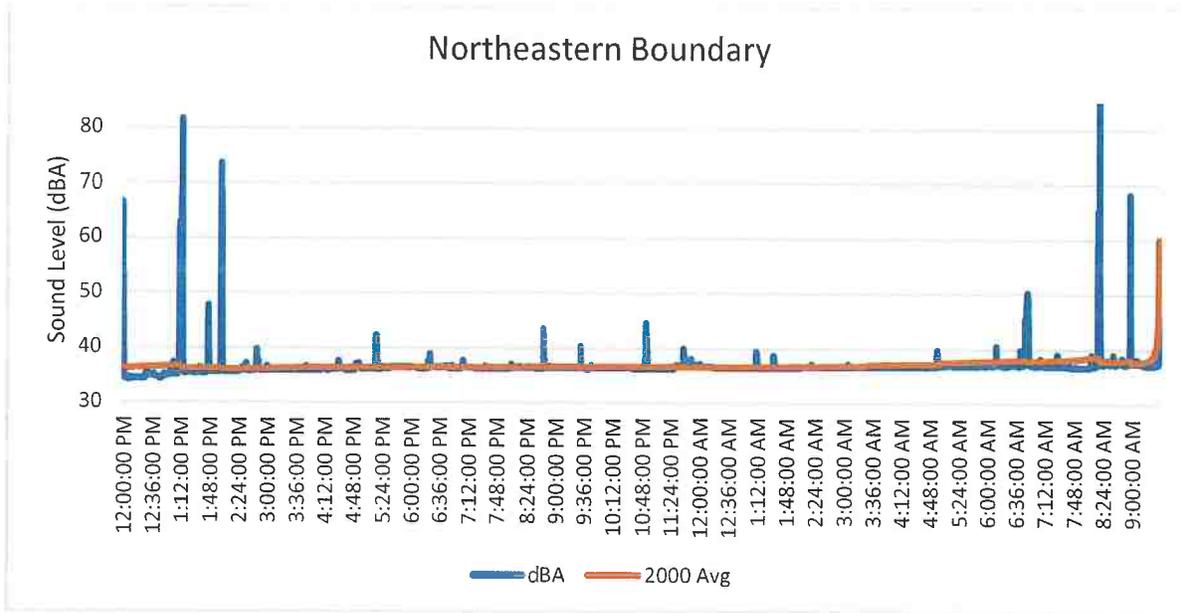


Figure 3: Results from 24 hours of sound data collected on 12/6/2018-12/7/2018 near the Northern parcel boundary. The 2,000 data point rolling average are overlaid on the original data. **Average dBA: 36.67**

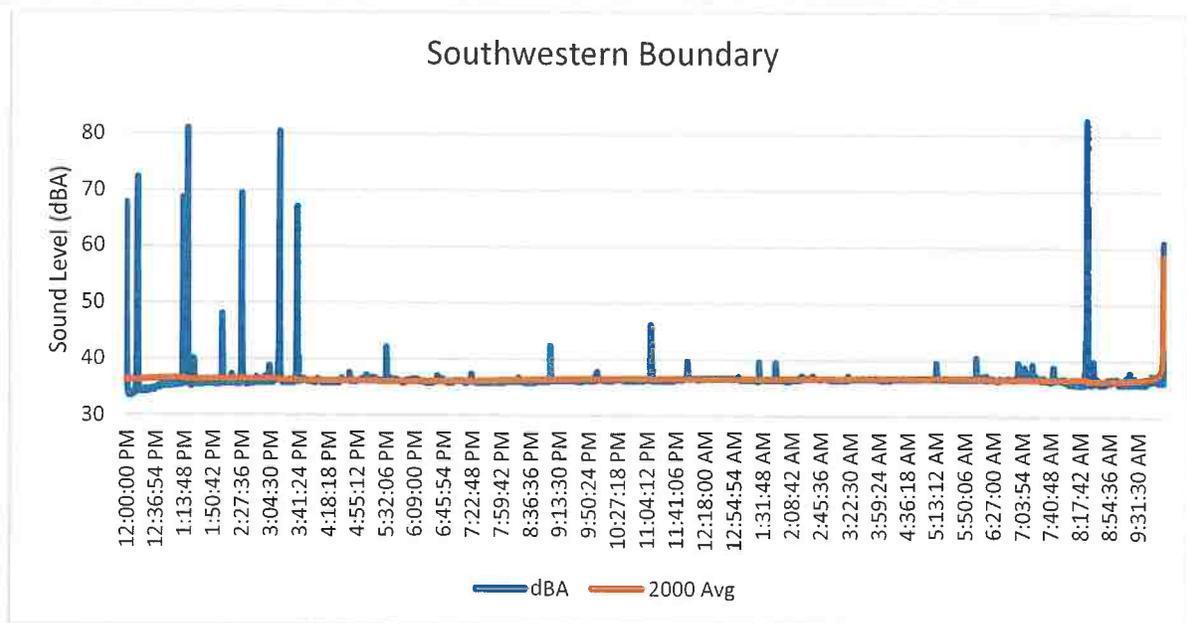


Figure 4: Results from 24 hours of sound data collected on 12/6/2018-12/7/2018 near the Eastern parcel boundary. The 2,000 data point rolling averages are overlaid on the original data. **Average dBA: 36.45**

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

Critical Habitat:

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

Critical habitat areas for the Marbled Murrelet and Spotted Owl were viewed in the CNDDDB BIOS Viewer. The property was located .772 miles from mapped Marbled Murrelet critical habitat areas (Figure 7).

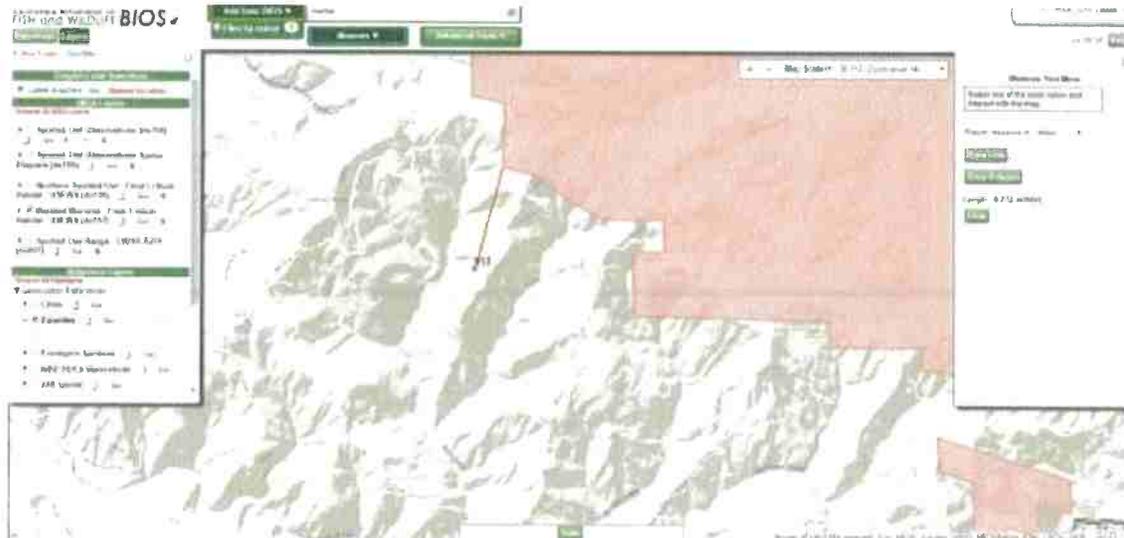


Figure 7: Snip of the CNDDDB BIOS Viewer used to determine the extent of critical habitat of Marbled Murrelet (red square) relative to the parcel (Yellow dot, labeled O13). A distance of .772 miles was measured from the center of the parcel to the edge of the mapped critical area.

Critical habitat area for the Northern Spotted Owl was observed 1.08 miles to the South of APN 107-233-013(Figure 12).

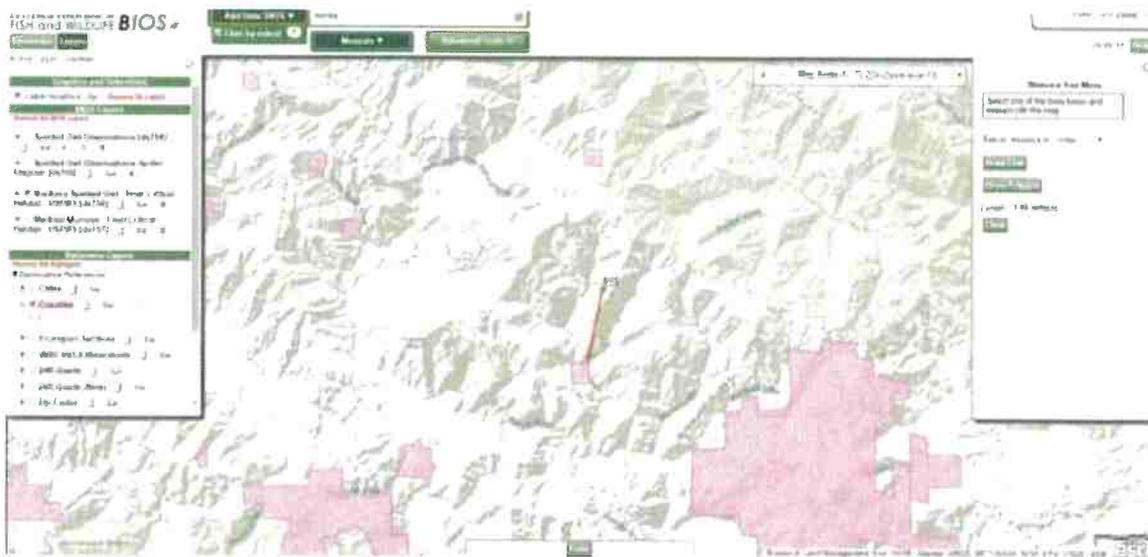


Figure 8: Snip of the CNDDDB BIOS Viewer used to determine the extent of critical habitat of Spotted Owls (pink square) relative to the parcel (Yellow dot, labeled O13). A distance of 1.08miles was measured from the center of the parcel to the edge of the mapped critical area South of the property.

Due to the proximity of this parcel to mapped critical habitat for the Marbled Murrelet (.772 miles, less than the required 1.0 mile), maximum noise expose from background cultivation related noise cannot exceed 50 decibels at a distance of 100 feet from the noise source or edge of habitat, whichever is closer. This requirement ensures cultivation related activities do not disturb or endanger protected wildlife.

Activity centers for the Northern Spotted Owl have been observed in Panther Gap. Activity centers are historic nesting sites that have been observed by qualified professional and entered in the CNDDB database. Two activity centers have been mapped near the parcel, one to the North and one to the West. The distance from the center of the parcel to the edge of the activity centers were measured using the embedded Measure Tool within the BIOS Viewer (Figure 9 and Figure 10).

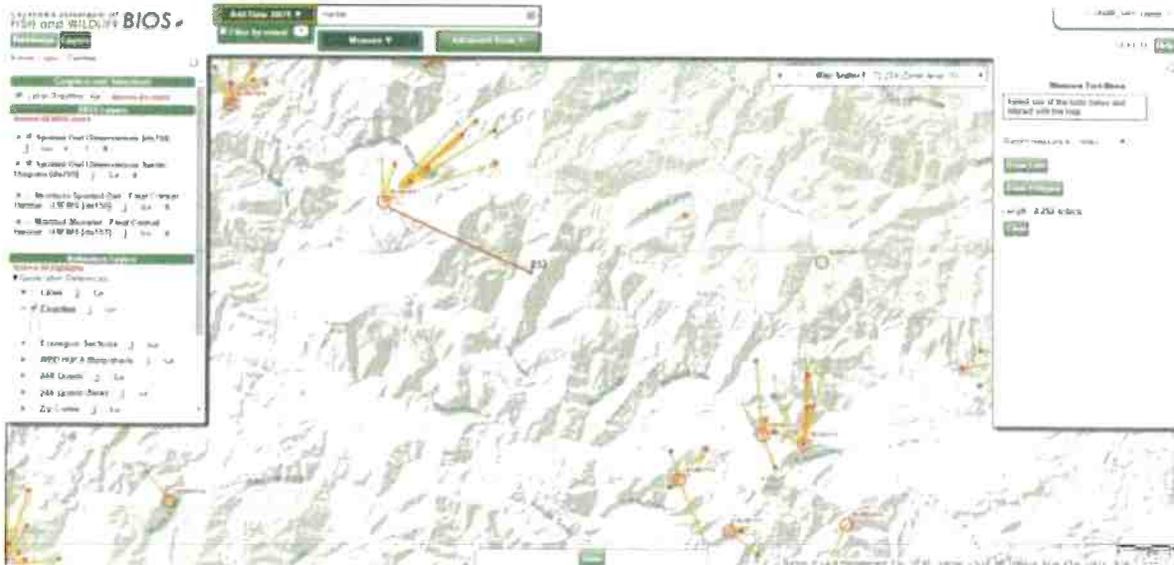


Figure 9: The Northern Spotted Owl activity center to the North of the property is located approximately 2.252 miles away from the property of interest.

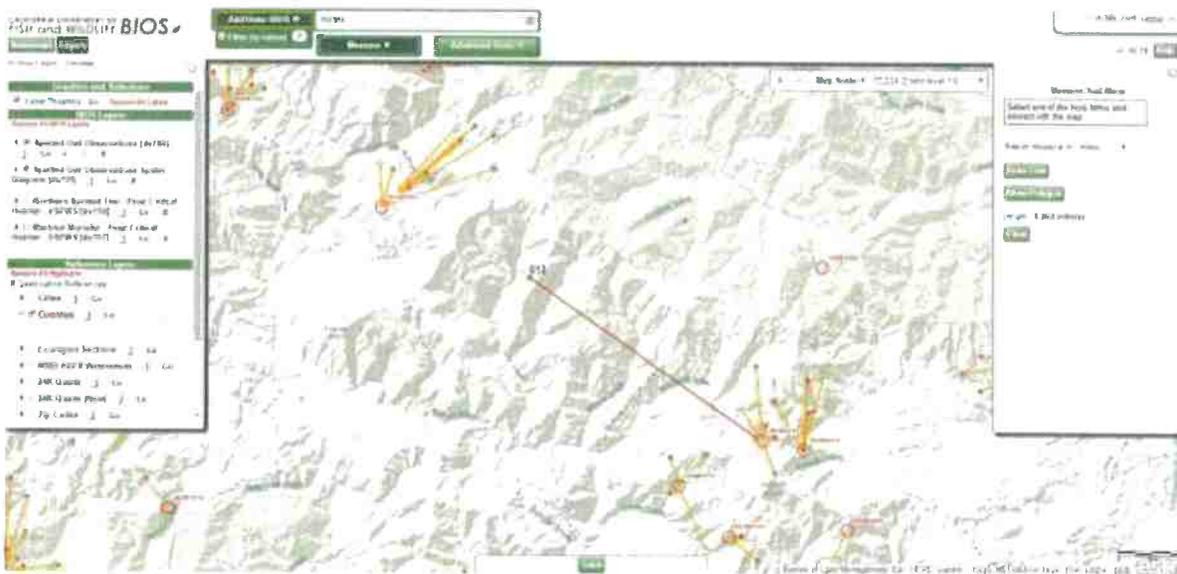


Figure 10: The Northern Spotted Owl activity center to the South of the property is located approximately 4.064 miles away from the property of interest.

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

Conclusion:

An initial sound study was conducted during a no-cultivation period on APN107-233-013. During this study, the site was free of cultivation related activities, free of noise pollution, and produced no noise from any generators or fans. Only ambient noise from county roads and wildlife could be heard during this initial study. Data from this first study will be compared to a second sound study. The second study will take place once a cultivation permit has been issued by Humboldt County and cultivation begins in order to determine changes in ambient noise levels caused by cannabis cultivation activities. The Pre-cultivation and active cultivation studies will be compared for each Data Logger point (North, East, South, West) to assess if there is an average increase of 3 decibels or more from any pre-cultivation data logger average. If an increase of 3 decibels or more is observed after the second study, changes will be made to attenuate sound production at the site. See Appendix A for mitigation methods.

The Northeast and Southwest Data Logger point measured with average levels of 36.67 dBA and 36.45 dBA, respectively. These measurements will serve as a baseline for ambient noise levels at the site. We would hope to find sound levels not exceeding 40 decibels in the following study due to the 3-decibel increase cap set forth by Humboldt County Ordinance 2.0 Performance Standards for Noise at Cultivation Sites. Due to equipment malfunction, this parcel has two pre-cultivation sound logs instead of the desired three. The two functioning sound data loggers were located on opposing parcel boundaries, in such a way that they represent overall site sound. In addition to their location, the average decibels recorded was only different by .22 dBA. Such a close average noise output from these areas indicates their reading of 36 decibels accurately represents overall ambient noise on the property.

The parcel is located 2.252 miles from a mapped Northern Spotted Owl activity center to the North and 4.064 miles from a mapped activity center to the South. Both activity centers are located outside of the 0.7-mile buffer set forth by California Department of Fish and Wildlife. Therefore, it is unlikely noise caused by cultivation operations on this parcel will negatively impact Northern Spotted Owl activity. A Biological Assessment Report prepared for this site by S.E. McAllister & Associates states, "Harassment associated with noise disturbance at the site is not expected. The project is proposed for permitting under Humboldt County Ordinance 2.0 and will, therefore, only be allowed to use generators for 20% of its power needs and will instead primarily use solar energy."

The parcel is located 1.08 miles from mapped critical habitat for the Northern Spotted Owl. Critical habitat for the Marbled Murrelet has been mapped .772 miles from the parcel. Because of this, maximum noise exposure from cultivation related noise may not exceed 50 decibels at a distance of 100 feet from the noise source or edge of habitat, whichever is closer, as required by Humboldt County Ordinance 2.0. This 50 decibel limit greatly exceeds the 3 decibel increase limit incurred on this site for critical habitat proximity, and will therefore not be an issue.

References:

Humboldt County Ordinance No. 2599.

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

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

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



GREEN ROAD CONSULTING

Appendix A

Methods for Reducing Cannabis Cultivation Related Noise

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



State of California
Well Completion Report
 Form DWR 188 Complete 7/24/2018
 WCR2018-004369

Owner's Well Number Well #1 Date Work Began 05/29/2018 Date Work Ended 05/30/2018
 Local Permit Agency Humboldt County Department of Health & Human Services - Land Use Program
 Secondary Permit Agency _____ Permit Number 17/18-1599 Permit Date 03/28/2018

Well Owner (must remain confidential pursuant to Water Code 13752)		Planned Use and Activity	
Name _____	Activity <u>New Well</u>	Planned Use <u>Water Supply Irrigation - Agriculture</u>	
Mailing Address _____			
City _____ State _____ Zip _____			

Well Location			
Address <u>0 Mattole RD</u>	APN <u>107-234-013</u>		
City <u>Honeydew</u> Zip <u>95455</u> County <u>Humboldt</u>	Township <u>02 S</u>		
Latitude _____ N Longitude _____ W	Range <u>01 E</u>		
_____ Deg. _____ Min. _____ Sec.	Section <u>34</u>		
Dec. Lat. <u>40.2565000</u> Dec. Long. <u>-124.0633000</u>	Baseline Meridian <u>Humboldt</u>		
Vertical Datum _____ Horizontal Datum <u>WGS84</u>	Ground Surface Elevation _____		
Location Accuracy _____ Location Determination Method _____	Elevation Accuracy _____		
	Elevation Determination Method _____		

Borehole Information		Water Level and Yield of Completed Well	
Orientation <u>Vertical</u> Specify _____	Depth to first water <u>160</u> (Feet below surface)		
Drilling Method <u>Downhole Hammer</u> Drilling Fluid <u>Air</u>	Depth to Static _____		
Total Depth of Boring <u>270</u> Feet	Water Level <u>138</u> (Feet) Date Measured <u>05/30/2018</u>		
Total Depth of Completed Well <u>270</u> Feet	Estimated Yield* <u>30</u> (GPM) Test Type <u>Air Lift</u>		
	Test Length <u>4</u> (Hours) Total Drawdown _____ (feet)		
	*May not be representative of a well's long term yield.		

Geologic Log - Free Form		
Depth from Surface Feet to Feet		Description
0	30	Brown Clay
30	150	Brown Shale with Clay
150	270	Blue Grey Shale

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JUL 25 2018

HUMBOLDT CO. DIVISION OF ENVIRONMENTAL HEALTH

ENTERED
 7-30-18

Casings										
Casing #	Depth from Surface Feet to Feet		Casing Type	Material	Casings Specifications	Wall Thickness (inches)	Outside Diameter (inches)	Screen Type	Slot Size If any (inches)	Description
1	0	20	Blank	Low Carbon Steel	N/A	0.188	8.625			
2	0	150	Blank	PVC	N/A	0.0291	4.95			
2	150	230	Screen	PVC	N/A	0.291	4.95	Milled Slots	0.032	
2	230	250	Blank	PVC	N/A	0.291	4.95			
2	250	270	Screen	PVC	N/A	0.291	4.95	Milled Slots	0.032	

Annular Material				
Depth from Surface Feet to Feet	Fill	Fill Type Details	Filter Pack Size	Description
0	20	Bentonite	Non Hydrated Bentonite	3/8 Hole Plug
20	270	Other Fill	See description	No Annular Fill

Other Observations:

Borehole Specifications		
Depth from Surface Feet to Feet	Borehole Diameter (inches)	
0	20	13
20	270	7.875

Certification Statement			
I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief			
Name	WATSON WELL DRILLING, INC.		
Person, Firm or Corporation			
500 Summer Street	Eureka	CA	95501
Address	City	State	Zip
Signed	electronic signature received	08/06/2018	1014048
C-57 Licensed Water Well Contractor	Date Signed	C-57 License Number	

DWR Use Only			
CSG #	State Well Number	Site Code	Local Well Number
		N	W
Latitude Deg/Min/Sec		Longitude Deg/Min/Sec	
TRS:			
APN:			



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FEB 20 2018

HUMBOLDT CO. DIVISION OF ENVIRONMENTAL HEALTH

Division of Environmental Health

100 H Street - Suite 100 - Eureka, CA 95501
Phone: 707-445-6215 - Toll Free: 800-963-9241
Fax: 707-441-5699
envhealth@co.humboldt.ca.us

17/18-1484

WATER WELL APPLICATION

CONSTRUCTION - REPAIR - DESTRUCTION

The Well Permit will be returned to the property owner when approved by Humboldt County Division of Environmental Health (DEH)

Instructions:

- 1. Complete both sides and submit the Water Well Application with required fee. Include Well Driller's signature and property owner's signature.
2. Work on a well shall not be started prior to approval of the Water Well Application by DEH.
3. Any changes made to the location of a new well shall be approved by DEH prior to commencement of drilling.
4. Well Driller shall notify DEH a minimum of 24 hours prior to sealing the annular space.

Site Address: Mattole rd. / Panther gap
City/State/Zip: Honeydew CA 95545
Directions to Site: 2 miles passed Panther gap rd. - first gate on the left

Applicant: GEORGI MANDILOV
Mailing Address: 4360 FALLBROOK RD
City/State/Zip: CONCORD CA 94521
Contact, Work Phone, Cell Phone fields

Property Owner: same
Mailing Address, City/State/Zip, Home Phone, Work Phone, Cell Phone fields

I hereby grant 'right-of-entry' for inspection purposes [Signature]

Drilling: Contractor Watson Well Drilling Inc. License # 1014048

I hereby agree to comply with all laws and regulations of the County of Humboldt and the State of California Department of Water Resources Bulletin 74 pertaining to water well construction. I will contact Humboldt County Division of Environmental Health (DEH) when I commence work. Within 30 days after completion of work, I will furnish DEH a report of the work performed.

Well Driller Signature: [Signature]

Would driller like a copy of approved application? [X] Yes [] No

U.S. Mail address: []
Email address: Admin@watsonwelldrillinginc.com [X]

Type of Application: [X] Construction [] Destruction [] Repair/Modification
Construction: Estimated Depth (ft.) 7'-00", Diameter (in.) 13", Depth of Seal (ft.) 20', Sealing Material Benzofite
Intended Use: [] Domestic - private [] Community Supply [X] Irrigation / Agr. [] Other

State of California
Well Completion Report
 Form DWR 188 Complete 7/24/2018
 WCR2018-004413



Owner's Well Number Well #3 Date Work Began 05/15/2018 Date Work Ended 05/17/2018
 Local Permit Agency Humboldt County Department of Health & Human Services - Land Use Program
 Secondary Permit Agency _____ Permit Number 17/18-1484 Permit Date 03/02/2018

Well Owner (must remain confidential pursuant to Water Code 13752)	Planned Use and Activity
Name <u>Georgui Mandelov</u>	Activity <u>New Well</u>
Mailing Address <u>4360 Fallbrook Road</u>	Planned Use <u>Water Supply Irrigation - Agriculture</u>
City <u>Concord</u> State <u>CA</u> Zip <u>94521</u>	

Well Location	
Address <u>0 Mattole RD</u>	APN <u>107-233-013</u>
City <u>Honeydew</u> Zip <u>95545</u> County <u>Humboldt</u>	Township <u>02 S</u>
Latitude _____ N Longitude _____ W	Range <u>01 E</u>
Deg. Min. Sec. Deg. Min. Sec.	Section <u>27</u>
Dec. Lat. <u>40.2660000</u> Dec. Long. <u>-124.0615000</u>	Baseline Meridian <u>Humboldt</u>
Vertical Datum _____ Horizontal Datum <u>WGS84</u>	Ground Surface Elevation _____
Location Accuracy _____ Location Determination Method _____	Elevation Accuracy _____
	Elevation Determination Method _____

Borehole Information	Water Level and Yield of Completed Well
Orientation <u>Vertical</u> Specify _____	Depth to first water <u>150</u> (Feet below surface)
Drilling Method <u>Downhole Hammer</u> Drilling Fluid <u>Air</u>	Depth to Static _____
Total Depth of Boring <u>260</u> Feet	Water Level <u>131</u> (Feet) Date Measured <u>05/17/2018</u>
Total Depth of Completed Well <u>260</u> Feet	Estimated Yield* <u>25</u> (GPM) Test Type <u>Air Lift</u>
	Test Length <u>6</u> (Hours) Total Drawdown _____ (feet)
	*May not be representative of a well's long term yield.

Geologic Log - Free Form		
Depth from Surface Feet to Feet		Description
0	45	Brown Clay
45	80	Grey Shale
80	170	Brown Shale
170	260	Bluish Grey Shale

RECEIVED

JUL 25 2018

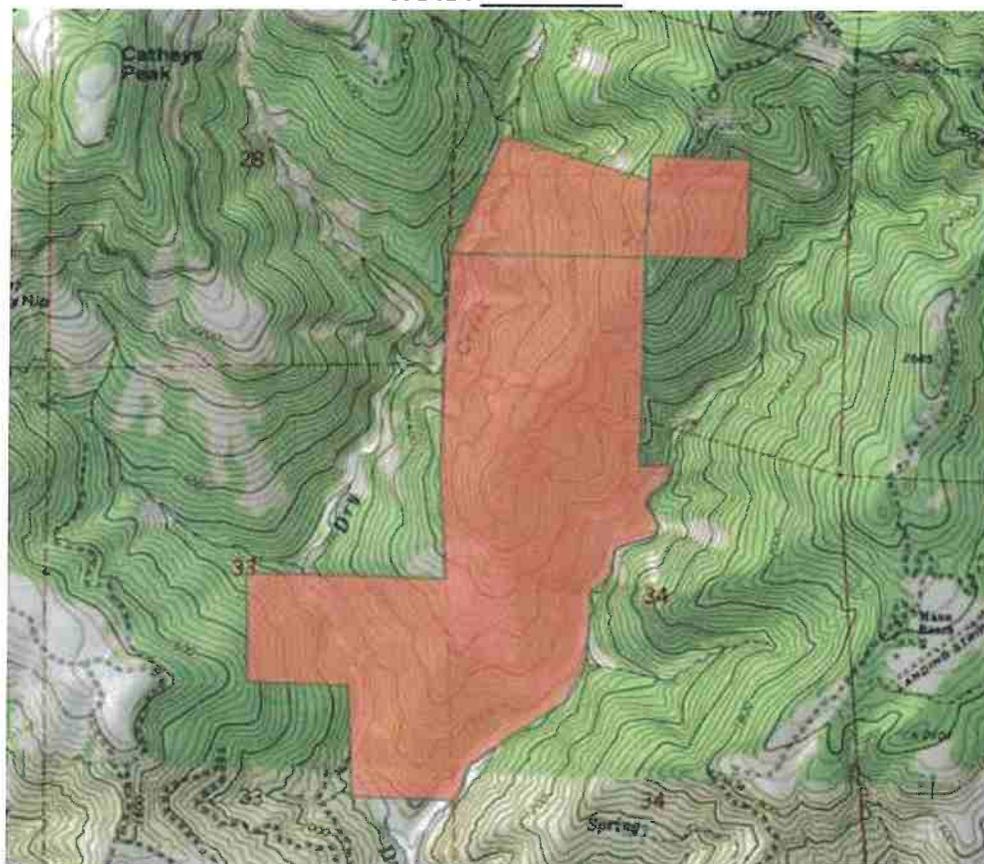
HUMBOLDT CO. DIVISION
 OF ENVIRONMENTAL HEALTH

ENTERED
7-30-18



Site Management Plan

WDID: _____



Prepared for:

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

Prepared by:

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

Date of completion:

6/8/2020



General Site Information

Discharger: Humboldt Gardens LLC

Landowner: Gueorgui Mandelov

Site Address: Panther Gap Road, Honeydew CA 95545

Mailing Address: 3398 The Alameda Concord CA, 94519

Parcel Numbers: 107-233-010, 107-300-008, 107-233-013, 107-234-014, 107-234-013, & 107-056-003

General Plan Designation: Timberland

Zone: TPZ

Parcel Size: 557 acres (Total)

HUC12 Watershed: Middle Mattole River

Disturbed Area: 259,121 square feet

Cultivation Area: 55,800 square feet

Tier Level: Tier 2

Risk Level: Low Risk

Abbreviations

BPTC	Best Practical Treatment and Control Measures
CA	Cultivation Area
CPP	Corrugated Plastic Pipe
CMP	Corrugated Metal Pipe
CDFW	California Department of Fish and Wildlife
DRC	Ditch Relief Culvert
GRC	Green Road Consulting
HDPE	High-density Polyethylene
IBD	In-board Ditch
LSAA	Lake or Streambed Alteration Agreement
NCRWQCB	North Coast Regional Water Quality Control Board
PWA	Pacific Watershed Associates
POD	Point of Diversion
POF	Point of Overflow
SIUR	Small Irrigation Use Registration
SWRCB	State Water Resources Control Board
STX	Stream Crossing

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1. Introduction

This document was prepared by Green Road Consulting (GRC) for Humboldt Gardens LLC; parcel numbers 107-233-010, 107-300-008, and a recently merged parcel (formerly 107-233-013, 107-234-014, 107-234-013, & 107-056-003 (contiguous), as required by the SWRCB Order WQ 2017-0023-DWQ¹. The purpose of the order is to provide a regulatory structure for cannabis cultivation that reduces contributions to existing water quality issues and prevents additional adverse impacts to water resources throughout California. The purpose of the Site Management Plan is to identify conditions present on a parcel that may pose a threat to water quality and resources and establish a plan to meet or surpass requirements set forth in the order. GRC has made an initial assessment of this parcel through field work as well as through a variety of county, state, and private websites (e.g. USDA web soil survey, USGS stream stats program, Google Earth, Humboldt County Web GIS). The parcel boundaries are approximate and obtained from Humboldt County. Property lines on maps created by GRC may be shifted to match property line and corners located in the field. The site was surveyed with a GPS unit (2 to 4-meter accuracy) to document roads, buildings, cultivation sites, watercourses, and areas requiring remediation. Maps were created using the software ESRI ArcMap.

2. Site Characteristics

2.1. General

The site is in Southwestern Humboldt County, approximately 30-miles north of the City of Honeydew and can be accessed from Panther Gap Road, just off Mattole Road, which links Honeydew with Hwy 101. Parcel boundaries on the attached maps are the result of a parcel line survey conducted in the summer of 2019 by a licensed surveyor. The elevation of the site is approximately 1,100-2,500 feet above sea level. The parcel is located on a mountainous ridge with unnamed drainages that flow West into Dry Creek and East into an unnamed tributary of Dry Creek. Dry Creek is in turn a tributary of the Mattole River; the confluence of the two lying about 2 miles downstream from the site. The Mattole River is on the USEPA's Section 303(d) list for impairment or threat of impairment to water quality associated with elevated sediment and temperature levels. The Mattole River Watershed is known to have Coho and Chinook Salmon as well as Steelhead trout which are designated as a Federally and State threatened species. Slopes on the site range from 0% ridgetops to historical cuts made in 50% slopes. No disturbed area was observed on naturally >50% slopes. The hillslopes in the region are known to have moderate instability. The site geology is part of the Franciscan Complex which is primarily composed of Late Cretaceous to Pliocene sandstone, shale and minor conglomerate. The region was historically logged with legacy logging roads and landings throughout the site.

2.2. Site Overview

Structures on the approximately 550-acre property include three (3) residences, eleven (11) storage sheds, and multiple Conex-box containers. Other developments include three permitted groundwater wells, three unpermitted septic systems, two flats used for miscellaneous storage, and ten (10) cultivation flats. Water for cultivation and for domestic uses is drawn from permitted groundwater wells. The parcel is not grid tied and currently uses generators as its source of power. There are large fuel storage tanks on

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

the site.

The site currently has nine location where cultivation takes place (CA). The total cultivation area is 55,580 -ft². The site had approximately 259,121-ft² of disturbed area. There was no disturbed area located within riparian setbacks. Proper adherence to the erosion and sediment control measures specified in the “Erosion Prevention and Sediment Capture” section of this report will be necessary to ensure all land disturbances are sufficiently mitigated. Existing roads are stable, with no disturbed areas within the riparian setbacks. Therefore, GRC determines this site to be of a *Low Risk* to watershed impairment.

Table 1. Cultivation area overview.

Cultivation Area (CA)	Disturbed Area (ft ²)	Natural Slope (%)	Distance to Water Body (ft)*	Water Body Classification
CA1	24,344	0-5%	180	Class III
CA2	18,918	30-35%	310	Class III
CA3	9,669	40-45%	650	Class III
CA4	16,714	35-40%	370	Class II
CA5	13,111	0-5%	230	Class III
CA6	23,574	20-25%	595	Class III
CA7	41,284	20-25%	370	Class III
CA8	24,883	30-35%	180	Class III
CA9	6,264	45-50%	330	Class III
CA10	40,000	30-35%	125	Class III

*Distance to Waterbody (ft) is not an exact distance; slope is not factored in.

2.3. Access Roads

The site contains 6.2-miles of seasonal access roads, all of which were renovated on the summer of 2019. Roads were bladed and compacted, with drainage features installed as needed, including rolling dips, inboard ditches, and ditch relief culverts. The entire road system is therefore currently in excellent condition. The seasonal access roads on the site are maintained on an as-need basis. The roads are only used during cultivation season, May through October. The roads are used minimally by workers navigating the site and bringing in supplies. Workers are on the site daily and most supplies are brought in the beginning of the season. Vehicles are mainly parked near the residence or the cultivation areas. Existing roads are stable, with no disturbed areas located near riparian setbacks. Roads are designed, constructed, and maintained, or reconstructed consistent with the *Road Handbook for Forest, Ranch, and Rural Roads* by Pacific Watershed Associates and implement the interim and long-term erosion control prevention and soil stabilization measures contained in “Attachment A”.

2.4. Stream Crossings

Across all three parcels, there is only one stream crossing that is the responsibility of the property owner. Most of the road system was installed on the top and sides of a ridge above the heads of various Class III watercourses which drain West into Dry Creek and East into an unnamed tributary of Dry Creek. The single stream crossing (STX1) is on a seasonal access road leading downhill from CA1 on APN 107-233-010 towards a neighboring property. This road is only used by the neighbor for access to their property. It is not used in any way for commercial cannabis activities associated with Humboldt Gardens LLC. An LSA agreement has been applied for, with recommendations to upgrade the crossing by installing a new

culvert at grade. All instream work will be fully permitted through the appropriate agencies (e.g. CDFW, SWRCB) before work commences.

Table 2. Overview of stream crossing on the property.

Stream Crossing (STX)	Existing Size (inch)	Type	Watercourse Class	Action
STX1	12	Culvert	Class II	Remove culvert and install rocked ford
STX2	18	Culvert	Class III	Upgrade to 36" culvert
STX3	20	Culvert	Class III	Remove culvert and restore channel
STX4	24	Culvert	Class III	Armor outlet and monitor
STX5	24	Culvert	Class III	Armor outlet and monitor
STX6	n/a	Dirt Ford	Class III	Install Rocked Ford
STX7	n/a	Dirt Ford	Class III	Install 24" culvert
STX8	20	Culvert	Class III	Upgrade to 30" culvert
STX9	n/a	Dirt Ford	Class III	Install Rocked Ford
STX10	n/a	Dirt Ford	Class III	Install Rocked Ford

2.5. Legacy Waste Discharges

The entirety of the 488 acres area on these three parcels was historically logged. The majority of the access roads on the property were constructed during these operations, as well as landings. Most of these have been redeveloped since then (such as renovation of the road system). Based on multiple site visits, the mapped roads appear to be the extent of the historical road system, but other skid trails may exist, though in a reasonably denaturalized state.

3. Erosion Prevention and Sediment Capture

The disturbed areas consisted of the cultivation areas, soils/amendment piles, erosion-prone road segments, and a storage area as shown on the Site Map. Map points correspond to the Remediation Summary Table found in section 10 of this report.

4. Water Uses

Water for cannabis irrigation is sourced from the sites three permitted groundwater wells. Water for domestic uses is drawn from these same wells. All irrigation infrastructure will be regularly inspected for leaks and immediately repaired if any are found. Woodchips or rice straw will be used as mulch in cultivation areas that do not have vegetative ground cover to reduce evaporation and conserve water. The cultivator will record irrigation water usage by daily checking water meters and maintaining records on site for a minimum of 5 years. Since the site sources water from a confined aquifer there are no forbearance restrictions. The estimated annual water use is summarized below in table 3.

Table 3. Annual water uses on the parcel.

Source	Use	Start Date	End Date	To Storage (gallons)	To Use (gallons)
Well 1	Cannabis	Apr. 1	Nov. 1	3,500	100,000
Well 1	Domestic	Jan. 1	Dec. 31	2,500	120,000
Well 2	Cannabis	Apr. 1	Nov. 1	10,500	230,000

Well 2	Domestic	Jan. 1	Dec. 31	2,500	20,000
Well 3	Cannabis	Apr. 1	Nov. 1	10,500	230,000
Well 3	Domestic	Jan. 1	Dec. 31	2,500	100,000

*Water use has been estimated if water meters are not installed.

The site has a total of 32,000 gallons of water storage available which is summarized in Table 4. Water is pumped from the various wells to holding tanks above each cultivation and domestic use area, then gravity fed for actual application. Therefore, no forbearance is required and water storage is summarized here for the sake of comprehensiveness. Irrigation methods will ensure water is applied at agronomic rates. Using drip irrigation and irrigating deeply during the early morning is recommended.

Table 4. Summary of water storage on the parcel.

Water Storage Type	Size (gallons)	Quantity	Total (gallons)
Hard Tank	1,000	1	1,000
Hard Tank	2,500	10	25,000
Hard Tank	3,000	2	6,000
		Total	32,000

5. Fertilizers, Pesticides and Herbicides

5.1. Application, Storage and Disposal

All fertilizers, pesticides, herbicides and rodenticides will be mixed or prepared in locations where they cannot enter a waterbody (surface or groundwater). Fertilizers, pesticides, herbicides and rodenticides shall be applied at agronomic rates specified on the product label. The enrollee will keep a log of their fertilizers, pesticides and herbicides use for annual reporting. All labels will be kept, and directions followed when amendments and fertilizers are applied. All liquid chemicals will be stored in separate secondary containment. During the off season all chemicals will be stored in a covered building. Agricultural chemicals will not be applied within 48-hr of a predicted rain event with a 50% or greater chance of 0.25-inches. Disposal of unused products will be consistent with labels on containers. Empty containers will be disposed of at an authorized recycling center. A spill clean-up kit will be stored in the garage/shop. No restricted materials or pesticides will be used or stored on site. No greater than 319 pounds of nitrogen per acre per year shall be applied. A summary of fertilizers, pesticides, and herbicides used annually are listed below in Table 5.

Table 5. Overview of annual chemical use.

Product Name	Chemical Type	N-P-K or Active Ingredient	Annual Use (lbs. or gallons)
Age Old Grow	Fertilizer	12-6-6	35 Gal
Age Old Bloom	Fertilizer	5-10-5	35 Gal
Soluble Kelp	Fertilizer	0.5-0.5-17	25 lbs.

Triple 16	Fertilizer	16-16-16	15 lbs.
Cal Mag	Fertilizer	9-0-0	20 lbs.
Full Vex	Fertilizer	16-4-8	25 lbs.
Green Clean	Insecticide Fungicide	Soybean Oil, Sodium Lauryl Sulfate, citric acid and isopropyl alcohol	15 Gal

5.2. Spill Prevention and Clean Up

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

6. Petroleum

6.1. Use, Storage, and Disposal

The site is not grid tied and uses petroleum-powered generators for domestic and cultivation-related power supply. The site currently utilizes three 6.5 KW and one 8 KW diesel generators as well as a limited solar array. Due to county regulations, use of generators will be phased out quickly, with solar arrays installed for pumping wells, running greenhouse fans, powering drying rooms, etc. in the mean time, generators will need to be stored with a covered drip containment basin outside of riparian setbacks. Fueling of the generators, as well as any other equipment or vehicles, will also take place outside of the riparian setbacks. All equipment containing petroleum derivatives will be inspected regularly for leaks. When the generators are not in use they will be stored in a covered building with an impermeable floor. A summary of annual petroleum use is listed below in Table 6.

Table 6. Overview annual petroleum usage.

Product	Chemical Type	Annual Use (lbs. or gallons)
Diesel	Petroleum	950 gallons
Motor Oil	Petroleum	65 gallons

7. Cultivation Waste, Trash/Refuse and Domestic Wastewater

7.1. Trash/Refuse Overview

All trash is locked up in the garbage storage on site in three designated trash receptacle areas. and is removed on a regular basis to a waste management facility in Fortuna, CA. No trash or debris will be allowed to enter a watercourse or riparian setback area. Compostable cultivation waste will be stored in a location and manner where it cannot be transported to surface waters. Spent growth medium (e.g. soil)

shall either be reused, disposed of at an appropriate waste site, or be spread outside of riparian setbacks and planted with native vegetation.

7.2. Domestic Wastewater BPTC Measures

There are three residential buildings at this site, all of which have unpermitted septic systems installed. Portable toilets are brought onto the site for seasonal workers as needed. Portable toilets will be serviced regularly and located outside of riparian setbacks and away from unstable areas.

8. Winterization Measures

8.1. Summary

It is required that winterization measures be completed annually before the onset of the winter rainy season. The SWRCB has defined the winter season as beginning November 1st and concluding April 1st. Winterization measures apply to cultivation areas, any additional disturbed areas including roads, and stream crossings. These measures aim to prepare the site for an extended period of heavy precipitation during which frequent access, monitoring, and maintenance can be challenging or infeasible. The end goal is to reduce the erosion of unstable areas and prevent the delivery of eroded sediment to sensitive waterways. One of the primary techniques of winterization consists of stabilizing all bare soils with straw and seed. Fiber rolls shall additionally be installed at grade breaks and along slopes of disturbed areas to break up flow paths, thereby reducing the speed and erosive energy of runoff. No heavy machinery shall be used during the winter season to avoid the degradation of saturated roadways and unstable surfaces. Soil stockpiles shall be guarded before the onset of winter with a cover and/or perimeter controls such as fiber rolls. Culverts shall be inspected and maintained to ensure integrity during winter. This includes clearing inlets and outlets of sediment and/or debris and ensuring that sufficient energy dissipation exists at outlets to reduce bank erosion. Seasonal access roads shall be locked to ensure that roads are not in use during the wet season by trespassers. Aside from the erosion control components to winterization, a general and thorough site cleanup will be performed to remove all refuse from the site. Additionally, all fertilizers and petroleum products to be left on site will be stored in secondary containment and locked in the shipping container to avoid spillage and discharge to surface or groundwater. Winterization measures for medium risk sites are covered in more detail in the Site Erosion and Sediment Control Plan to be submitted for that site.

9. Monitoring

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

Table 7. Facility status monitoring requirements.

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

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

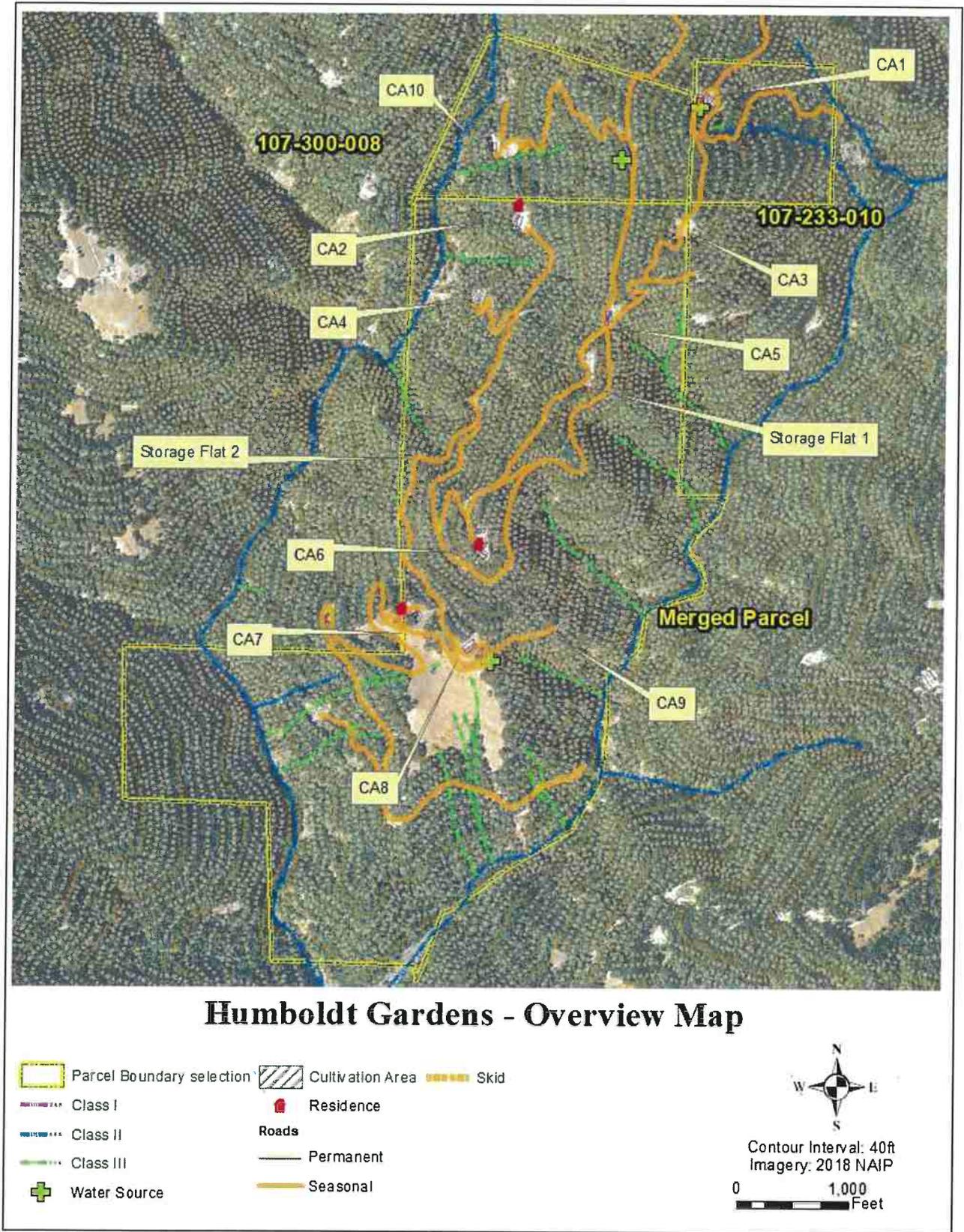
Legally Responsible Person _____ **Date** _____

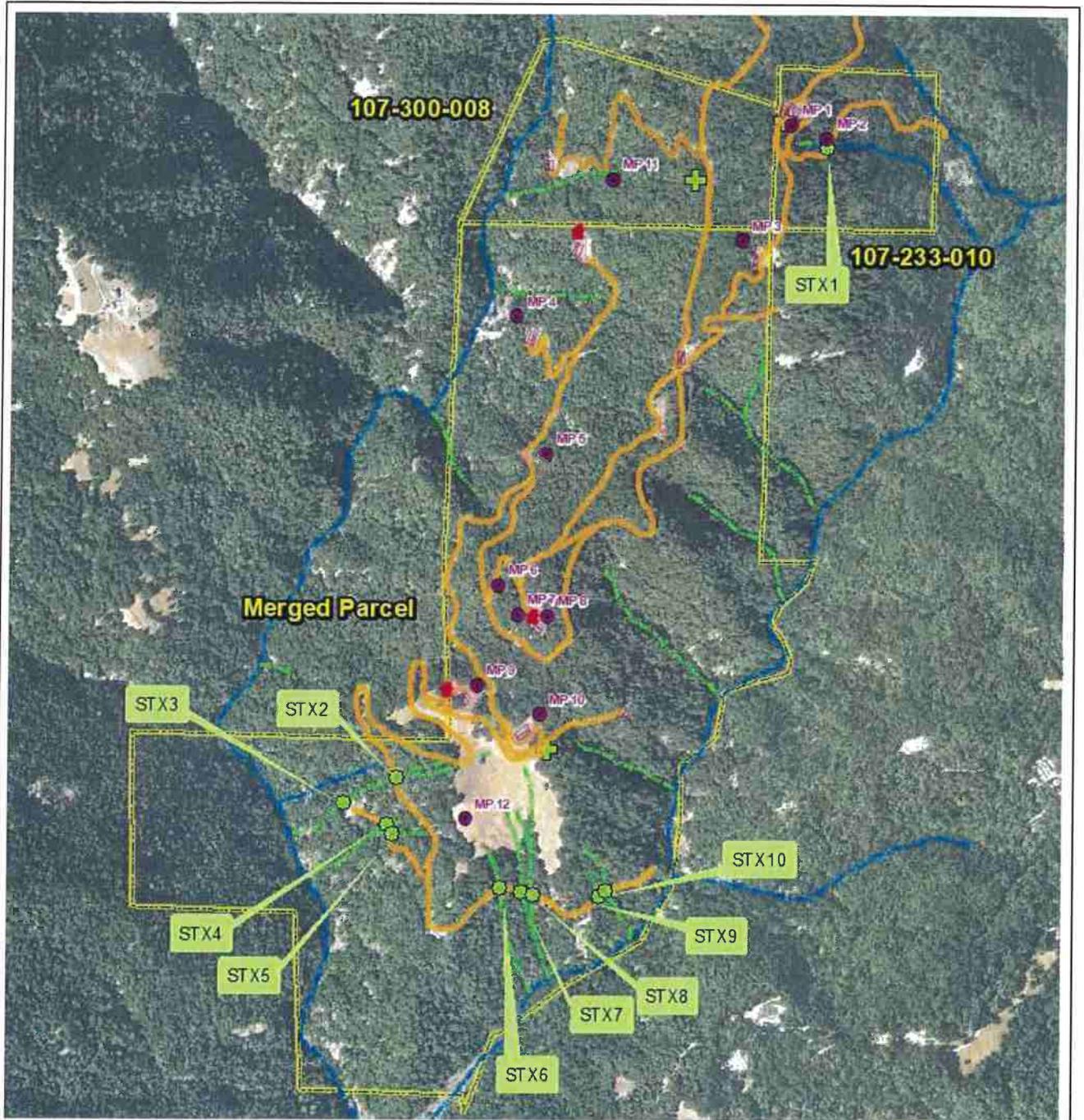
10. Remediation Summary Table

Map Point (MP)	Topic	Issue	Remediation Measure	Treatment Priority	Expected Completion Date	Actual Completion Date
MP1	Fertilizers, Pesticides and Petroleum Products	6.5KW generator is stored without secondary containment	Install a catchment basin and rain cover for all petroleum equipment. Ensure filling of generators and fuel storage does not occur over bare soil	Moderate	November 2020	
MP2	Stream Crossing Installation and Maintenance	A 12" stream crossing culvert is undersized and not installed to stream grade	Replace STX culvert with 18" corrugated metal pipe at stream grade, after CDFW agreement is finalized	Moderate	October 2021	
MP3	Land Development and Maintenance	A storage/multipurpose shed is located on the property line between two legal parcels. The neighboring parcel does not have coverage under the waterboard general order	Move shed from parcel boundary or construct new area for materials storage that is located within the boundaries of APN 107-233-010	Low	October 2021	
MP4	Land Development and Maintenance	Relatively freshly moved soil from grading on flat is in need of additional erosion control measures	Apply straw mulch and grass seed for stability on all bare soil areas. Install three rows of straw wattle on the fill slope face, perpendicular to slope	Moderate	October 2021	
MP5	Fertilizers, Pesticides and Petroleum Products	Several generators that are not in use are stored on a roadside flat without proper secondary containment	Even when not in use, petroleum-fueled equipment shall be stored over a catchment basin with adequate rain cover	Low	October 2021	
MP6	Erosion Control	A steep section of road that was recently bladed for proper runoff (out sloped w/ waterbars) has left unconsolidated road spoils at the road edge, near a steep embankment	The road spoils will be covered with straw and seeded for stability, with wattles installed downhill to slow runoff and catch sediment.	High	November 2020	

Map Point (MP)	Topic	Issue	Remediation Measure	Treatment Priority	Expected Completion Date	Actual Completion Date
MP7	Fertilizers, Pesticides and Petroleum Products	6.5KW generator is stored without secondary containment	Install a catchment basin and rain cover for all petroleum equipment. Ensure filling of generators and fuel storage does not occur over bare soil	Moderate	November 2020	
MP8	Soil Disposal and Spoils Management	Potting soil has been piled for long-term storage	Consolidate and cover potting soil spoils with waterproof tarp and surround with straw wattle perimeter through the wet season.	Low	October 2021	
MP9	Erosion Control	A legacy logging road contributing to concentrated runoff and erosion was recently fixed, but appropriate soil stabilization was not applied	Apply erosion control on fresh grading by installing straw wattle at 6-foot intervals, covering all bare soil with straw mulch, and seed with native grass seeds	High	November 2022	
MP10	Erosion Control	Erosion noted where concentrated road runoff drains to hillside	Armor drainage dip with rock and monitor	Moderate	October 2020	
MP11	Erosion Control	The switch backing road that leads to Cultivation Area CA10 is overly steep with poor drainage increasing the risk of hydrologic connectivity with a nearby class III watercourse.	The road will be recontoured with drainage dips installed to convey stormwater north away from the nearby watercourse, with sediment settlement and energy dissipation features installed as appropriate.	High	October 2021	
MP12	Stream Crossing Installation and Maintenance	Nine stream crossings on the southern portion of the parcel must be maintained to CDFW standards for 100 year storm event	All stream crossings will be maintained, replaced, or removed as specified in the Lake and Streambed Alteration Agreement (LSAA) issued by CDFW	Moderate	October 2021	

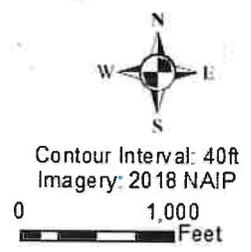
11. Appendices

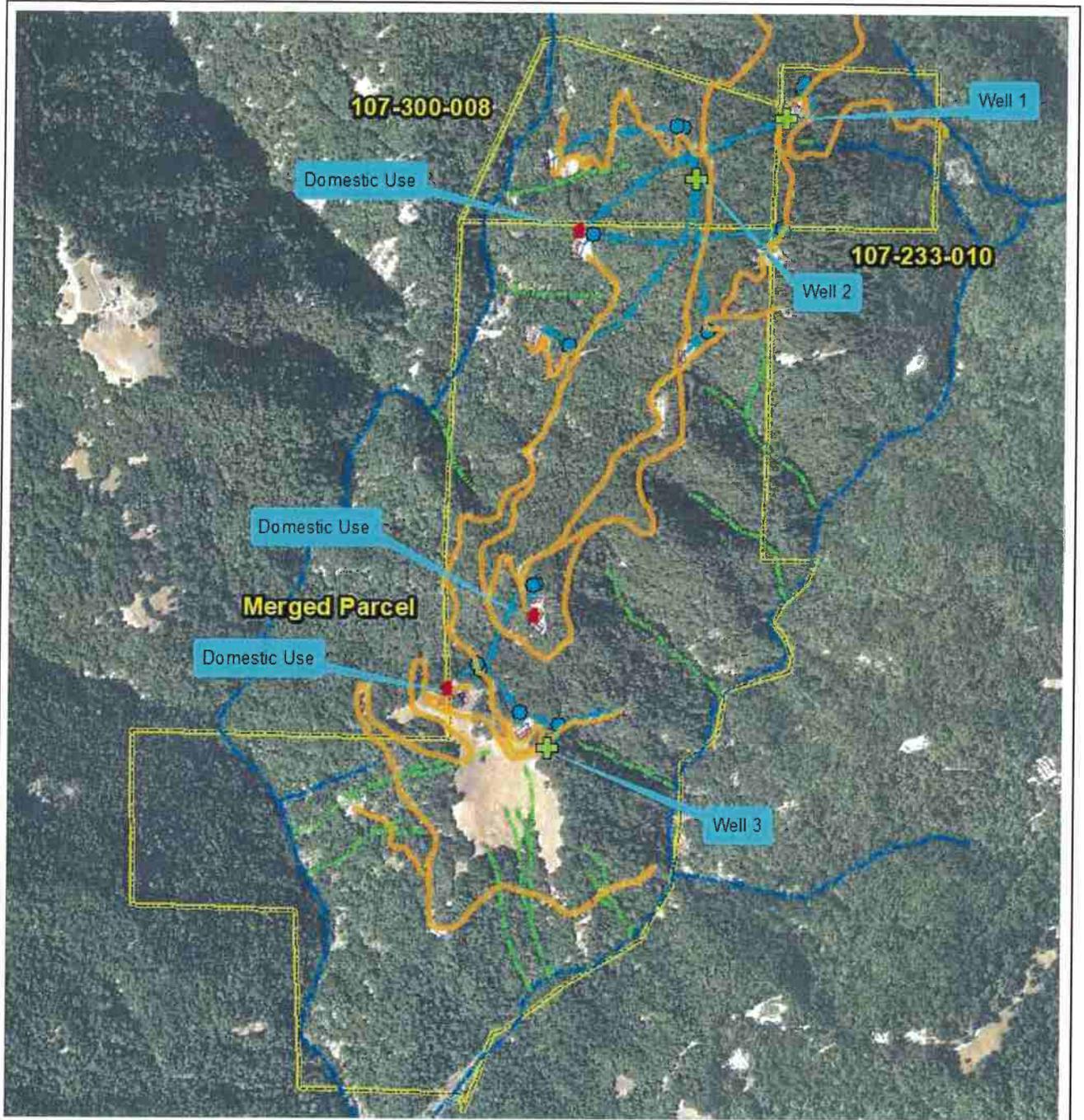




Humboldt Gardens - Disturbed Areas Map

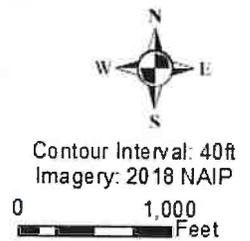
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|---------------------------|------------------|------------|
| Parcel Boundary selection | Water Source | Roads |
| Class I | Stream Crossing | Permanent |
| Class II | Cultivation Area | Seasonal |
| Class III | Residence | Skid |
| Disturbed Area | | Map Points |





Humboldt Gardens - Water Use Map

- | | | |
|---------------------------|------------------|--------------|
| Parcel Boundary selection | Water Tank | Roads |
| Class I | Water Line | Permanent |
| Class II | Cultivation Area | Seasonal |
| Class III | Residence | Skid |
| Water Source | | |



CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
 REGION 1 – NORTHERN REGION
 619 Second Street
 Eureka, CA 95501



STREAMBED ALTERATION AGREEMENT

NOTIFICATION No. 1600-2019-0325-R1

Unnamed Tributaries to Dry Creek, Tributary to the Mattole River and
 the Pacific Ocean

Guergui Mandelov
 Mandelov Stream Crossings Project
 5 Encroachments

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and Guergui Mandelov (Permittee).

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, the Permittee initially notified CDFW on April 25, 2019, with revisions received on December 16, 2019, that the Permittee intends to complete the project described herein.

WHEREAS, pursuant to FGC section 1603, CDFW has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in the Agreement necessary to protect those resources.

WHEREAS, the Permittee has reviewed the Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, the Permittee agrees to complete the project in accordance with the Agreement.

PROJECT LOCATION

The project to be completed is located within the Dry Creek and Mattole River watershed, approximately 9.9 miles west of the town of Myers Flat, County of Humboldt, State of California. The project is located in Section 27, T2S, R1E, Humboldt Base and Meridian; in the Bull Creek U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 107-056-003, 107-234-013, 107-234-014, and 107-300-008; latitude 40.26 N and longitude 124.056 W.

PROJECT DESCRIPTION

The project is limited to five encroachments. The five proposed encroachments are to upgrade failing and undersized culverts. Work for these encroachments will include

excavation, removal of the failing culvert, replacement with new properly sized culvert, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
Crossing-2	40.2693, -124.0627	Replace existing 24" at road/stream crossing and decommission per approved Stream Restoration Plan
Crossing-3	40.2559, -124.0669	Replace existing 18" diameter culvert with minimum 36" diameter culvert at road/stream crossing
Crossing-4	40.2553, -124.0684	Remove existing culvert and daylight stream to follow approved Stream Restoration Plan
Crossing-5	40.2549, -124.0671	Armor outlet of existing 24" diameter culvert to minimize erosion
Crossing-6	40.2547, -124.0670	Armor outlet of existing 24" diameter culvert to minimize erosion

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include Steelhead Trout (*O. mykiss*), Southern Torrent Salamander (*Rhyacotriton variegatus*), Pacific Giant Salamander (*Dicamptodon tenebrosus*), Foothill Yellow-legged Frog (*Rana boylei*), Coastal Tailed Frog (*Ascaphus truei*), Western Pond Turtle (*Actinemys marmorata marmorata*) amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

The adverse effects the project could have on the fish or wildlife resources identified above include:

Impacts to water quality:

temporary increase in fine sediment transport;

Impacts to bed, channel, or bank and direct effects on fish, wildlife, and their habitat:

loss or decline of riparian habitat;
 direct impacts on benthic organisms;

Impacts to natural flow and effects on habitat structure and process:

direct and/or incidental take;
 indirect impacts;
 impediment of up- or down-stream migration;
 water quality degradation; and
 damage to aquatic habitat and function.

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

The Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. The Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. The Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of the Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Adherence to Existing Authorizations. All water diversion facilities that the Permittee owns, operates, or controls shall be operated and maintained in accordance with current law and applicable water rights.
- 1.4 Change of Conditions and Need to Cease Operations. If conditions arise, or change, in such a manner as to be considered deleterious by CDFW to the stream or wildlife, operations shall cease until corrective measures approved by CDFW are taken.
- 1.5 Notification of Conflicting Provisions. The Permittee shall notify CDFW if the Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact the Permittee to resolve any conflict.
- 1.6 Project Site Entry. The Permittee agrees to allow CDFW employees access to any property it owns and/or manages for the purpose of inspecting and/or monitoring the activities covered by this Agreement, provided CDFW: a) provides 24 hours advance notice; and b) allows the Permittee or representatives to participate in the inspection and/or monitoring. This condition does not apply to CDFW enforcement personnel.
- 1.7 Agreement Compliance. The proposed work shall comply with the measures of this Agreement. **Failure to comply with these measures shall result in suspension or revocation of this Agreement.**
- 1.8 CDFW Notification of Work Initiation and Completion. The Permittee shall contact CDFW within the seven-day period preceding the beginning of work permitted by this Agreement. Information to be disclosed shall include Agreement number, and the anticipated start date. Subsequently, the Permittee shall notify CDFW no later than seven (7) days after the project is fully completed.

2. Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and wildlife resources identified above, the Permittee shall implement each measure listed below.

- 2.1 Permitted Project Activities. Except where otherwise stipulated in this Agreement, all work shall be in accordance with the Permittee Notification received on November 6, 2019, together with all maps, BMP's, photographs, drawings, and other supporting documents submitted with the Notification.
- 2.2 Incidental Take. This Agreement does not allow for the take, or incidental take of any state or federal listed threatened or endangered listed species.

Project Timing

- 2.3 Work Period. All work, not including diversion of water, shall be confined to the period **June 15 through October 1** of each year. Work within the active channel of a stream shall be restricted to periods of **dry weather**. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Construction activities shall cease and all necessary erosion control measures shall be implemented prior to the onset of precipitation.
- 2.4 Work Completion. The proposed work shall be completed by no later than **October 1, 2021**. A notice of completed work, including photographs of each site, shall be submitted to CDFW within seven (7) days of project completion.
- 2.5 Extension of the Work Period. If weather conditions permit, and the Permittee wishes to extend the work period after October 1, a written request shall be made to CDFW at least 5-working days before the proposed work period variance. Written approval (letter or e-mail) for the proposed time extension must be received from CDFW prior to activities continuing past October 1.
- 2.6 Avoidance of Nesting Birds. Vegetation maintenance/removal as necessary within the scope of the project shall be confined to the period commencing August 16 and ending February 28, of any year in which this Agreement is valid, provided the work area is outside of the actively flowing stream. Work may continue during precipitation events provided stream flows have not risen into work areas and sediment delivery will not result.

Vegetation Management

- 2.7 Minimum Vegetation Removal. No native riparian vegetation shall be removed from the bank of the stream, except where authorized by CDFW. Permittee shall limit the disturbance or removal of native vegetation to the minimum necessary to achieve design guidelines and standards for the Authorized Activity. Permittee shall take precautions to avoid damage to vegetation outside the work area.

- 2.8 Vegetation Management. Permittee shall limit vegetation management (e.g., trimming, pruning, or limbing) and removal for the purpose of stream crossing or diversion infrastructure placement/maintenance to the use of hand tools. Vegetation management shall not include treatment with herbicides.

Stream Crossings

- 2.9 Stream Protection. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other deleterious material from project activities shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into the stream. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.
- 2.10 Equipment Maintenance. Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants or hydraulic fluids shall not take place within stream bed, channel and bank. All such fluids and containers shall be disposed of properly off-site. Heavy equipment used or stored within stream bed, channel and bank shall use drip pans or other devices (e.g., absorbent blankets, sheet barriers or other materials) as needed to prevent soil and water contamination.
- 2.11 Hazardous Spills. Any material, which could be hazardous or toxic to aquatic life and enters a stream (i.e. a piece of equipment tipping-over in a stream and dumping oil, fuel or hydraulic fluid), the Permittee shall immediately notify the California Emergency Management Agency State Warning Center at 1-800-852-7550, and immediately initiate clean-up activities. CDFW shall be notified by the Permittee within 24 hours at 707-445-6493 and consulted regarding clean-up procedures.
- 2.12 Dewatering.
- 2.12.1 Stream Diversion. Only when work in a flowing stream is unavoidable (e.g., perennial streams), Permittee shall divert the stream flow around or through the work area during construction operations. Stream flow shall be diverted using gravity flow through temporary culverts/pipes or pumped around the work site with the use of hoses.
- 2.12.2 Maintain Aquatic Life. When any dam or other artificial obstruction is being constructed, maintained, or placed in operation, Permittee shall allow sufficient water at all times to pass downstream to maintain aquatic life below the dam pursuant to Fish and Game Code §5937.
- 2.12.3 Stranded Aquatic Life. The Permittee shall check daily for stranded aquatic life as the water level in the dewatering area drops. All reasonable efforts shall be made to capture and move all stranded aquatic life observed in the dewatered areas. Capture methods may include fish landing nets, dip nets,

buckets and by hand. Captured aquatic life shall be released immediately in the closest suitable aquatic habitat adjacent to the work site. This condition does not allow for the take or disturbance of any State or federally listed species, or State listed species of special concern. The Department staff who prepared this agreement shall be contacted immediately if any of these species are detected.

- 2.12.4 Coffer Dams. Prior to the start of construction, Permittee shall divert the stream around or through the work area and the work area shall be isolated from the flowing stream. To isolate the work area, water tight coffer dams shall be constructed upstream and downstream of the work area and water diverted, through a suitably sized pipe, from upstream of the upstream coffer dam and discharge downstream of the downstream coffer dam. Cofferdams and the stream diversion system shall remain in place and functional throughout the construction period. Cofferdams or stream diversions that fail for any reason shall be repaired immediately.
- 2.12.5 Minimize Turbidity, Siltation, and Pollution. Permittee shall use only clean, non-erodible materials, such as rock or sandbags that do not contain soil or fine sediment, to construct any temporary stream flow bypass. Permittee shall divert stream flow around the work site in a manner that minimizes turbidity, siltation, and pollution, and does not result in erosion or scour downstream of the diversion.
- 2.12.6 Remove any Materials upon Completion. Permittee shall remove all materials used for the temporary stream flow bypass after the Authorized Activity is completed.
- 2.12.7 Restore Normal Flows. Permittee shall restore normal flows to the effected stream immediately upon completion of work at that location.
- 2.13 Stream Restoration Plan. The Permittee shall submit a Stream Restoration Plan to CDFW prior to conducting remediation activities. The Stream Restoration Plan (SRP) shall detail the dimensions and slopes of the stream channel to be remediated. The SRP shall describe any material utilized to restore the channel to a natural condition. The SRP shall include a revegetation plan for remediation of the impacted channel reach.
- 2.14 Excavated Fill. Excavated fill material shall be placed in upland locations where it cannot deliver to a watercourse. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be tractor contoured (to drain water) and tractor compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.
- 2.15 Runoff from Steep Areas. The Permittee shall make preparations so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion

potential or contained behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.

2.16 Culvert Installation.

- 2.16.1 The project is located in a moderate to very high Fire Hazard Severity Zone as designated by CAL FIRE. Culvert materials shall consist of corrugated metal pipe (CMP). Use of High Density Polyethylene (HDPE) pipe is not recommended.
- 2.16.2 Existing fill material in the crossing shall be excavated down vertically to the approximate original channel and outwards horizontally to the approximate crossing hinge points (transition between naturally occurring soil and remnant temporary crossing fill material) to remove any potential unstable debris and voids in the older fill prism.
- 2.16.3 Culvert shall be installed to grade (not perched or suspended), aligned with the natural stream channel, and extend lengthwise completely beyond the toe of fill. If culvert cannot be set to grade, it shall be oriented in the lower third of the fill face, and a downspout or energy dissipator (such as boulders, rip-rap, or rocks) shall be installed above or below the outfall as needed to effectively control stream bed, channel, or bank erosion (scouring, headcutting, or downcutting). The Permittee shall ensure basins are not constructed and channels are not be widened at culvert inlets.
- 2.16.4 Culvert bed shall be composed of either compacted rock-free soil or crushed gravel. Bedding beneath the culvert shall provide for even distribution of the load over the length of the pipe, and allow for natural settling and compaction to help the pipe settle into a straight profile. The crossing backfill materials shall be free of rocks, limbs, or other debris that could allow water to seep around the pipe, and shall be compacted.
- 2.16.5 Culvert inlet, outlet (including the outfall area), and fill faces shall be armored where stream flow, road runoff, or rainfall energy is likely to erode fill material and the outfall area.
- 2.16.6 Permanent culverts shall be sized to accommodate the estimated 100-year flood flow [i.e. ≥ 1.0 times the width of the bankfull channel width or the 100-year flood size, whichever is greater], including debris, culvert embedding, and sediment loads.

2.17 Road Approaches. The Permittee shall treat road approaches to new or re-constructed permanent crossings *on Class I and II watercourses* to minimize

erosion and sediment delivery to the watercourse. Permittee shall ensure road approaches are hydrologically disconnected to the maximum extent feasible to prevent sediment from entering the crossing site, including when a Stream Crossing is being constructed or reconstructed. Road approaches shall be armored from the crossing for a minimum of 50 feet in both directions, or to the nearest effective water bar or point where road drainage does not drain to the crossing, with durable rock, compacted grindings, pavement, or chip-seal.

- 2.18 Project Inspection. The Project shall be inspected by Green Road Consulting or a licensed engineer to ensure that the stream crossings were installed as designed. A copy of the inspection report, including photographs of each site, shall be submitted to CDFW within 90 days of completion of this project.

Erosion Control and Pollution

- 2.19 Erosion Control. Permittee shall use erosion control measures throughout all work phases where sediment runoff threatens to enter a stream, lake, or other Waters of the State.
- 2.20 Erosion Control. Permittee shall use erosion control measures throughout all work phases where sediment runoff threatens to enter a stream, lake, or other Waters of the State.
- 2.21 Seed and Mulch. Upon completion of construction operations and/or the onset of wet weather, Permittee shall stabilize exposed soil areas within the work area by applying mulch and seed. Permittee shall restore all exposed or disturbed areas and access points within the stream and riparian zone by applying local native and weed free erosion control grass seeds. Locally native wildflower and/or shrub seeds may also be included in the seed mix. Permittee shall mulch restored areas using at least two to four inches of weed-free clean straw or similar biodegradable mulch over the seeded area. Alternately, Permittee may cover seeding with jute netting, coconut fiber blanket, or similar non-synthetic monofilament netting erosion control blanket.
- 2.22 Erosion and Sediment Barriers. Permittee shall monitor and maintain all erosion and sediment barriers in good operating condition throughout the work period and the following rainy season, defined herein to mean October 15 through June 15. Maintenance includes, but is not limited to, removal of accumulated sediment and/or replacement of damaged sediment fencing, coir logs, coir rolls, and/or straw bale dikes. If the sediment barrier fails to retain sediment, Permittee shall employ corrective measures, and notify the department immediately.
- 2.23 Prohibition on Use of Monofilament Netting. To minimize the risk of ensnaring and strangling wildlife, Permittee shall not use any erosion control materials that contain synthetic (e.g., plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control

measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.

- 2.24 Site Maintenance. Permittee shall be responsible for site maintenance including, but not limited to, re-establishing erosion control to minimize surface erosion and ensuring drainage structures and altered streambeds and banks remain sufficiently armored and/or stable.
- 2.25 Cover Spoil Piles. Permittee shall have readily available erosion control materials such as wattles, natural fiber mats, or plastic sheeting, to cover and contain exposed spoil piles and exposed areas in order to prevent sediment from moving into a stream or lake. Permittee shall apply and secure these materials prior to rain events to prevent loose soils from entering a stream, lake, or other Waters of the State.
- 2.26 No Dumping. Permittee shall not deposit, permit to pass into, or place where it can pass into a stream, lake, or other Waters of the State any material deleterious to fish and wildlife, or abandon, dispose of, or throw away within 150 feet of a stream, lake, or other Waters of the State any cans, bottles, garbage, motor vehicle or parts thereof, rubbish, litter, refuse, waste, debris, or the viscera or carcass of any dead mammal, or the carcass of any dead bird.

3. Reporting Measures

- 3.1 Work Completion. The proposed work shall be completed by no later than **October 1, 2021**. A notice of completed work (condition 2.4), with supplemental photos, shall be submitted to CDFW **within seven (7) days** of project completion.
- 3.2 Stream Restoration Plan. The Permittee shall submit a **Stream Restoration Plan** (condition 2.13) by **April 15, 2021**. The Stream Restoration Plan shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501.
- 3.3 Project Inspection. The Permittee shall submit the **Project Inspection Report** (condition 2.17) to CDFW, LSA Program at 619 Second Street, Eureka, CA 95501.

CONTACT INFORMATION

Written communication that the Permittee or CDFW submits to the other shall be delivered to the address below unless the Permittee or CDFW specifies otherwise.

To Permittee:

Guergui Mandelov
3398 The Alameda
Concord, California 94519
925-595-0704

joro99@gmail.com

To CDFW:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Attn: Lake and Streambed Alteration Program
Notification #1600-2019-0325-R1

LIABILITY

The Permittee shall be solely liable for any violation of the Agreement, whether committed by the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the project or any activity related to it that the Agreement authorizes.

This Agreement does not constitute CDFW's endorsement of, or require the Permittee to proceed with the project. The decision to proceed with the project is the Permittee's alone.

SUSPENSION AND REVOCATION

CDFW may suspend or revoke in its entirety this Agreement if it determines that the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with the Agreement.

Before CDFW suspends or revokes the Agreement, it shall provide the Permittee written notice by mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide the Permittee an opportunity to correct any deficiency before CDFW suspends or revokes the Agreement, and include instructions to the Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

Nothing in the Agreement precludes CDFW from pursuing an enforcement action against the Permittee instead of, or in addition to, suspending or revoking the Agreement.

Nothing in the Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from obtaining any other permits or authorizations that might be required under other federal, state, or local laws or regulations before beginning the project or an activity related to it.

This Agreement does not relieve the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in the FGC including, but not limited to, FGC sections 2050 *et seq.* (threatened and endangered species), 3503 (bird nests and eggs), 3503.5 (birds of prey), 5650 (water pollution), 5652 (refuse disposal into water), 5901 (fish passage), 5937 (sufficient water for fish), and 5948 (obstruction of stream).

Nothing in the Agreement authorizes the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

AMENDMENT

CDFW may amend the Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

The Permittee may amend the Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and the Permittee. To request an amendment, the Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of the Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by the Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

The transfer or assignment of the Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, the Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

EXTENSIONS

In accordance with FGC section 1605(b), the Permittee may request one extension of the Agreement, provided the request is made prior to the expiration of the Agreement's term. To request an extension, the Permittee shall submit to CDFW a completed CDFW "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). CDFW shall process the extension request in accordance with FGC 1605(b) through (e).

If the Permittee fails to submit a request to extend the Agreement prior to its expiration, the Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (FGC section 1605(f)).

EFFECTIVE DATE

The Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after the Permittee signature; 2) after CDFW complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable FGC section 711.4 filing fee listed at http://www.wildlife.ca.gov/habcon/ceqa/ceqa_changes.html.

TERM

This Agreement shall **expire five years** from date of execution, unless it is terminated or extended before then. All provisions in the Agreement shall remain in force throughout its term. The Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after the Agreement expires or is terminated, as FGC section 1605(a)(2) requires.

AUTHORITY

If the person signing the Agreement (signatory) is doing so as a representative of the Permittee, the signatory hereby acknowledges that he or she is doing so on the Permittee's behalf and represents and warrants that he or she has the authority to legally bind the Permittee to the provisions herein.

AUTHORIZATION

This Agreement authorizes only the project described herein. If the Permittee begins or completes a project different from the project the Agreement authorizes, the Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with FGC section 1602.

CONCURRENCE

The undersigned accepts and agrees to comply with all provisions contained herein.

FOR Guergui Mandelov

Guergui Mandelov

Date

FOR DEPARTMENT OF FISH AND WILDLIFE

Scott Bauer
Senior Environmental Scientist Supervisor

Date

Prepared by: David Manthorne, Senior Environmental Scientist Specialist, January 24, 2020



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



RE: Winterization Plan APN 107-233-013

The attached report is a winterization plan designed by Green Road Consulting (GRC) for parcel number 107-233-013. The purpose of this plan is not to provide permanent remedies for environmental problems on this site, but to outline any immediate actions that should be taken to minimize the impacts of winter erosion during the 2017-2018 rain season. Specifically, the plan outlines the items that need to be removed from the site and the erosion control features that need to be installed. This report is meant to accompany a visual sight plan that specifies the location of each area of concern for winterization.

This site has four (4) flats that require minimal winterization measures to get through the wet season. Mostly it requires straw and seed except for one flat that required fiber rolls to address an erosion issue.

Winterization actions needed immediately:

- All garbage will be removed from the site and disposed of properly at a certified waste depository. This includes cultivation-related wastes, construction debris, and all other non-organic debris on the site.
- All soil that is improperly disposed of on the site will be removed and disposed of properly in a covered pile or by shipment to Wes Green in Arcata.
- The North West flat (Site Plan #1, top flat) requires straw and seed on the bare patches of soil, especially on the fill slopes around the edges
- The South West flat (Site Plan #1, bottom flat) is terraced and needs to be stabilized with straw and seed on the cut and fill slopes between flats, where bare grading spoils are piled
- The North East flat (Site Plan #2, top flat) needs to be stabilized with straw and seed towards the middle of the flat.
- The South East flat (Site Plan #2, bottom flat) lies at the intersection of two seasonal roads. Channelized runoff runs down the hillside from the road above to the North-Northeast, and need fiber rolls staked perpendicular to the direction of flow (1) at the base of the slope and (2) at the edge of the flat where the runoff crosses the road.

WINTERIZATION PLAN

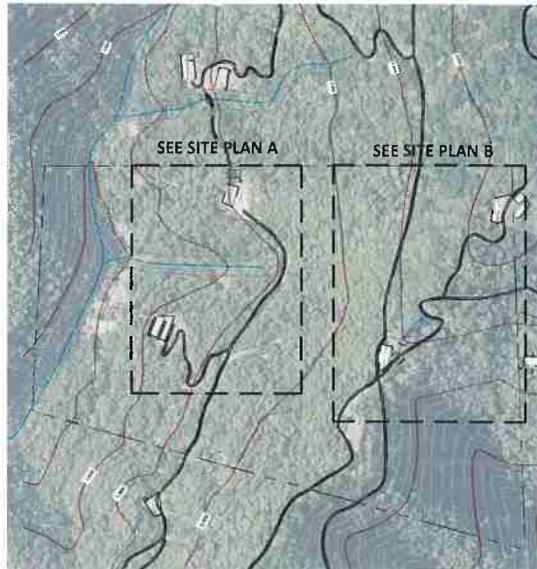
APN: 107-233-013

VICINITY MAP

NOT TO SCALE



AERIAL MAP



PROJECT DIRECTIONS

- FROM: EUREKA, CA
 -HEAD SOUTH ON US-101 (41.6 MI)
 -TAKE EXIT 633 FOR CA-254 TOWAR SOUTH FORK/HONEYDEW (0.2 MI)
 -MERGE ONTO BULL CREEK FLATS RD (.04 MI)
 -CONTINUE ONTO LOWER BULL CREEK FLATS RD (1.1 MI)
 -CONTINUE ONTO MATTOLE RD (6.4 MI)
 -MATTOLE RD TURN RIGHT AND BECOME CUNEO RD (0.4 MI)
 -TURN LEFT ONTO HUMBOLDT REDWOODS STATE PARK (246 FT)
 MAKE A U-TURN (246 FT)
 -TURN RIGHT AT THE 1ST CROSS STREET ONTO MATTOLE RD (6.3 MI)
 -TURN LEFT ONTO PANTHER GAP RD (0.9 MI)
 -TURN RIGHT, DESTINATION AHEAD (0.2 MI)

TRAVEL TIME

APPROXIMATELY: 1H 28 MIN (59 MI)

SHEET INDEX

- CP-COVER PAGE
- P0-PARCEL OVERVIEW

PROJECT INFORMATION

LAT/LONG: 40.2711, -124.0543
 APN: 107-233-010
 APPLICANT: WINTERIZATION PLAN
 PARCEL SIZE: 40± ACRES
 ZONING: TPZ CURRENT GENERAL PLAN-T

COASTAL ZONE: N
 100 YEAR FLOOD: N

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



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

GREEN
ROAD
CONSULTING



PROJECT INFORMATION

WINTERIZATION PLAN
 APN: 107-233-013
 COVER PAGE

PROPERTY OWNER
 ADDRESS
 SHEET INFO

REVISIONS

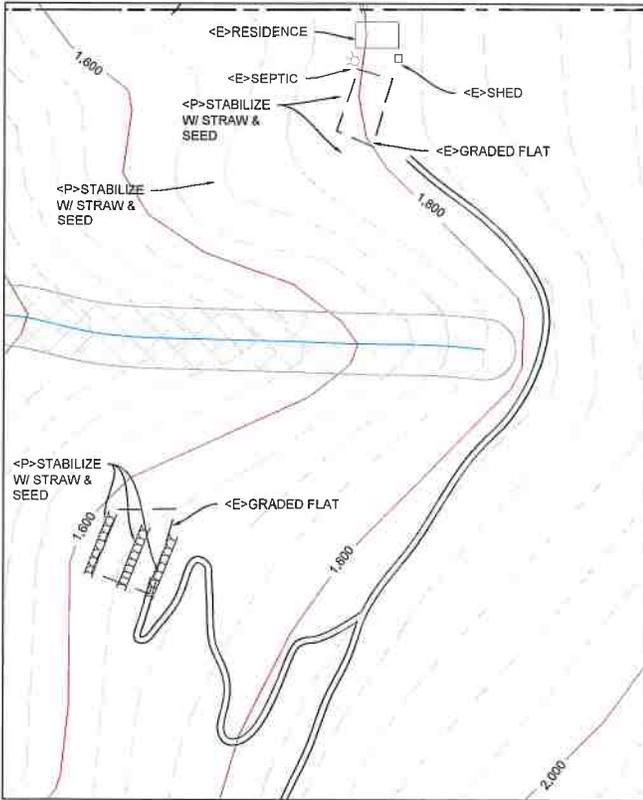
NO	NOTES	DATE

DATE 2/23/18
 DRAFTER DV
 SCALE AS SHOWN

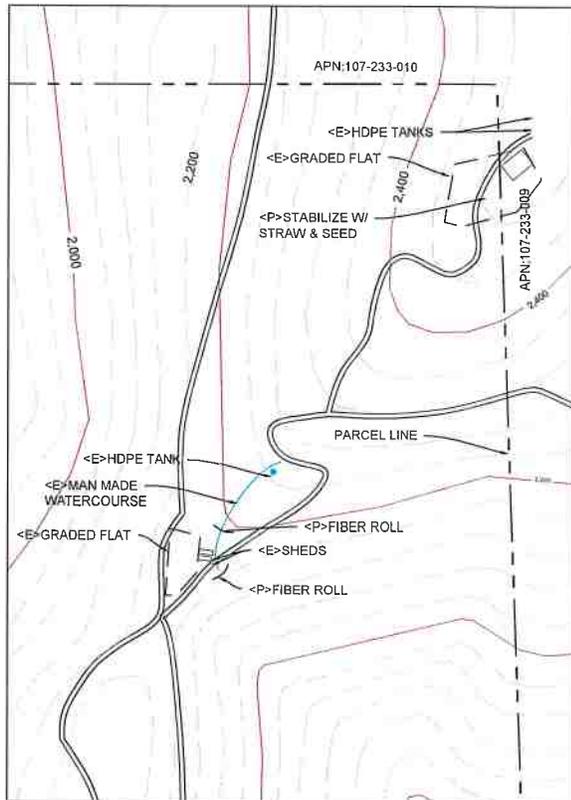
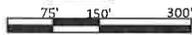
SHEET
CP

WINTERIZATION PLAN

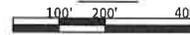
APN: 107-233-013



SITE A



SITE B



PROJECT INFORMATION

PROPERTY OWNER: WINTERIZATION PLAN
 ADDRESS: APN: 107-233-013
 SHEET INFO: WINTERIZATION PLAN

NO	NOTES	DATE

DATE: 2/12/18
 DRAFTER: [Signature]
 SCALE: AS SHOWN
 SHEET: WP

ATTACHMENT 5

Referral Agency Comments and Recommendations

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

Referral Agency	Response	Recommendation	Location
Public Works Land Use Division	✓	Conditional Approval	Attached
Division of Environmental Health	✓	Conditional Approval	Attached
California Department of Fish & Wildlife		No Response	Staff request for comments dated April 3 and June 26, 2020
CAL FIRE	✓	Implement RPF recommendations	Attached
NWIC	✓	Comments	On file with Planning
Bear River Band	✓	Inadvertent discovery protocol	On file with Planning
Humboldt County Sheriff	✓	Approval	On file with Planning
Intertribal Sinkyone Wilderness Council		No Response	
Humboldt County Agricultural Commissioner		No Response	
State Water Resources Control Board- Division of Water Rights		No Response	
Honeydew Volunteer Fire Department		No Response	
Mattole Union Unified School District		No Response	
District Attorney		No Response	
NCUAQMD		No Response	
RWQCB		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
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LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Stephen Luther, Planner, Planning & Building Department
 FROM: Kenneth M. Freed, Assistant Engineer 
 DATE: 01/13/2020

RE:	Applicant Name	HUMBOLDT GARDENS LLC
	APN	107-233-013
	APPS#	PLN-2019-15706

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:

Applicant has submitted a road evaluation report, dated 7/15/19. Since this time, the mentioned access road has been developed into a bypass road for Panther Gap Road and is being maintained by County.

// END //

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 15706

COUNTY ROADS- FENCES & ENCROACHMENTS:

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

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

COUNTY ROADS- DRIVEWAY (PART 1):

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

COUNTY ROADS- DRIVEWAY (PART 2):

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

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

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

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

COUNTY ROADS- DRIVEWAY (PART 3):

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

COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:

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

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

COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:

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

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

COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD)

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

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

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

COUNTY ROADS- ROAD EVALUATION REPORT(S):

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

// END //



Humboldt County
Department of
Health & Human
Services



Division of Environmental Health

100 H Street - Suite 100 - Eureka, CA 95501
Phone: 707-445-6215 - Toll Free: 800-963-9241
Fax: 707-441-5699
envhealth@co.humboldt.ca.us

Attachment for Commercial Medical Marijuana (CMM) Clearances/Permits

Applications for CMM Clearances and/or Permits are reviewed by the Division of Environmental Health (DEH) for compliance with regulations intended to protect public health and the environment. Submit this form to the Planning Division with your CMM Permit Application for referral to DEH. If the requested information is already provided in other documents submitted to the Planning Division, provide the title of the document with page and section numbers where it is located.

Name of Business: Humboldt Gardens, LLC Primary Contact Person: Green Road Consulting
Site Address: _____ Phone: 707-630-5041
APN: 107-233-013 Email: kaylie@greenroadconsulting.com

General Project Description (cultivation, processing, manufacturing; seasonal vs year round etc.)
17,620 square feet of outdoor cannabis cultivation
_____ Planning Application (APPS#): _____

Wastewater (Doc. Title _____ page _____ section _____)

- Connected to public sewer n/a Onsite waste water system _____
 - Number of Employees: average 1-2 peak operations: _____
 - Hours of Operation/shifts per day: average _____ peak operations: _____
 - Additional flow from processing: _____ GPD. Description of effluent _____
- Describe the proposed and existing wastewater generating structures and method(s) of effluent disposal.

Water Source (Doc. Title _____ page _____ section _____)

- Describe and show the water source(s) available on the property and what they serve.
 - Public Water System Approved Surface Water/Description _____
 - Well Permit Number(s): _____ Unapproved Surface Water/Description _____
 - Unpermitted Well Other: _____
 - No Existing Water Source _____
 - Spring _____
- Describe the approximate daily water demand for the current and projected uses on the property and method used to calculate demand: _____

Consumer Protection (Doc. Title _____ page _____ section _____)

- List/Describe any food production or service: n/a
- Describe and show on site plan, any existing or proposed kitchen infrastructure: n/a

Note: DEH does not currently regulate edible cannabis products. Any other food production may require a Plan Check and permitting.

Hazardous Materials (Doc. Title _____ page _____ section _____)

- List/describe production/cultivation machinery (e.g. generator, tractor, OHV, trimmer, heaters etc.): See Attached Materials Management Plan

 - Equipment Maintenance/Service (e.g., changing oil, antifreeze, etc.): Onsite or Offsite
 - List/describe fuel/oil(s) used or produced onsite (e.g. gasoline, diesel, propane, other?). Provide amounts and storage method(s): See Attached Materials Management Plan

 - List/describe all compressed gases, cleaners, solvents and sanitizers (including, but not limited to, household chemicals, bleach and alcohol). Provide amounts and storage method(s): _____
See Attached Materials Management Plan
 - List/describe fertilizers, soil amendments and biocides (including organic ones). Provide amounts and storage method/area(s): See Attached Materials Management Plan

- _____ *Attach Safety Data Sheets (SDS)

Solid Waste/Recycling (Doc. Title _____ page _____ section _____)

- List/describe the different anticipated solid waste/recycling, composting products and anticipated amounts: See Attached Materials Management Plan

- Describe, and show on the site plan, the designated area for storage of recycling and solid waste (containers stored outside must be covered): See Attached Materials Management Plan

- Describe waste removal plan including frequency and destination
 - Garbage (1x/week) 1x/wee,
 - Recycling(x/month) 2x/month (avoid nuisances including odors and vermin)
 - Hauling via Garbage/Recycling Service: _____ or Self Haul X
- Preferred permitted solid waste/recycling facility: Redway Transfer Station

Note: Spent growth medium with no further agricultural use is considered solid waste. It must be stored under cover until it can be hauled to a waste facility.

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

- The Department has no comment at this time.
- Suggested conditions attached.
- Applicant needs to submit additional information. List of Items attached.
- Recommend denial.
- Other comments.

Forester Comments: Date: 2/20/20 Name: Tim Meyers

AP#15706

Unpermitted conversions have been identified and evaluated by an RPF in the attached documentation. I have reviewed the documentation and concur with the RPF's conclusions. The timberland conversion report submitted with the application appears to adequately address and mitigate the unpermitted conversions on the property. CAL FIRE has no additional comments at this time. It was noted there were recommendations tied to all there parcels in this application and timberland conversion report. Will the RPF who prepared the report be responsible for verifying that the work he recommended has been preformed as required in their report?

Battalion Chief Comments: Date: Name:

Summary: