



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: October 1, 2020

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Mountain Meadow Farms, Inc, Special Permit**
Record Number: PLN-12808-SP
Assessor's Parcel Number: 212-031-007
700 Oriole Lane, Miranda area

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Please contact Liza Welsh, Planner, at 707-445-7541 or by email at lwelsh@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
October 1, 2020	Special Permit	Liza Welsh

Project Description: A Special Permit for 6,440 square feet of existing outdoor commercial cannabis cultivation to occur in three greenhouses using light deprivation. Water for irrigation is sourced from a groundwater well. Water storage is two 2,500-gallon tanks, totaling 5,000 gallons. The applicant's estimated annual water use is 45,700 gallons. The primary power source to the project is an existing solar array. A generator is used for 2-weeks annually to power a small greenhouse used for propagation. Drying and curing will occur onsite in an existing structure. Further processing is done off-site at a licensed processing facility. No employees work on site.

Project Location: The project is located in the Miranda area, on the west side of Oriole Lane, approximately 1.0 miles west from the intersection of Bear Butte Road and Oriole Lane, on the property known as 700 Oriole Lane.

Present General Plan Land Use Designation: Timberland (T), Humboldt County General Plan (GP), Density: 40-160 acres per dwelling unit, Slope Stability: Moderate Instability (2).

Present Zoning: Timber Production Zone (TPZ)

Record Number: PLN-12808-SP

Assessor Parcel Number: 212-031-007

Applicant

Mountain Meadow Farms, Inc.,
Eugene Hendershot
PO Box 696
Redway, CA 95560

Owner

Eugene Hendershot
PO Box 696
Redway, CA 95560

Agent

Atlas Engineering
Michael Taylor
252 G St
Arcata, CA 95521

Environmental Review: An Addendum to a previously adopted Mitigated Negative Declaration has been prepared for consideration per §15164 of CEQA Guidelines.

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

Major Issues: None.

MOUNTAIN MEADOW FARMS, INC
Record Number: PLN-12808-SP
Assessor's Parcel Number: 212-031-007

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:

Move to accept staff's recommendation allowing for continued cultivation of 6,440 square feet of existing outdoor commercial cannabis cultivation, find that the Zoning Administrator has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the Mountain Meadow Farms, Inc, project as recommended by staff subject to the recommended conditions.

Executive Summary: The proposed Special Permit would allow the continued cultivation of 6,440 square feet of existing outdoor cultivation and ancillary structures on a 163 acre (assessed lot size) legal parcel in the Miranda area. This commercial cannabis activity is authorized by Sections 314-55.4.8.2.2 of the Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The application meets the requirements of zoning, siting criteria (55.4.8.2, 55.4.6.4.2, 55.4.11(d)), setbacks from property lines, public lands, and listed incompatible uses (e.g., schools), and is accompanied by the documentation, plans, descriptions, and agency clearances set forth in the CMMLUO (55.4.10). All cannabis cultivation and ancillary activities occur outside of Streamside and Wetland Management Areas.

A review of historic imagery using Google Earth indicates that in 2014 there was 6,440 square feet of outdoor cannabis cultivation on the property. This is a request for a Special Permit for 6,440 square feet of outdoor cannabis cultivation, to be grown in greenhouses using light deprivation. Cultivation sites include a 30' X 72' greenhouse (Greenhouse #1), a 30' X 84' greenhouse (Greenhouse #2), and a 22' X 80' greenhouse (Greenhouse #3). Greenhouse #1 and Greenhouse #2 are located on the eastern end of the subject parcel, and Greenhouse #3 is located on the western end. An ancillary propagation area of 800-square feet, which was established around the year 2,000, is used for propagation of clones and is located near Greenhouse #1. When supplemental lighting is used in the propagation area, it will be shielded in accordance with International Dark Sky Standards such that no light escapes between 30 minutes prior to sundown and 30 minutes after sunrise at a level visible from neighboring properties.

Development on the site is limited to the cannabis cultivation and ancillary structures, and to two residences with several associated garage/storage buildings. Conditions of approval for the project require the applicant to obtain permits from the Building Division for all greenhouses, all structures with a nexus to cannabis cultivation, all graded flats, and any other features with a nexus to cannabis over which the Building Division has regulatory authority. If areas cannot be permitted, the applicant will be required to modify the permit with an alternate proposal.

The applicant anticipates two light deprivation cycles per year. Water for cannabis irrigation is sourced from an existing well and is stored in two water tanks totaling 5,000 gallons. Per the Well Completion Report, the well is 120 feet deep, with first water encountered at 75 feet deep in a layer of fractured blue sandstone. A 15-foot-deep layer of blue clay, (an aquitard) and a 60-foot-deep layer of brown sandstone are found above the aquifer. Submitted materials from the applicant include a letter from CDFW pursuant to Notification of Lake or Streambed Alteration No. 1600-2019-0223-R1 stating that the applicant may complete the projects described in their notification without a Final Streambed Alteration Agreement. These projects include: Use of the well, which CDFW did not evaluate for hydrologic connectivity, for commercial and domestic irrigation. Based on the depth of the well and the descriptions of the strata involved, it is not likely that the well is hydrologically connected to surface water. Further, the well is located approximately 1,640 feet from the nearest surface water on the site at approximately 800 feet above sea

level. The surface water is located at only approximately 280 feet above sea level. Water is delivered to the cannabis plants via drip irrigation system or via hand watering with compost tea. The applicant's estimated annual water use is approximately 45,700 gallons.

The power source for the project is a solar array, which powers the fans in the greenhouses. A generator, which is housed in a detached garage with a concrete floor, is used for two weeks out of the year to power the greenhouse used for propagation. Conditions of approval require the generator to be enclosed and noise to be attenuated to below 50 decibels at 100 feet from the generator, property lines, or the edge of forest habitat. Fuel and fertilizers are also stored in the garage in secondary containment. Harvested cannabis plants are dried in the storage area and are processed offsite at a licensed processing facility. No employees work on the site. The project was reviewed by the Department of Environmental Health, which recommended approval no conditions.

The subject parcel is accessed via Oriole Lane from the County-maintained section of Bear Butte Road off of Maple Hills Road and Highway 101. The project was reviewed by the Public Works Department which recommended approval with the condition that Oriole Lane be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County-maintained section of Bear Butte Road. This is included as a condition of project approval. Public Works also requested that the intersection between Oriole Lane and Bear Butte Road be maintained in accordance with County Code Section 351-1 (Sight Visibility Ordinance). This is included as an ongoing condition of approval.

Greenhouse #2 is situated along Oriole Lane. Because Oriole Lane runs through multiple parcels under separate ownership, it is considered a street. The Zoning Code standards for the TPZ zone require that structures be setback from streets at the same distance as required for the setback from the front lot line. In the TPZ zone, that is 20 feet, per section 7.4.1.5.1 of the Humboldt County Zoning Code. Conditions of approval require the applicant to submit an updated Site Map proposing an alternate location for Greenhouse #2 and to submit a Restoration Plan for the footprint of Greenhouse #2. Upon approval of the Site Map and the Restoration Plan by the Planning and Building Department, the applicant shall relocate Greenhouse #2 to the approved relocation site and shall restore the footprint. Restoration shall include, at minimum, removal of all cultivation and cultivation-related materials, recontouring of the footprint if grading of over 50 cubic yards of soil occurred, and revegetation of the footprint with a native plant species. The greenhouse shall be relocated outside the setback, to an area on the property that has experienced previous ground disturbance. If new ground disturbance is required, a springtime botanical survey must be conducted for rare plants prior to relocation.

A review of data from the California Natural Diversity Database (CNDDDB) using Humboldt County WebGIS demonstrates that the nearest mapped Northern Spotted Owl siting occurred approximately .19 miles from the cultivation area on the western end of the parcel and approximately .21 miles from the cultivation area on the eastern end of the subject parcel in 1995, and the nearest mapped Northern Spotted Owl activity center is approximately .11 miles away from the cultivation area on the western end of the parcel and approximately .39 miles away from the cultivation area on the eastern end of the parcel. A Biological Assessment was prepared for the parcel by Brit O'Brien, of O'Brien Biological Consultants, pursuant to a field survey which occurred on April 23rd, 2019. During the survey, no species that are considered sensitive were observed and no northern spotted owls or raptor nests were observed. No invasive plant species were notated at any of the cultivation or residential sites, or along any roads. However, due to the historic presence of Northern Spotted Owls on the subject parcel and due to the presence of potential habitat for Northern Spotted Owls, use of the generator shall be limited to two weeks per year, the generator shall be used in an enclosed structure (garage), and noise levels produced by the generator and all other cultivation-related noise sources, including greenhouse fans, shall never exceed 50db at 100 feet from the generator, the edge of forest habitat, or property lines, whichever is closer.

Although no comments were received from CDFW, the following conditions have been added to the project to protect local wildlife: The applicant will adhere to the terms and reporting requirements established through any future Streambed Alteration Agreements established for the parcel. The applicant will ensure that all cultivation-related noise sources are shielded and that decibel levels remain below 50

decibels at 100 feet from the noise source or at tree lines. The applicant will leave wildlife on the subject parcel undisturbed and will allow wildlife to leave the work site unharmed. To minimize the risk of wildlife entrapment, the applicant will not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves. All refuse will be contained in wildlife proof storage containers and will be disposed of at an authorized waste management facility. Finally, all security lighting will be motion activated and comply with International Dark sky Association Standards.

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: The Zoning Administrator could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. Modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Zoning Administrator is unable to make all of the required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of either alternative.

The Zoning Administrator could also decide that the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potentially significant impacts. As Lead Agency, the Department has determined that the Project is consistent with the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use ordinance (CMMLUO). However, the Zoning Administrator may reach a different conclusion. In that case, the Zoning Administrator should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT
Resolution Number 20-**

**Record Number: PLN-12808-SP
Assessor Parcel Numbers: 212-031-007**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Mountain Meadow Farms, Inc, Special Permit request.

WHEREAS, Mountain Meadow Farms, Inc, submitted an application and evidence in support of approving a Special Permit for 6,440 square feet of existing outdoor cannabis cultivation using light deprivation with water supplied by a groundwater well, power provided by a solar array and a generator, off-site processing, and no employees; and

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

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

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Special Permit (Record Number PLN-12808-SP; and

WHEREAS, a public hearing was held on the matter before the Humboldt County Zoning Administrator on October 1, 2020.

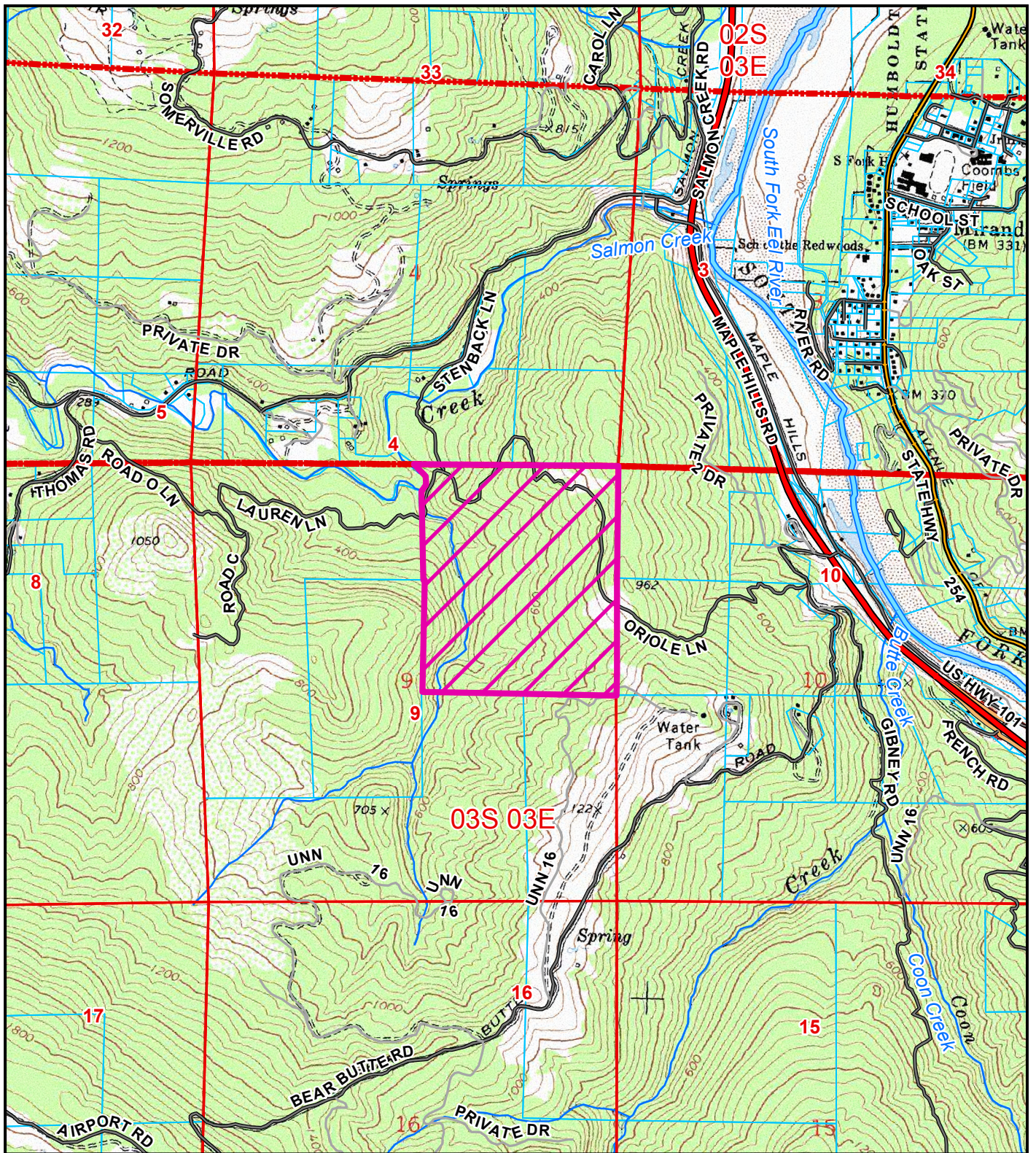
NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Zoning Administrator that:

1. The Zoning Administrator considered the Addendum to the MND adopted for the Commercial Medical Marijuana Land Use Ordinance; and
2. The Zoning Administrator makes the required findings in Attachment 2 of the Zoning Administrator staff report for Record Number PLN-12808-SP based on the submitted substantial evidence; and
3. Record Number PLN-12808-SP is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on October 1, 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, Director
Planning and Building Department

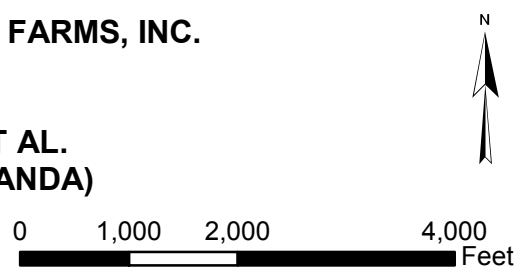


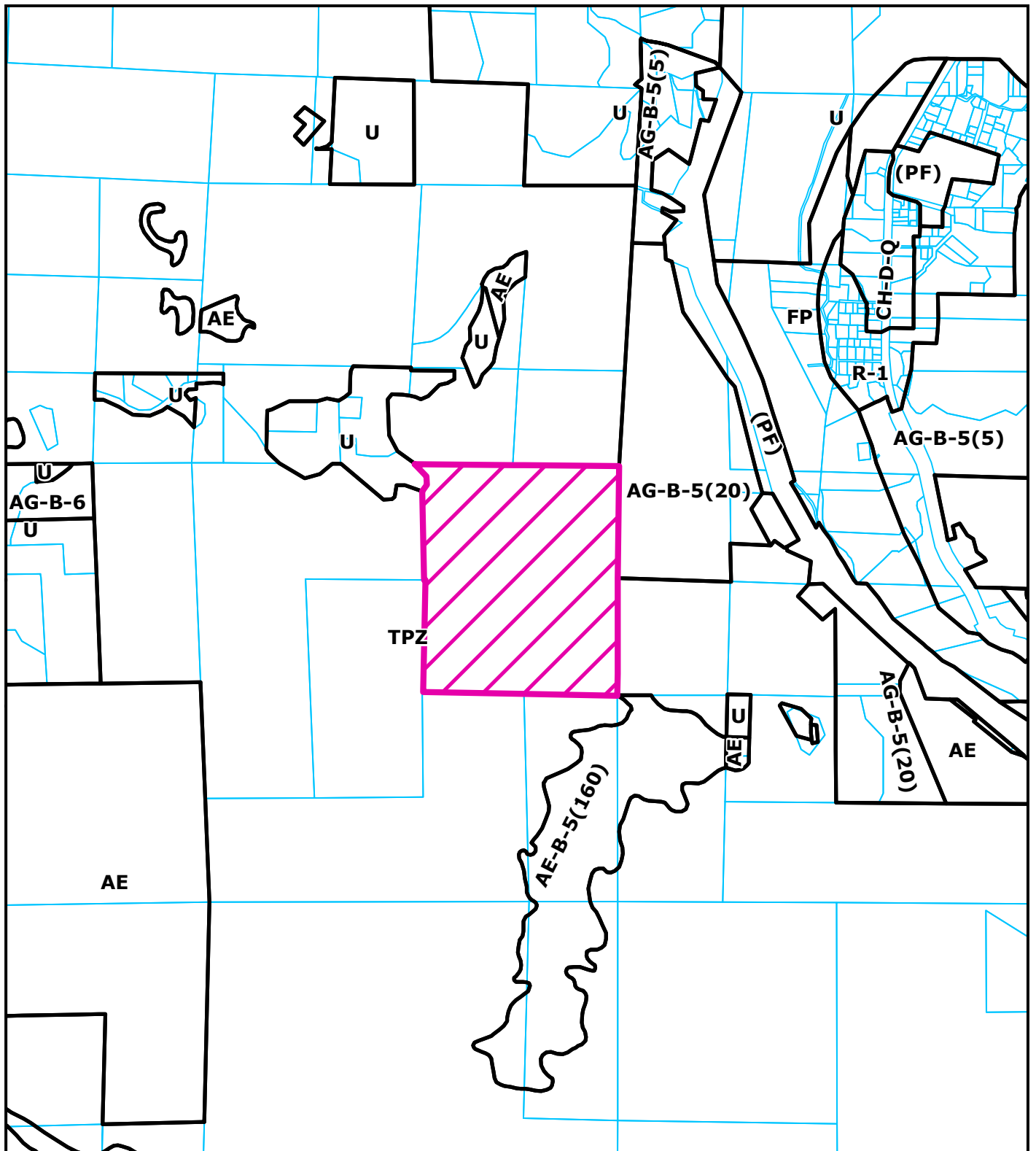
**TOPO MAP
PROPOSED MOUNTAIN MEADOW FARMS, INC.
MIRANDA AREA
CUP-16-857**

**APN: 212-031-007-000; ET AL.
T03S R03E S9 HB&M (MIRANDA)**

Project Area = 

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





**ZONING MAP
PROPOSED MOUNTAIN MEADOW FARMS, INC.
MIRANDA AREA
CUP-16-857**

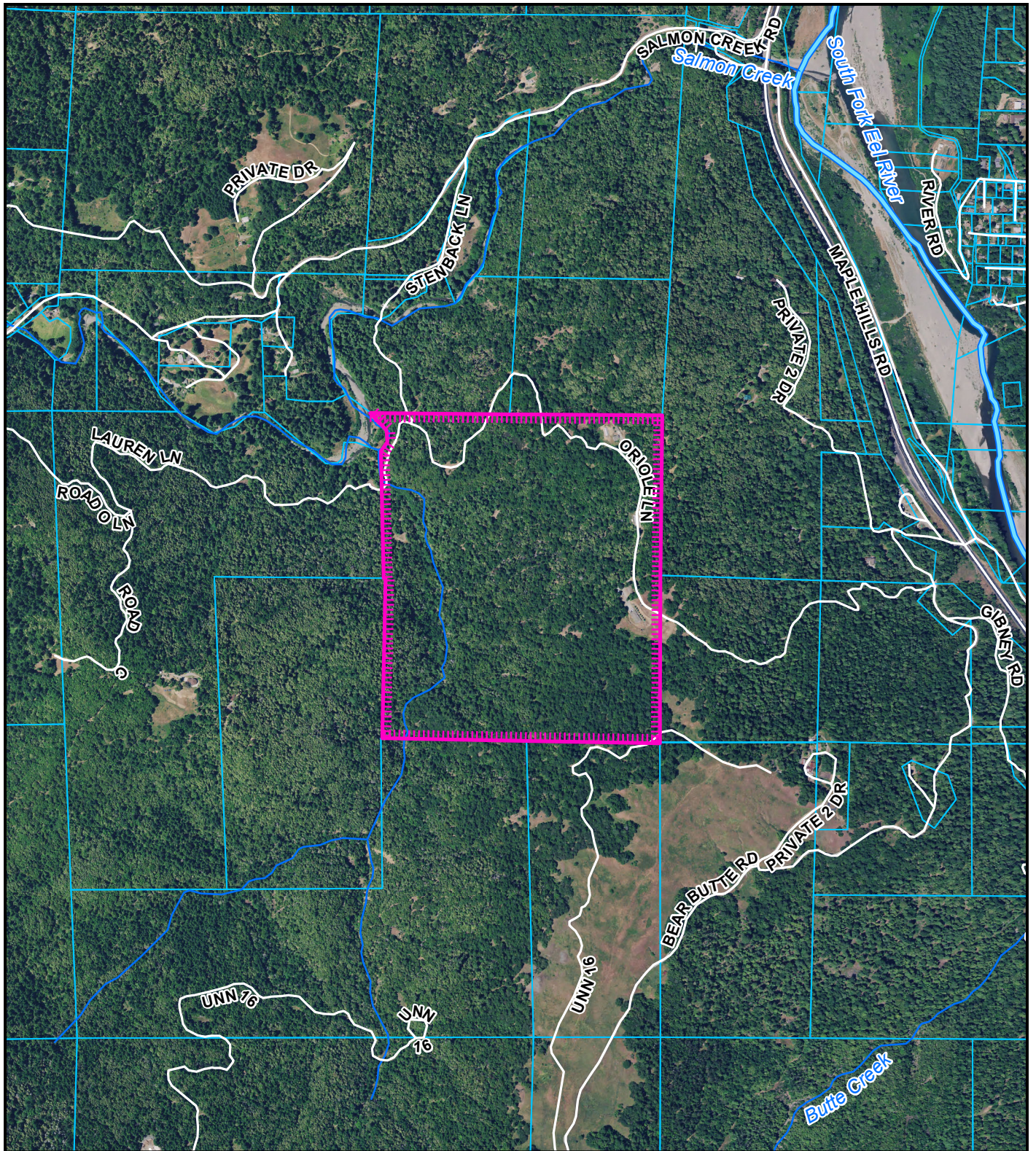
**APN: 212-031-007-000; ET AL.
T03S R03E S9 HB&M (MIRANDA)**

Project Area = 

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

0 1,000 2,000 4,000
Feet



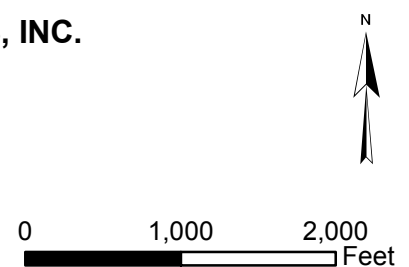


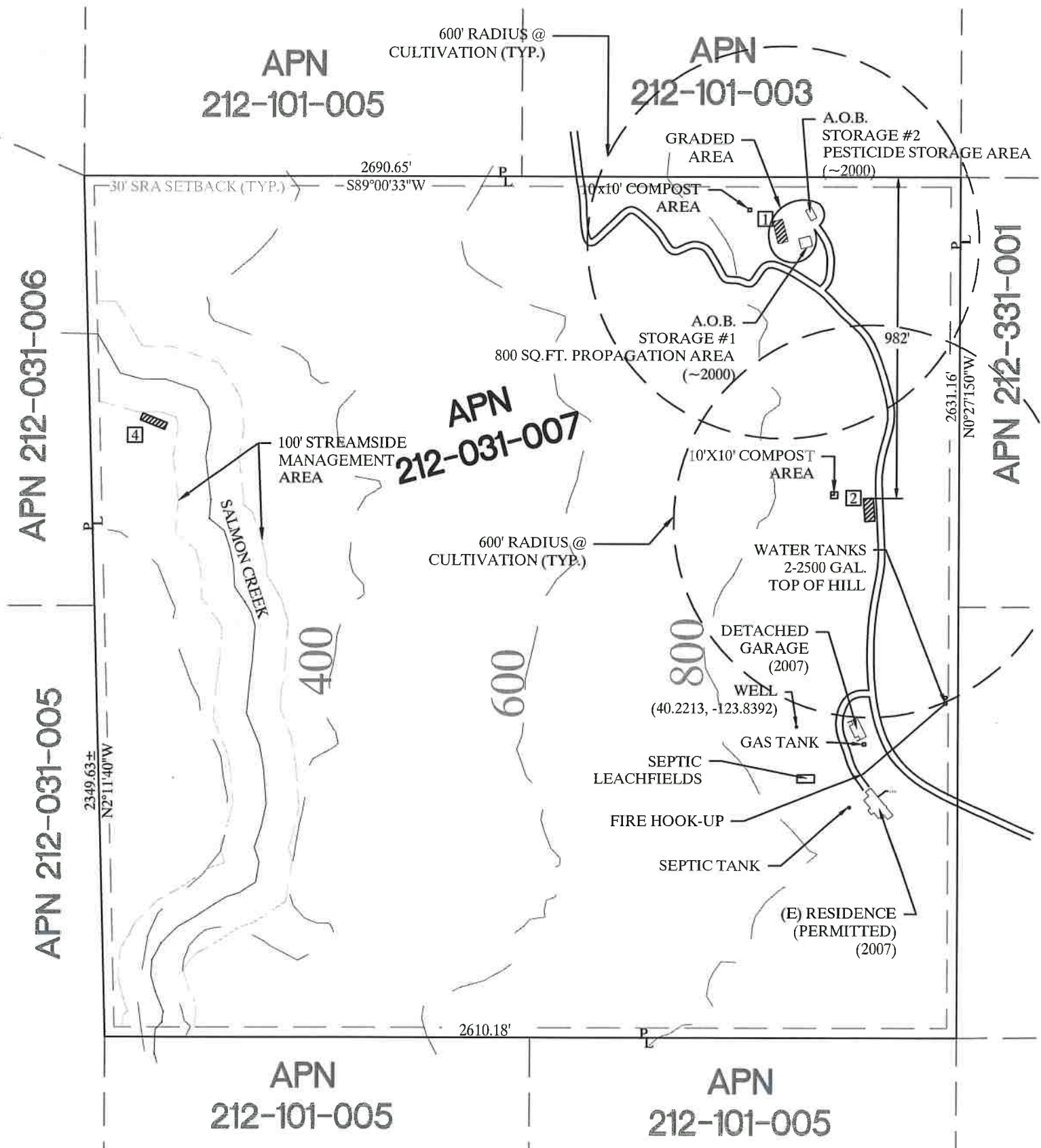
**AERIAL MAP
PROPOSED MOUNTAIN MEADOW FARMS, INC.
MIRANDA AREA
CUP-16-857**

Project Area = 

**APN: 212-031-007-000; ET AL.
T03S R03E S9 HB&M (MIRANDA)**

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.





VICINITY MAP
N.T.S.

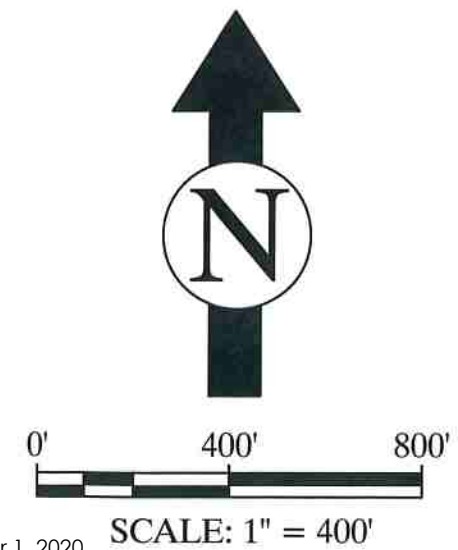
EXISTING CULTIVATION AREA (APPROX.)	
1	(1) 30'X72' GREENHOUSE = 2,160 SQ.FT.
2	(1) 30'X84' GREENHOUSE = 2,520 SQ.FT.
3	(1) 22'X80' GREENHOUSE = 1,760 SQ.FT.
TOTAL SQ.FT. = 6,440 SQ.FT.	

EXISTING CULTIVATION AREA

JOB DESCRIPTION:
"USE" PERMITTING OF EXISTING 6,440 SQ.FT. OF MIXED-LIGHT TOTAL CULTIVATION AREA .

AGENT:
ATLAS ENGINEERING
252 G STREET
ARCATA, CA 95521
(707) 822-2822
michael@atlaseng.net

OWNER:
GENE & ELISA HENDERSHOT
P.O. BOX 696
REDWAY, CA 95560



- NOTES:**
- PROPERTY LINES AND BUILDING LOCATIONS ARE APPROXIMATE AND BASED ON HUMBOLDT COUNTY GIS AND GOOGLE MAPS AERIALS.
 - ZONING: TPZ (SRA >1 ACRE)
 - FRONT SETBACK = 20'
 - REAR SETBACK = 30'
 - SIDE SETBACK = 30'
 - SITE AREA = 162.43 ACRES
 - NO MIXED LIGHT
 - NO PROCESSING DONE ONSITE
 - NO EASEMENTS ON PARCEL



ATLAS ENGINEERING
252 G ST.
ARCATA, CA 95521
(707) 822-2822 PH & FAX
WWW.ATLASENG.NET

EXISTING CULTIVATION PLAN

HEDNERSHOT PERMITTING
700 ORIOLE LANE MYERS FLAT, CA 95554
APN 212-031-007

Date:	
Revision No.:	
Date: 11/16/2018	
Project #: 17051	
Drawn by: KIM	
Scale: As Noted	
Sheet No.	
P1	

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

1. 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.
2. Within 60 days of the effective date of project approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #3 –12. 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.
3. The applicant shall secure permits or applicable ag-exempt clearances for unpermitted grading or structures related to the cannabis cultivation and other commercial cannabis activity including all graded areas where greater than 50 cubic yards of soil will be or were moved, the drying/storage building, the solar array, all structures with a nexus to cannabis of greater than 120-square feet, and all other features with a nexus to cannabis over which the Building Division has regulatory authority. The plans submitted for building permit approval shall be consistent with the project description and approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
4. The applicant shall submit documentation demonstrating that their generator is contained or otherwise muffled such that noise levels remain at or below 50 decibels at 100 feet away or at the nearest tree line, or whichever is closer, while the generator is operating.
5. 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.
6. The applicant shall demonstrate the driveway and emergency vehicle turn around conform with the Humboldt County Code Section 3112-12, Fire Safe Regulations. The applicant shall be responsible for implementing any necessary improvements to bring the driveway and emergency vehicle turn around into compliance. A letter from a qualified engineer shall satisfy this requirement.
7. The applicant shall establish a stored water source of 2,500 gallons or greater, to be separate from water designated for irrigation and domestic use, and to be accessible for fire responders in the event of a fire on the parcel.
8. The applicant shall implement all corrective actions detailed within the Water Resource Protection Plan (WRPP) developed for the parcel, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board Cannabis Cultivation Waste Discharge Regulatory Program, including those measures determined necessary during annual and periodic site inspections in accordance with the monitoring element. A copy of the report 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 NCRWQCB. A letter or similar communication from the NCRWQCB or the third-party consultant verifying that all their requirements have been met will satisfy this condition.

9. The applicant shall provide the Planning Department of copy of the Site Management Plan developed for the parcel prepared pursuant to Tier 1 enrollment under the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy, General Order. The applicant shall provide substantial evidence that all corrective actions detailed within the Site Management Plan have been completed.
10. The property owner shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
11. Per the Department of Public Works, Oriole Lane shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County-maintained portion of Bear Butte Road. An encroachment permit shall be obtained prior to work within the County right-of-way.
12. Greenhouse #2 is situated along Oriole Lane. Because Oriole Lane runs through multiple parcels under separate ownership, it is considered a street. The Zoning Code standards for the TPZ zone require that structures be setback from streets at the same distance as required for the setback from the front lot line. In the TPZ zone, that is 20 feet, per section 7.4.1.5.1 of the Humboldt County Zoning Code. The applicant shall submit an updated Site Map proposing an alternate location for Greenhouse #2 and shall submit a Restoration Plan for the footprint of Greenhouse #2. Upon approval of the Site Map and the Restoration Plan by the Planning and Building Department, the applicant shall relocate Greenhouse #2 to the approved relocation site and shall restore the decommissioned footprint. Restoration shall include, at minimum, removal of all cultivation and cultivation-related materials, recontouring of the footprint if grading of over 50 cubic yards of soil occurred, and revegetation of the footprint with a native plant species. The greenhouse shall be relocated outside the setback, to an area on the property that has experienced previous ground disturbance. If new ground disturbance is required, a springtime botanical survey must be conducted for rare plants prior to relocation.

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

1. The intersection of the privately maintained section of Oriole Lane and the County-maintained section of Bear Butte Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).
2. Security lighting shall be motion activated and shall comply with International Dark Sky Standards.
3. 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.
4. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
5. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
6. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning & Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort towards compliance can be shown within the two years following the issuance of the provisional clearance or permit, The Planning Department may, at the discretion of the

Director, provide for extensions of the provisional permit to allow for additional time to meet the outstanding requirements.

7. 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.
8. 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.
9. 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 Section 55.4.11 (d).
10. Maintain enrollment in Tier 1, 2 or 3, certification with the State Water Resources Control Board (SWRCB_ Order No.WQ 2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
11. Comply with the terms of any applicable Streambed Alteration (1600) Permit obtained from the California Department of Fish & Wildlife, if applicable.
12. 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).
13. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
14. Pay all applicable application and annual inspection fees.
15. The noise produced by any generator used temporarily for propagation or on an emergency-only basis for cannabis drying, curing, and processing shall not be audible by humans from neighboring residences. The decibel level for generators measured at the property line shall be no more than 50 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 50dB as measured at 100 feet from the generator or at the edge of the nearest Marbled Murrelet or Spotted Owl habitat, whichever is closer.
16. 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.
17. 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.
18. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.

19. Any project related noise shall be contained to the extent feasible (e.g. containment of fans and dehumidifiers etc.) and shall be no more than 50 decibels measured from 100ft or to the nearest tree line, whichever is closer.
20. 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.
21. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
22. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

23. 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."
24. 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).
25. 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.
26. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - I. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;
 - (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (e) Materials handling policies;
 - (f) Job hazard analyses; and
 - (g) Personal protective equipment policies, including respiratory protection.

- II. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (a) Operation manager contacts;
 - (b) Emergency responder contacts;
 - (c) Poison control contacts.
- III. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
- IV. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

27. 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.

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

29. 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 CUP or permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the CUP, 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.

30. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #29 above is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.

31. 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.

32. Permittee further acknowledges and declares that:

- I. All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt shall be solely for medical purposes and all commercial cannabis products produced by me, my agents, or employees are intended to be consumed solely by qualified patients entitled to the protections of the Compassionate Use Act of 1996 (codified at Health and Safety Code section 11362.5); and
 - II. 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 California Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) will be distributed within the State of California; and
 - III. 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 California Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).
33. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- a. Identifying information for the new Owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - c. The specific date on which the transfer is to occur;
 - d. Acknowledgement of full responsibility for complying with the existing Permit; and
 - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
34. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violation(s) 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 violation(s) shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where the Compliance Agreement 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 #29 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 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.

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) specify the findings that are required to grant the Special Permits:

1. The proposed development is in conformance with the County General Plan 2017, Open Space Plan, and Open Space Action Program;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations;
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; and
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, Open Space Plan, and Open Space Action Program.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use Chapter 4 Land Use Designations Section 4.8	<p>Timberland (T): Land that is primarily suitable for the growing, harvesting, and production of timber. Prairies and grazing lands may be intermixed.</p> <p>Density range is 40-160 acres/unit.</p>	<p>The Applicant proposes the continued operation of an existing commercial cannabis cultivation site consisting of 6,440 square feet of existing outdoor commercial cannabis cultivation to be grown in greenhouses using light deprivation on lands designated as Timberland. General agriculture and intensive agriculture are allowable use types for this designation.</p>
Circulation Chapter 7	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1,C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County (C-G5).</p> <p>Related policies: C-P3, Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>The subject parcel is accessed via Oriole Lane from the County-maintained section of Bear Butte Road off of Maple Hills Road and Highway 101. Oriole Lane is a privately-maintained road with the functional capacity of a Category 4 road. The project was reviewed by the Public Works Department which recommended approval with the condition that Oriole Lane be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County-maintained section of Bear Butte Road. This is included as a condition of project approval. Public Works also requested that the intersection between Oriole Lane and Bear Butte Road be maintained in accordance with County Code Section 351-1 (Sight Visibility Ordinance). This is included as an ongoing condition of approval. As the project is family-operated and has no employees, significant traffic impacts are not expected from the project.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Housing Chapter 8</p>	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory.</p>	<p>The project does not involve residential development, nor is the project site part of the 2019 Housing Element Residential Land Inventory. However, the project will not preclude any future residential development. The project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces. (CO-G1, CO-G3).</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review; CO-S1, Identification of Local Open Space Plan; and CO-S2, Identification of the Open Space Action Program.</p>	<p>The proposed project is located within an Open Space Land because the project site, has lands designated as Timberland, is zoned Timberland Production and has project elements within an area mapped as having geologic instability (historic landslide) (see Geologic & Seismic discussion below). The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for timber harvest and agricultural purposes. It is consistent with the use of Open Space land for managed production of resources because it occurs in a historically open area and timberlands are conserved for long-term economic utilization and for wildlife habitat. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.</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 area on the subject parcel is characterized as an early to med-age forest of the Redwood series including common tree species Douglas Fir, Madrone, and Tanoak with some limited Coastal Oak Woodland habitat and annual/perennial grasslands. Elevation ranges from ~240 to 920 feet above sea level and slopes vary from 5% to 25%. The site is within the Salmon Creek HUC-12 Watershed and the Canoe Creek Super Planning Watershed. The parcel contains aquatic habitats in the form of perennial and intermittent stream habitat, which are tributaries of Salmon Creek and ultimately the South Fork of the Eel River. The water source for the project is a groundwater well and the water use of the project is not anticipated to affect these watersheds.</p> <p>A review of data from the California Natural Diversity Database (CNDDDB) using Humboldt County WebGIS demonstrates that the nearest mapped Northern Spotted Owl siting occurred approximately .19 miles from the cultivation area on the western end of the parcel and approximately .21 miles from the cultivation area on the eastern end of the subject parcel in 1995, and the nearest mapped Northern Spotted Owl activity center is approximately .11 miles away from the cultivation area on the western end of the parcel and approximately .39 miles away from the cultivation area on the eastern end of the parcel. A Biological Assessment was prepared for the parcel by Brit O'Brien, of O'Brien Biological Consultants, pursuant to a field survey which occurred on April 23rd, 2019. During the survey, no species that are considered sensitive were observed and no northern spotted owls or raptor nests were observed. No invasive plant species were notated at any of the cultivation or residential sites, or along any roads. However, due to the historic presence of Northern Spotted Owls on the subject parcel and due to the presence of potential habitat for Northern Spotted Owls, use of the generator shall be limited to two weeks per year, the generator shall be used in an enclosed structure (garage), and noise levels produced by the generator and all other cultivation-related noise sources, including greenhouse fans, shall never exceed 50db at 100 feet from the generator, the edge of forest habitat, or property lines, whichever is closer.</p> <p>Although no comments were received from CDFW, the following conditions have been added to the project to protect local wildlife: The applicant will adhere to the terms and reporting requirements established through any future Streambed Alteration Agreements established for the parcel. The</p>
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Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
		<p>applicant will leave wildlife on the subject parcel undisturbed and will allow wildlife to leave the work site unharmed. To minimize the risk of wildlife entrapment, the applicant will not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves. All refuse will be contained in wildlife proof storage containers and will be disposed of at an authorized waste management facility. Finally, all security lighting will be motion activated and comply with International Dark sky Association Standards.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources).</p> <p>Related policies: CU-P1, Identification and Protection; CU-P2, Native American Tribal Consultation.</p>	<p>The Northwest Information Center reviewed the project and found no record of any previous cultural resource studies for the proposed project area. Subsequently, the project was reviewed by the Tribal Historic Preservation Officer (THPO) of the Bear River Band of the Rohnerville Rancheria. The THPO requested adherence to the standard inadvertent discovery protocol. This protocol is included as an ongoing condition of approval for the life of the project. 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.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<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).</p> <p>Related standards: SR-S4, Light and Glare.</p>	<p>The project is sited at approximately .8 miles from State Highway 254, the Avenue of the Giants, a scenic highway. The project involves the cultivation of 6,440 square feet of existing outdoor cannabis cultivated in greenhouses using light deprivation. The cultivation site will not be visible from State Highway 254 for from other nearby public roads because vegetated buffers are maintained between all cultivation areas and neighboring parcels under separate ownership or public roads. No supplemental lighting is proposed for cannabis cultivation. Supplemental light used temporarily for cannabis propagation will be appropriately shielded such that no light escapes at a level visible from neighboring properties in accordance with International Dark Sky Standards. Security lighting will be motion-activated and downward facing in compliance with International Dark Sky Standards, and the project will not result in any light escape that could affect scenic resources.</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 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>The applicant has enrolled in the State Water Board General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities, Order WQ 2019-0001-DWQ (General Order), and a Notice of Applicability was issued for the project (WDID 1_12CC413912). A Water Resources Protection Plan was prepared for the project by Timberland Resource Consultants pursuant to previous registration in the Regional Order (WDID 1B171635CHUM). The WRPP discusses findings from a Site Visit that occurred in Spring 2018. The examination evaluated areas near, and areas with the potential to directly impact, watercourses for sensitive conditions including, but not limited to, existing and proposed roads, skid trails and landings unstable and erodible watercourse banks, unstable upslope areas, debris jam potential, inadequate flow capacity, changeable channels, overflow channels, flood prone areas, and riparian zones. It states that Oriole Road was well rocked with appropriate and adequately spaced drainage structures, but recommended maintenance on a seasonal road used to access water tanks and as an alternate access route to the property. During the survey, no Streamside Management Area violations were observed, and no spoils were noted on the property. No evidence of irrigation runoff was observed, and there was no evidence that it had occurred in the past.</p> <p>Conditions of approval require the applicant to implement all corrective actions detailed within the Water Resource Protection Plan (WRPP) developed for the parcel, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board Cannabis Cultivation Waste Discharge Regulatory Program, including those measures determined necessary during annual and periodic site inspections in accordance with the monitoring element. A copy of the report 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 NCRWQCB. A letter or similar communication from the NCRWQCB or the Third-Party Consultant verifying that all their requirements have been met will satisfy this condition.</p> <p>Further, conditions of approval require the applicant to provide a copy of the Site Management Plan developed for the parcel prepared pursuant to Tier 1 enrollment under the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy, General</p>
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Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
		Order. The applicant shall provide substantial evidence that all corrective actions detailed within the Site Management Plan have been completed.
<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-G11).</p> <p>Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P17, On-Site Sewage Disposal Requirements.</p>	<p>The project is family-operated with no employees. Drying will occur on site in a storage shed, and further processing will occur off site with a licensed third-party processor. The project was reviewed by the Department of Environmental Health, which recommended approval with no suggested conditions.</p>
<p>Noise Chapter 13</p>	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards (N-G1, N-G2).</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.</p>	<p>The subject parcel is located in an area that requires special noise attenuation measures due to the presence of a mapped Northern Spotted Owl activity center on the subject parcel and within .5 miles from both cultivation sites. While the primary power source to the project is solar, a generator is used for two weeks annually to power the structure used for propagation. The project is conditioned that any project related noise shall be contained to the extent feasible (e.g. containment of fans, dehumidifiers etc.) and shall be no more than 50 decibels measured from 100ft or to the nearest tree line, whichever is closer.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<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-P7, Structural Hazards; and S-P11, Site Suitability.</p>	<p>The project site is not located in a mapped Alquist-Priolo fault zone, nor is it subject to liquefaction. The project does not pose a threat to public safety from exposure to natural or manmade hazards. The historic cannabis cultivation site, where activity is proposed to continue, has slopes of 15-30%. All structures proposed for cannabis cultivation and ancillary activities are existing. There are mapped historic landslides on the parcel. The seismic safety rating for the parcel is moderate. All applicable structures and features with a nexus to the cannabis cultivation activity will be subject to review by the Building Division for consistency with applicable State, Federal, and local regulations of building standards, including those related to slope stability, ground shaking, and geologic risk.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding (S-G3).</p> <p>Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; and S-P15, Construction Within Special Flood Hazard Areas.</p>	<p>The project site is outside any mapped flood hazard areas. The project site is not within a mapped dam or levee inundation area and, at over 10 miles distance from the coast and over 240 feet above mean sea level, is outside the areas subject to tsunami run-up.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<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 for loss of life, property, and natural resources (S-G4).</p> <p>Related policies: S-P19, 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 project site is located within the Miranda Fire response area and the State Fire Responsibility Area where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. The project was referred to Cal-Fire, but no comments were received. The water source for fire suppression on the parcel is currently the two water storage tanks, which are also used to store water for cannabis cultivation. Conditions of approval require the applicant to designate a separate stored water source, of at least 2,500 gallons, to be designated for fire suppression, and require the applicant to demonstrate that the driveway and emergency vehicle turn arounds conform with Humboldt County Code Section 3112-12, the Fire Safe Regulations.</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>The project is within the Miranda Fire Response Area and the State Responsible Area.</p>
<p>Air Quality Chapter 15</p>	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G4).</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control; and AQ-P7, Interagency Coordination.</p>	<p>Applications for grading and/or building permits shall be referred to the North Coast Air Quality Management District (NCAQMD) for review and consultation. Dust control practices during any construction and grading shall achieve compliance with NCAQMD 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 Requirement	Evidence That Supports the Zoning Finding
§312-1.1.2 Legal Lot Requirement	Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	The subject parcel was created by Parcel Map 2772 (lot 1) recorded in Book 25 of Parcel Maps page 39.
§314-7.4 Timberland Production Zone (TPZ) §314-55.4.8.2 §314-55.4.8.2.2	Timberland Production Zone (TPZ): Grazing and other agricultural uses are principal compatible uses. In all zones consisting of timberland, cultivation shall be permitted in 3-acre conversion exemption are or in non-timberland open area. Permits for existing outdoor cultivation in zoning districts including TPZ may be issued only when possible to bring them into compliance with applicable standards. The total cultivation area shall not exceed 1 acre for outdoor cultivation.	The proposed action would permit an outdoor commercial cannabis cultivation in existence prior to January 1, 2016. on a parcel zoned TPZ. The existing cultivation area totals 6,440 square feet. The proposed cannabis cultivation use is specifically allowed with a Special Permit in the TPZ under Section 314-55.4.8.2.2 of the CMMLUO.
Min. Lot Size	160 acres; or 40 acres if provisions of §51119.5 are met	163 acres
Min. Lot Width	None specified	~2915 feet
Max. Lot Depth	None specified	~2470 feet
Minimum Yard Setbacks: (Through the SRA requirements)	Front: 20 feet Rear: 10 feet Side: 5 feet SRA: 30 feet, all sides	0 feet (see below) >30 feet >30 feet Following relocation of Greenhouse #2 out of the 20-foot setback from Oriole Lane (Minimum Yard Setback, Front), the project will comply with all required setbacks for the TPZ zone. See Condition of Approval #12.
Max. Ground Coverage	None specified	<20%
Max. Building Height	None specified	<35 feet

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§314-61.1 Streamside Management Area (SMA)	<p>Placement of soil within SMAs shall be prohibited, except where specifically authorized by the SMA ordinance.</p> <p>Development within SMAs may include wildlife enhancement and restoration projects.</p> <p>The SMA of Class I or Class II streams outside of urban development and expansion areas is defined as 100 feet from the stream transition line.</p> <p>The SMA of Class III or intermittent streams outside of urban development and expansion areas is defined as 50 feet from the stream transition line.</p>	<p>The project is within the Cape Mendocino Planning Watershed, the Salmon Creek HUC 12 watershed, and the Canoe Creek Planning Watershed. The parcel contains aquatic habitats in the form of perennial and intermittent stream habitat, which are tributaries of Salmon Creek and ultimately the South Fork of the Eel River. There is no historic or proposed project-related development within Streamside Management Areas on the parcel.</p> <p>The water source for the project is a groundwater well. Submitted materials from the applicant include a letter from CDFW pursuant to Notification of Lake or Streambed Alteration No. 1600-2019-0223-R1 stating that the applicant may complete the projects described in their notification without a Final Streambed Alteration Agreement. These projects include: Use of the well, which CDFW did not evaluate for hydrologic connectivity, for commercial and domestic irrigation. Compliance with any future SAA issued is an ongoing condition of project approval.</p>

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)		
§314-55.4.8.2 Timberland Conversion	In all zones where cultivation is allowed consisting of timberland, the commercial cultivation of cannabis for medical use shall only be permitted within a 3-acre conversion exemption area, or non-timberland open area, subject to the conditions and limitations set forth in this Section.	A review of aerial imagery does not indicate that any timber conversion has occurred onsite. As all project activities occur within existing structures and areas, no timber conversion is proposed for the subject parcel.

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)		
§314-55.4.8.2.2 Existing Outdoor and Mixed-Light Cultivation Areas	On parcels 5 acres or larger in size, a Zoning Clearance Certificate, Special Permit or Conditional Use Permit may be issued for existing outdoor and mixed light cultivation for some or all of the cultivation area in existence prior to January 1, 2016. The total cultivation area allowed on a single parcel shall not exceed one acre for outdoor cultivation or 22,000 square feet for mixed-light cultivation. A Conditional Use Permit is appropriate for existing outdoor and/or mixed-light cultivation >10,000 - 43,560 sf on parcels over 1-acre, zoned FR.	The proposed action is one Special Permit for 6,440 square feet of existing cannabis cultivation to occur outdoors in greenhouses using light deprivation on a property zoned Timber Production Zone (TPZ). Aerial imagery on Google Earth indicate that existing cultivation operations on the property began sometime before 2016. The cultivation area, type, status, and zoning of the parcel are consistent with the requirements for a Special Permit. The applicant will comply with all conditions of the CMMLUO, as specified in the recommended conditions of approval.
§314-55.4.8.10 Permit Limit	No more than four commercial cannabis activity permits may be issued to a single person, as defined in the referenced section.	According to records maintained by the Department, the applicant, hold no other cannabis activity permits, and is entitled to four under the CMMLUO. This application is for one Special Permit.
§314-55.4.9.1 Accessory Processing	Processing for cultivation requiring a Special Permit or Use Permit will be considered in the Use Permit application.	All commercial cannabis cultivated will be processed at a licensed off-site facility.
§314-55.4.10 Application Requirements	Identifies the Information Required for All Applications	Attachment 4 identifies the information submitted with the application and shows all the required information was received.
§314-55.4.11 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities	All the applicable performance standards are included as Conditions of project approval. They are required to be met throughout the timeframe of the permit.

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)

<p>§314-55.4.11.c Performance Standards-Water</p>	<p>Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board, Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration.</p>	<p>The applicant anticipates two light deprivation cycles per year. Water for cannabis irrigation is sourced from an existing well and is stored in two water tanks totaling 5,000 gallons. Per the Well Completion Report, the well is 120 feet deep, with first water encountered at 75 feet deep in a layer of fractured blue sandstone. A 15-foot-deep layer of blue clay, an aquitard, and a 60-foot-deep layer of brown sandstone are found above the aquifer. Submitted materials from the applicant include a letter from CDFW pursuant to Notification of Lake or Streambed Alteration No. 1600-2019-0223-R1 stating that the applicant may complete the projects described in their notification without a Final Streambed Alteration Agreement. These projects include: Use of the well, which CDFW did not evaluate for hydrologic connectivity, for commercial and domestic irrigation. Based on the depth of the well and the descriptions of the strata involved, it is not likely that the well is hydrologically connected to surface water. Further, the well is located approximately 1,640 feet from the nearest surface water on the site at approximately 800 feet above sea level. The surface water is located at only approximately 280 feet above sea level. Water is delivered to the cannabis plants via drip irrigation system or via hand watering with compost tea. The applicant's estimated annual water use is approximately 45,700 gallons.</p>
<p>§314-55.4.11.d Performance Standards- Setbacks</p>	<p>The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs).</p>	<p>There are no schools within 600 feet of the cultivation operation. There are no parks as defined in HCC Section 314-55.4.7 within 600 feet of the cultivation site based on a review of aerial imagery, and there is no public land managed for open space or wildlife habitat. There is no place of religious worship within 600 feet. There are no cultivation-related structures within the 30-foot SRA setback. There are and will be no cultivation-related structures within Streamside Management Areas on the subject parcel.</p>

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)

§314-55.4.11.o Performance Standards- Generator Noise	The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences. The combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species, when generator use is to occur in the vicinity of potential habitat. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service.	The subject parcel is located in an area that requires special noise attenuation measures. While the primary power source to the project is solar, for two weeks a year, a generator is used to power the structure used for propagation. The project is conditioned that any project related noise shall be contained to the extent feasible (e.g. containment of fans, dehumidifiers etc.) and shall be no more than 50 decibels measured from 100ft or to the nearest tree line, whichever is closer.
§314-55.4.17 Sunset Date	No application for any Use Permit pursuant to the CMMLUO shall be processed for issuance or approval that is received after December 31, 2016.	The applicant filed the application prior to the deadline of December 31, 2016.

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

Code Section	Summary of Applicable 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 ordinance and the project is not expected to cause significant environmental damage.

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
17.1.5 Housing Element Densities	The proposed development shall not reduce the residential density for any parcel below that is 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), except where: 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.	As discussed above the property was not included in the 2019 Housing Inventory because of the land use designation and zoning. It is developed with a single-family residence which will remain. The project is in conformance with the standards in the Housing Element.

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

As lead agency, the Department prepared an Addendum to the previously adopted Mitigated Negative Declaration (MND) (State Clearinghouse # 2015102005) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and adopted by the County Board of Supervisors January 26, 2016. The MND prepared for the CMMLUO established that the environmental effects of existing cultivation operations would be reduced from the baseline impacts through the regulations applied by the CMMLUO. The proposed project is consistent with all regulations within the CMMLUO and all mitigation measures of the MND. The project is for the approval of an existing cultivation and on-site processing. The environmental document on file include detailed discussions of all the relevant environmental issues.

ATTACHMENT 3
CEQA Addendum

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

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

APN 212-031-007, Miranda area, County of Humboldt

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

September 2020

Background

Modified Project Description and Project History - The original project reviewed under the Mitigated Negative Declaration (MND) for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The MND specified that the regulations established in the CMMLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. The MND states that "Bringing existing operations into compliance will help to attenuate potential environmental effects from existing cultivation activities, including aesthetic impacts resulting from improper operation or poor siting."

The modified project involves a Special Permit for 6,440 square feet of outdoor commercial cannabis cultivation to occur in three greenhouses using light deprivation. Water for irrigation is sourced from a groundwater well. Water storage is two 2,500-gallon tanks, totaling 5,000 gallons. The applicant's estimated annual water use is 45,700 gallons. The primary power source to the project is an existing solar array. A generator is used for 2-weeks annually to power a small greenhouse used for propagation. Drying and curing will occur onsite in an existing structure. Further processing is done off-site. No employees work on site. A Biological Assessment was prepared for the parcel by Brit O'Brien, of O'Brien Biological Consultants, pursuant to a field survey which occurred on April 23rd, 2019. During the survey, no species that are considered sensitive were observed and no northern spotted owls, raptor nests, or appropriate supporting habitat were discovered. No invasive plant species were notated at any of the cultivation or residential sites, or along any roads. The Northwest Information Center reviewed the project and found no record of any previous cultural resource studies for the proposed project area. Subsequently, the project was reviewed by the Tribal Historic Preservation Officer (THPO) of the Bear River Band of the Rohnerville Rancheria. The THPO requested adherence to the standard inadvertent discovery protocol. This protocol is included as an ongoing condition of approval for the life of the project. 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.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate for impacts of existing cultivation. These include compliance with noise and standards to limit disturbance to wildlife, light attenuation in compliance with International Dark Sky standards, identification and avoidance of cultural resources, measures to correct drainage and erosion on the subject parcel, and proper storage of fertilizers and soil amendments.

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

1. Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
or
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects;
or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the project and minor improvements necessary to bring the operation into compliance with the CMMLUO is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND.

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

- County GIS.
- Site Plan and Operations Plan for Mountain Meadow Farms, Inc.
- Well Completion Report for Permit Number 15/16-0850 for a new well on APN 212-031-007.
- Letter Re: Approval of Streambed Alteration Application (Notification No 1600-2019-0223-R1) for APNS 212-031-007.
- Water Resources Protection Plan prepared by Timberland Resource Consultants in June 2018 and revised August 2018.
- Biological Reconnaissance Report, prepared by O'Brien Biological Consultants, received 6/12/2019.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See Purpose statement above.

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

FINDINGS

1. The proposed project will permit an existing cannabis operation and bring the operation into compliance with county and state requirements intended to adequately mitigate environmental impacts.
2. The circumstances under which the project was approved have not changed substantially. There

are no new significant environmental effects and no substantial increases in the severity of previously identified effects.

3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

CONCLUSION

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

ATTACHMENT 4

Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Attached in Maps Section)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan Prepared by Applicant, received 4/1/2019 - Attached)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not Applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (Described in Cultivation and Operations Plan - Attached)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. R1-2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Notice of Applicability for WDID:1_12CC413912 - Attached)
8. Water Resources Protection Plan prepared by Timberland Resource Consultants in April 2018 and revised in August 2018, received 11/24/2018. (Attached)
9. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (Letter Re: Notification No. 1600-2019-0223-R1 Stating That Applicant May Complete Project of Using a Groundwater Well for Cannabis Irrigation - Attached)
10. If the source of water is a well, a copy of the County well permit, if available. (Well Completion Report for Permit Number 15/16/0850 to Establish a Groundwater Well on APN 212-031-007 - Attached).

11. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CALFIRE). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE. (There is no evidence of timber conversion on the site – Not Applicable)
12. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
13. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in section 55.4.8.2.3, and plan for compliance with applicable Building Codes. (Not applicable)
14. 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)
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 SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to Tribal Cultural Resources, as defined herein. Examples include but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
16. Road Evaluations prepared by applicant and Whitchurch Engineering for the access route to 212-031-007. (On file)
17. Biological Reconnaissance Report, prepared by O'Brien Biological Consultants, received 6/12/2019 (On file and confidential)

Mountain Meadow Farms, Inc.
Cultivation and Operations Plan
APN: 212-031-007

Description of water source, storage, irrigation plan, and projected water usage:

The water source for cultivation is an on-site well. Water storage consists of two (2) 2,500 gallon storage tanks. The cultivation sites are drip irrigated with water applied during approximately two (2) 10-minute cycles per day. Projected water usage is 45,700 gallons per year, depending on conditions. In lieu of regular water application, approximately 300 gallons of compost tea is hand-watered in at each of the three active cultivation sites every six to 10 days.

Description of site drainage, including runoff and erosion control measures:

The cultivation sites are flat, stable and are all located beyond the required setback from watercourses. Plants are drip irrigated and are contained in built up beds. Watering times are monitored throughout the season and adjusted as necessary to avoid overwatering. There is no runoff at any of the cultivation sites.

Detail of measures taken to ensure protection of watershed and nearby habitat:

Watering times are monitored throughout the season and adjusted as necessary to avoid overwatering and runoff, and the cultivation sites are located beyond the required setback from watercourses. Solar is exclusively used to power the fans inside the greenhouses. No harmful pesticides or chemicals are used. All wastes are kept in cans and is self-hauled to the dump as it accumulates and on a regular basis.

Protocols for proper storage and use of fertilizers, pesticides and other regulated products utilized:

All fertilizers are stored in a detached garage with a concrete floor, and all fertilizers are applied at or below manufacturer recommended rates.

Description of cultivation activities:

Cultivation is outdoors with up to two light deprivation cycles per season. Cultivation sites include a 30'x72' greenhouse, a 30'x84' greenhouse, and 22'x80' greenhouse of outdoor cultivation. We have a propagation area with supplemental lighting designated for the nursery, which we use for approximately 2 weeks to prepare our clones for planting. We use a rented generator as needed for propagation which is housed in a detached garage with a concrete floor. Fuel for said generator use is also housed in detached garage with concrete floor, so there is no chance of spillage onto the ground. We do not use any supplemental lighting in the greenhouses.

Processing plan:

Plants are harvested twice per year, dried in the storage area and are processed off-site. We are interested in exploring other options for off-site processing as they become more available.

Schedule of activities during each month of the growing and harvesting seasons, including projected generator use:

The schedule fluctuates and changes from year-to-year, so the following outline is an approximation of how things should happen during an ideal season. Projected generator use is consistent with keeping clones in vegetative growth for about two weeks in the spring.

May: Cultivation generally starts in May, depending on the weather. Clones are kept in vegetative growth for a couple of weeks till they are mature enough to plant in the greenhouses; then the greenhouses are planted; and we start covering within a couple of weeks.

June: Greenhouses are covered on daily basis starting at the end of May or toward the beginning of June; as plants become more established, they are tended and fed compost tea approximately every six to 10 days.

July: The first light deprivation run is harvested sometime around mid-July, depending on the strain; and the greenhouses are generally re-planted with the second run within about a week.

August: As plants become more established and as they start to flower, they are tended and fed compost tea approximately every six to 10 days.

September: The second run is harvested toward the end of September or the beginning of October.

October: Harvest continues, if necessary; cultivation sites are cleaned up and prepped for winter.

Employees and Operators: Mountain Meadow Farms will not be hiring any employees. This is a small project and it is owner operated.

Security plan:

The parcel is in a fairly remote, discreet location, and you must pass through two locked gates to gain access -- one before the full-time residence and one before the cultivation sites. The surrounding terrain is rugged and there is no line of site to any of the cultivation areas from public roads. The storage areas lock and are secure. Regular contact is maintained with neighbors, and there is cell service on the parcel, in case of emergency. There is also a water spigot at the residence that is sized for a fire hose.

North Coast Regional Water Quality Control Board

January 31, 2020

WDID:1_12CC413912

MOUNTAIN MEADOW FARMS INC
ATTN: ELISA HENDERSHOT
700 ORIOLE LANE
MYERS FLAT, CA 95554

Subject: Notice of Applicability - Waste Discharge Requirements Water Quality
Order WQ 2019-0001-DWQ

The attached Notice of Applicability provides notice that the requirements of the State Water Board *Cannabis Cultivation Policy- Principles and Guidelines for Cannabis Cultivation* (Policy), and the *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order WQ 2019-0001-DWQ (General Order – previously WQ 2017-0023-DWQ, with updates and revisions effective April 16, 2019) are applicable to the site as described below. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the State Water Board Policy and General Order.

Please direct all submittals, discharge notifications, and questions regarding compliance and enforcement to the North Coast Regional Water Quality Control Board Cannabis Program at (707) 576-2676 or northcoast.cannabis@waterboards.ca.gov.

Sincerely,

Matthias St. John
Executive Officer
North Coast Regional Water Quality Control Board

200131_1L_1_12CC413912_1B171635CHUM_Mountain_Meadow_Farms__Inc__NOA_TW

NOTICE OF APPLICABILITY – WASTE DISCHARGE REQUIREMENTS, WATER QUALITY ORDER WQ 2019-0001-DWQ, MOUNTAIN MEADOW FARMS INC, HUMBOLDT COUNTY APN(s) 212-031-007

Mountain Meadow Farms Inc (hereafter “Discharger”) submitted information through the State Water Resources Control Board’s (State Water Board’s) online portal on April 01, 2019, for discharges of waste associated with cannabis cultivation related activities. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the Policy and General Order. This letter provides notice that the Policy and General Order are applicable to the site as described below. You are hereby assigned waste discharge identification (WDID) number **1_12CC413912**. The original WDID assigned by the North Coast Regional Water Quality Control Board was 1B171635CHUM.

The Discharger is responsible for all the applicable requirements in the Policy, General Order, and this Notice of Applicability (NOA). This includes making any necessary changes to the enrollment, and the Discharger is the sole person or entity with legal authority to make those changes. The Discharger will be held liable for any noncompliance with the Policy, General Order, and the NOA.

1. FACILITY AND DISCHARGE DESCRIPTION

All dischargers enrolled under the North Coast Regional Water Board’s Order (R1-2015-0023) or the Central Valley Regional Water Board’s Order (R5-2015-0113) as of October 17, 2017, (the adoption date of the General Order) may retain the reduced setbacks applicable under the appropriate Regional Water Board order unless the Executive Officer for the appropriate Regional Board determines that the reduced setbacks applicable under their regional order are not protective of water quality. However, sites that expand their cannabis cultivation area or other cannabis related activities must comply with the riparian setbacks in the General Order.

The information submitted by the Discharger states the disturbed area is equal to or greater than 2,000 square feet and less than 1 acre (43,560 square feet) no portion of the disturbed area is within the setback requirements, no portion of the disturbed area is located on a slope greater than 30 percent, and the cannabis cultivation area is less than or equal to 1 acre.

Based on the information submitted by the Discharger, the cannabis cultivation activities are classified as Tier 1 Low Risk.

2. SITE-SPECIFIC REQUIREMENTS

The Policy and General Order are available on the Internet at:

https://www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_water_quality.html

The Discharger shall ensure that all site operating personnel know, understand, and comply with the requirements contained in the Policy, General Order, this NOA, and the Monitoring and Reporting Program (MRP, Attachment B of the General Order). Note that the General Order contains standard provisions, general requirements, and prohibitions that apply to all cannabis cultivation activities.

The application requires the Discharger to self-certify that all applicable Best Practicable Treatment or Control (BPTC) measures are being implemented, or will be implemented by the onset of the winter period (November 15 - April 1), following the enrollment date. Landowners of the cultivation site in the North Coast Region are required to submit and implement Site Management Plans that describes how BPTC measures are implemented property-wide, including BPTC measures implemented to address discharges from legacy activities (e.g. former timber harvest, road building, mining, etc.) at the site per Provision C.1.a. of the General Order. Dischargers that cannot implement all applicable BPTC measures by the onset of the winter period, following their enrollment date, shall submit to the appropriate Regional Water Board a *Site Management Plan* that includes a time schedule and scope of work for use by the Regional Water Board in developing a compliance schedule as described in Attachment A of the General Order.

The Policy and General Order require that, prior to conducting any work in streams or wetlands, the Discharger obtain water quality certification from the Water Boards and other required permits from other agencies (e.g. a Clean Water Act section 404 permit from the United States Army Corps of Engineers, a Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife, and other local permits). Enrollment in the General Order requires that the Discharger obtain water quality certification for any such work, but this NOA does not provide the necessary certification. If the Discharger proposes or requires work in streams or wetlands, they must apply for water quality certification separately by filling out and submitting a separate application for that work. The application is available for download at the following Regional Water Board website:

https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/

Currently, the direct link to that application is as follows:

https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/190403/180731_031616_401_WQ2017-0023-Application.pdf

Note: Water Quality Certifications require separate application and monitoring fees. A fee calculator and additional information are available at:

https://www.waterboards.ca.gov/northcoast/water_issues/programs/water_quality_certification/#401_calc

During reasonable hours, the Discharger shall allow the State Water Board or Regional Water Board (collectively Water Boards), California Department of Fish and Wildlife, CAL FIRE, and any other authorized representatives of the Water Boards upon presentation of a badge, employee identification card, or similar credentials, to:

- i. enter premises and facilities where cannabis is cultivated; where water is diverted, stored, or used; where wastes are treated, stored, or disposed; or in which any records are kept;
- i. access and copy, any records required to be kept under the terms and conditions of the Policy and General Order;
- ii. inspect, photograph, and record audio and video, any cannabis cultivation sites, and associated premises, facilities, monitoring equipment or device, practices, or operations regulated or required by the Policy and General Order; and
- iii. sample, monitor, photograph, and record audio and video of site conditions, any discharge, waste material substances, or water quality parameters at any location for the purpose of assuring compliance with the Policy and General Order.

3. TECHNICAL REPORT REQUIREMENTS

The following technical report(s) shall be submitted by the Discharger as described below:

A Site Management Plan, by June 29, 2019, consistent with the requirements of General Order Provision C.1.a., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the Site Management Plan.

A *Site Closure Report* must be submitted 90 days prior to permanently ending cannabis cultivation activities and seeking to rescind coverage under the General Order. The *Site Closure Report* must be consistent with the requirements of General Order Provision C.1.e., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

4. MONITORING AND REPORTING PROGRAM

The Discharger shall comply with all provisions of the Monitoring and Reporting Program (MRP), which appears as Attachment B to the General Order. The Discharger shall also comply with all provisions of the *North Coast Regional Supplement to Annual Monitoring and Reporting Requirements for Statewide Cannabis General Order WQ 2017-0023-DWQ* (Regional Supplement), which independently appears as Investigative Order No. R1-2019-0023, issued by the Regional Water Board Executive Officer on March 22, 2019. Annual reports for both sets of requirements shall be submitted to the Regional Water Board in a combined report by March 1 following the year being monitored through the online portal (<https://public2.waterboards.ca.gov/cgo>). The Discharger shall not implement any changes to the MRP or to the Regional Supplement unless and until a revised MRP or Regional Supplement is issued by the Regional Water Board Executive Officer or the State Water Board Division of Water Quality Deputy Director, or the State Water Board Chief Deputy Director.

A copy of Attachment B to the General Order can be obtained online at the following location, or by contacting staff at the phone number and email address listed below.
https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf#page=32.

A copy of the Regional Supplement can be obtained online at the following location, or by contacting staff at the phone number and email address listed below.

https://www.waterboards.ca.gov/northcoast/board_decisions/adopted_orders/pdf/2019/19_0023_Regional%20Supplement%2013267%20Order.pdf.

5. ANNUAL FEE

According to the information submitted, the discharge is classified as Tier 1 Low Risk. The 2018-2019 annual fee for that tier and risk level was set at \$600, but please note that the Fee Schedule is updated annually and future fees may be invoiced at different rates. Invoices are sent by the State Water Board at the beginning of each calendar year (generally in February). Do not submit payments without receiving an invoice. If you have questions or concerns about your fees please contact the Fee Branch at FeeBranch@waterboards.ca.gov or (916) 341-5247. The fee is due and payable on an annual basis until coverage under this General Order is formally rescinded. To rescind coverage, the Discharger must submit a Request for Termination in writing through the online portal (available at: <https://public2.waterboards.ca.gov/cgo>), including a Site Closure Report at least 90 days prior to termination of activities and include a final MRP report.

6. TERMINATION OF COVERAGE UNDER THE GENERAL ORDER & REGIONAL WATER BOARD CONTACT INFORMATION

Enrollees that propose to terminate coverage under the General Order must submit a Request for Termination in writing through the online portal (<https://public2.waterboards.ca.gov/cgo>). The Request for Termination consists of a formal statement regarding the reason for requesting termination (i.e. cultivation is no longer occurring, the property is being sold, etc.), documentation that the site is in compliance with the General Order, including dated photographs and a written discussion. If the site is not meeting the requirements of the General Order, then the enrollment cannot be terminated. Regional Water Board staff will review the Request for Termination for completeness before determining if a property inspection, enrollment termination, or a request for additional information is appropriate.

If the Discharger cannot comply with the General Order, or will be unable to implement an applicable BPTC measure contained in Attachment A by the onset of the winter period each year, the Discharger shall notify the North Coast Regional Cannabis Unit staff at (707) 576-2676 or northcoast.cannabis@waterboards.ca.gov so that a site-specific compliance schedule can be developed.

Cc: Kevin Porzio, State Water Resources Control Board,
dwq.cannabis@waterboards.ca.gov
Cheri Sanville, California Department of Fish and Wildlife,
cheri.sanville@wildlife.ca.gov
Cliff Johnson, Humboldt County Planning and Building,
cjohnson@co.humboldt.ca.us



August 20, 2019

Eugene Hendershot
Mountain Meadow Farms, Inc
P.O. Box 696
Redway, CA 95560
707-223-3728

Subject: **Notification of Lake or Streambed Alteration No. 1600-2019-0223-R1
Hendershot Mountain Meadow Farm Water Diversion- Well
Humboldt County Assessor's Parcel Number 212-031-007**

Dear Eugene Hendershot,

On March 25, 2019 the California Department of Fish and Wildlife (CDFW) received your Notification of Lake or Streambed Alteration (Notification). On April 24, 2019 your Notification was deemed complete.

The Department is required to submit a draft Lake or Streambed Alteration Agreement (Agreement) to you within 60 calendar days from the date the Notification is complete. Therefore, the Department had until June 23, 2019 to issue you a draft Agreement or inform you that an Agreement is not required. Due to current staffing limitations, the Department did not meet that date. As a result, by law, you may now complete the **project described in your notification** without an Agreement.

Please note that pursuant to Fish and Game Code (FGC) section 1602, subdivision (a)(4)(D), if you proceed with this project, **it must be the same as described and conducted in the same manner as specified in the notification and any modifications to that Notification received by CDFW in writing prior to the date of this letter.** This includes completing the project within the proposed term and seasonal work period and implementing all avoidance and mitigation measures to protect fish and wildlife resources specified in the notification. If the term proposed in your notification has expired, you will need to re-notify CDFW before you may begin your project. Beginning or completing a project that differs in any way from the one described in the notification may constitute a violation of FGC section 1602.

Your notification includes, but is not limited to, the following information:

Water well used for commercial and domestic irrigation located at (lat./long): 40.2222, -123.8375. CDFW did not evaluate hydraulic connection of the well to surface water, nor was a hydrogeologic evaluation prepared by a licensed geologist provided for CDFW review.

Eugene Hendershot
August 20, 2019
Page 2 of 3

This letter does not retroactively permit any stream crossings, water diversions or other encroachments not described above. No other projects that may be subject to FGC1602 were disclosed.


Also note that while you are entitled to complete the project without an Agreement, you are still responsible for complying with other applicable local, state, and federal laws. These include FGC sections 5650 and 5652 which make it unlawful to pollute waters of the state. FGC section 5650 makes it unlawful to deposit in, permit to pass into, or place where it can pass into waters of the state any substance or material deleterious to fish, plant life, mammals, or bird life, including, but not limited to gasoline and oil, as well as sediment. FGC section 5652 makes it unlawful to deposit in, permit to pass into, or place where it can pass into waters of the state, or to abandon, dispose of, or throw away, within 150 feet of the high water mark of the waters of the state, any garbage, refuse, or waste, among other materials. A person who violates FGC sections 1602, 5650, and 5652 in conjunction with the cultivation or production of cannabis is subject to significant penalties or fines. Specifically, CDFW may impose civil penalties administratively against any person found by CDFW to have violated these FGC sections in connection with the production or cultivation of cannabis following a complaint and, if requested, a hearing.

Other statutes in the FGC that might apply to your activity, include, but not limited to the following sections: 2080 et seq. (species listed as threatened or endangered, or a candidate for listing under the California Endangered Species Act); 1908 (rare native plants); 3511, 4700, 5050, and 5515 (fully protected species); 3503 (bird nests and eggs); 3503.5 (birds of prey); 5901 (fish passage); 5937 (sufficient water for fish); and 5948 (obstruction of stream), and the requirements set forth in the Forest Practice Act (Pub. Resources Code, § 4511 et seq.) for projects on private timberlands.

Finally, if you decide to proceed with your project without an Agreement, you must have a copy of this letter and your notification with all attachments available at all times at the work site. As indicated in your Notification, the Applicant 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 Notification, provided CDFW: a) provides advance notice; and b) allows the Applicant or representatives to participate in the inspection and/or monitoring. This condition does not apply to CDFW enforcement personnel. Please note this letter is only valid until **June 23, 2024**, which is 5 years from the date the Department was required to provide a Draft Agreement.

If you have any questions regarding this letter, please contact Jonathan Hollis, Environmental Scientist at Jonathan.Hollis@wildlife.ca.gov.

Sincerely,


Cheri Sanville
Senior Environmental Scientist Supervisor

Eugene Hendershot
August 20, 2019
Page 3 of 3

cc: Chris Carroll, carroll@timberlandresource.com

Jonathan Hollis, Jonathan.Hollis@wildlife.ca.gov

"NorthCoast.Cannabis@Waterboards.ca.gov"

File Original with DWR

State of California Well Completion Report

Refer to Instruction Pamphlet

No. XXXXXXX

Click to Get a New Log Number

Age _____ of _____

Owner's Well Number _____

Date Work Began 6-30-16 Date Work Ended 6-30-16

Local Permit Agency Humboldt

Permit Number 15/16-0850 Permit Date _____

Geologic Log

Orientation ☐ Vertical ☐ Horizontal ☐ Angle Specify _____
Drilling Method _____ Drilling Fluid _____

Depth from Surface		Description
Feet	to Feet	Describe material, grain size, color, etc
0	60	Brn Sandstone
60	75	Blue clay
75	100	FRAC Blu Sandstone
100	120	Blue Shale

Total Depth of Boring 120 Feet
Total Depth of Completed Well 120 Feet

Well Owner

Name Eugene Hendershot
Mailing Address PO Box 696
City Redway State CA Zip 95560

Well Location

Address 700 Oriole Ln
City Myers Flat County Humb
Latitude _____ N Longitude _____ W
Datum _____ Dec. Lat. _____ Dec. Long. _____
APN Book _____ Page _____ Parcel 212031007
Township _____ Range _____ Section _____

Location Sketch

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

North

West

East

South

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

Activity

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

Planned Uses

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

Water Level and Yield of Completed Well

Depth to first water 75' (Feet below surface)
Depth to Static Water Level 70 (Feet) Date Measured 6-30-16
Estimated Yield * 10 (GPM) Test Type AIR 115
Test Length 1 (Hours) Total Drawdown _____ (Feet)
*May not be representative of a well's long term yield.

Casings

Depth from Surface	Borehole Diameter	Type	Material	Wall Thickness	Outside Diameter	Screen Type	Slot Size
Feet to Feet	(Inches)			(Inches)	(Inches)		if Any (Inches)
0	120	9	PVC	SCH 16	5"		
80	120	"	"	"	"	.030	"

Annular Material

Depth from Surface	Fill	Description
Feet to Feet		
0	20	Bentonite
20	120	3/8 pea gravel

Attachments

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

Attach additional information, if it exists.

Certification Statement

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

Name Bushnell Enterprises
Person, Firm or Corporation
Address 649 Bear Creek Rd Garberville City Garberville State CA Zip 95542
Signed [Signature] Date Signed 8-3-17 State CA License Number 463708
C-57 Licensed Water Well Contractor

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT



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

Applicant Name: Elisa Hendershot APN: 212-031-007

Planning & Building Department Case/File No.: 12808

Road Name: Bear Butte Rd (complete a separate form for each road)

From Road (Cross street): Maple Hills Rd

To Road (Cross street): Oriole Ln

Length of road segment: ± 1,400 Feet miles Date Inspected: 8/28/17

Road is maintained by: ☒ County ☐ Other _____
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

- Box 1 ☐ The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.
- Box 2 ☐ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.

- Box 3 ☒ The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

Elisa Hendershot
Signature

9-13-17
Date

Elisa Hendershot
Name Printed

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

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

Road Name: Bear Butte Rd Date Inspected: 8/28/17 APN: 212-031-007
From Road: Maple Hills Rd (Post Mile N/A) Planning & Building
To Road: Orion Ln (Post Mile N/A) Department Case/File No.: 12808

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

Number of other known cannabis projects included in ADT calculations:
(Contact the Planning & Building Department for information on other nearby projects.) 4

ADT: 27 Date(s) measured: 8/29/17

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

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

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

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

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

A. Pattern of curve related crashes.

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

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

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

C. Substantial edge rutting or encroachment.

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

D. History of complaints from residents or law enforcement. ()

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

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

Check one: ☒ No. ☐ Yes.

F. Need for turn-outs.

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

3. Conclusions/Recommendations per AASHTO. Check one:

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

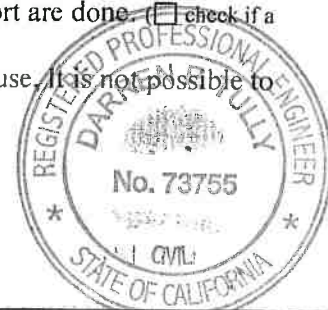
☐ The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the attached report are done. (☐ check if a Neighborhood Traffic Management Plan is also required and is attached.)

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

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

Signature of Civil Engineer

Date



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

September 11, 2017

ATTN: Elisa Hendershot
P.O. Box 696
Redway, CA 95560

RE: Road Evaluation Report
Section of Bear Butte Rd (from Maple Hills Rd to Oriole Ln)
Miranda, CA 95553
APN: 212-031-007

JN: HND1701

Dear Mrs. Hendershot,

On August 25th, 2017 Whitchurch Engineering Inc. (WEI) was contracted to perform a Humboldt County Road Evaluation for the above mentioned section of road which provides access to the property located at APN#212-031-007. On August 28th, a representative of WEI went to Bear Butte Road to perform inspections of the road section per the Road Evaluation form. Below are the notes from the observation.

Notes on Site Observation, August 28th, 2017

- Section of the Road serves not more than 5 parcels
 - 2 parcels are have Commercial Use
 - 3 parcels are Residential use
- Observed 3 vehicles in 2.5 hours
- Road length of section evaluated is $\pm 1,400$ feet with surface slopes ranging from 5% -26%, paved surface; widths 20 feet max to 12 feet min.
 - Turnout located within 650 feet of Maple Hills Rd along Bear Butte Rd
 - Turnout measured at 26 x 65 feet (see Attachment #3 pics# 5,6). Per Humboldt County Road design standard Turnout distance not to exceed $\frac{1}{4}$ mile 1320 feet (see attachment #4).

County Information

Information was provided on 8/29/17 by Humboldt County Planning Department, by Joshua Dorris that there is no history of complaints from nearby residents. Stevie Luther of Humboldt County Planning Department stated that, there are two commercial parcels including the clients' using this section of the road for access.

Trip Generation

Based on a site observation conducted by a WEI representative on August 28th 2017, the number of vehicles using this section of road was 3 trips within 2.5 hours. For the Commercial Cannabis parcels, traffic volume estimates were based on information provided by our client Elisa Hendershot of one trip per day which equals 2 ADT. To be conservative we used 4 ADT for each parcel using this section of the road. Extrapolating the observed vehicle traffic for 24 hours equals out to 29 ADT. To be further conservative, we added 8 ADT for the 2 commercial parcels, equaling 37 ADT for the road section. Therefore, as the road is being used by no more than 5 parcels and the volume of traffic is approximated at 37 ADT which is less than 50 ADT required for a Road Category 2 standard.

Conclusion

The existing road section (Bear Butte Road located in Miranda, off of Maple Hills Rd to Oriole Ln) has been evaluated to the Humboldt County Road Design standards. The roadway section evaluated provides access to more than 5 parcels; the road surface is constructed of asphaltic concrete and has a minimum width of 12 feet and maximum width of 20 feet. Per the Humboldt County Road Design Standards this section of road meets Road Category #2, single lane with intervisible turnouts not exceeding $\frac{1}{4}$ mile. (See attached: Humboldt County Road Category Ordinance and SRA Fire Regulation Checklist for the road standard) attachment#5. Per the Humboldt County Department of Public Works Road Evaluation Report checklist, this Section of road can accommodate cumulative increased traffic from this project and all know cannabis projects identified.

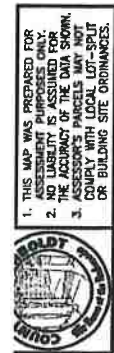
Based on visual observation to the best of my knowledge the work performed on this are in accordance with generally accepted procedures. However, Whitchurch Engineering, Inc. does not undertake the guarantee of construction, nor do we relieve the contractor of his primary responsibility to produce a completed project conforming to the project plans and specifications. No warranty is expressed or implied.

Best Regards,

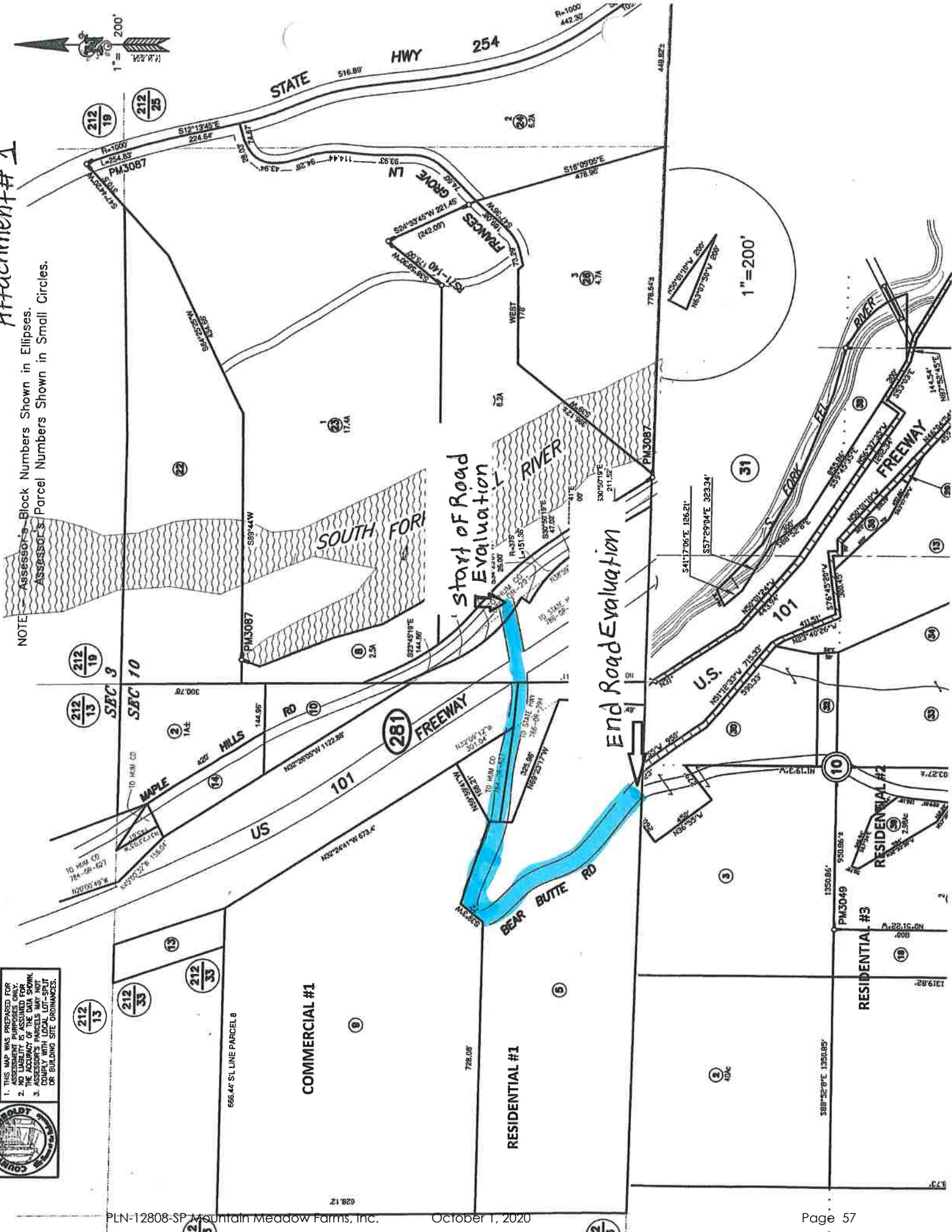
Darren Tully, P.E.
RCE#73755



NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Small Circles.



- 1. THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.
- 2. NO LIABILITY IS ASSIGNED FOR ANY LOSS OR DAMAGE TO ANY PERSON OR PROPERTY.
- 3. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.





UTC: 2017.08.28T19:35:05Z
Lat, Lon: 40.223825, -123.828071
Alt: 70m MSL WGS84
CEP: 12m

Azimuth and Bearing
300° N30W

-30°
-15°
0°

-12.4°

-3.0°
0°
-5°

NW

W

UTC: 2017.08.25T22:22:36Z
Lat, Lon: 40.223738, -123.827251
Alt: 50.2m MSL WGS84
CEP: 9m

Azimuth and Bearing
313° N43W



1.2°



3.4°





UTC: 2017.08.25T22:24:04Z
Lat, Lon: 40.223718, -123.827208
Alt: 54.1m MSL WGS84
CP: 8m

Azimuth and Bearing

7° N6E

-3°

-15.2°

-30°

-15°

0°

N|W

N

N|E

UTC: 2017.08.28T18:53:24Z
Lat, Lon: 40.223889, -123.828703
Alt: 73.6m MSL WGS84
CIP: 6m

Azimuth and Bearing
299° N29W

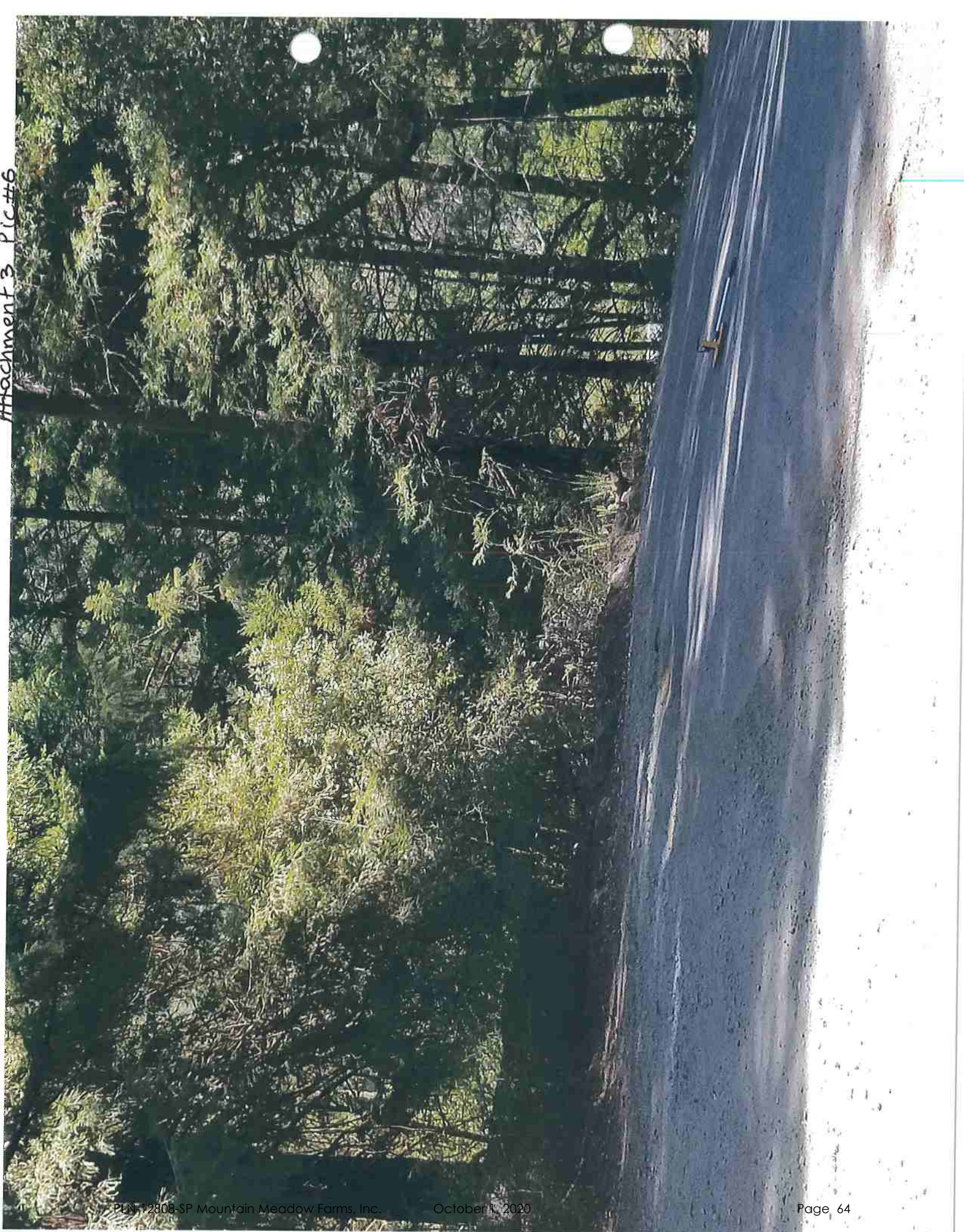
-15°
0°
+15°

4.0°

-4°

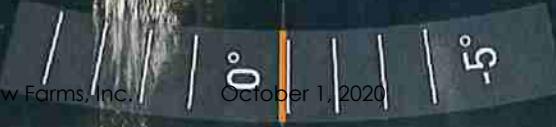
0°
-5°

W | NW |



UTC: 2017-08-28T19:28:06Z
Lat, Lon: 40.223939, -123.828872
Alt: 77.5m MSL WGS84
CEP: 17m

Azimuth and Bearing
358° N88W



-9°



-13.7°



2017.08.28T19:22:56Z
Lat, Lon: 40.22285, -123.827855
Alt: 86m MSE WGS84
CEP: 6m

Azimuth and Bearing
6° N6E

-30°
-15°
0°

-9.7°

-1.7°

NW | N | NE

UTC: 2017.08.28T19:12:50Z
Lat, Lon: 40.22276, -123.827583
Alt: 77.3m MSL WGS84
CEP: 8m

Azimuth and Bearing
250° S70W

-1.0°

0°

4.8°

-5°

-15°

0°

+15°

SW

W

DESIGN STANDARDS

ROADWAY CATEGORY 2 (SINGLE LANE-NARROW TRAVELED WAY-TURNOUTS)

Service Provided:

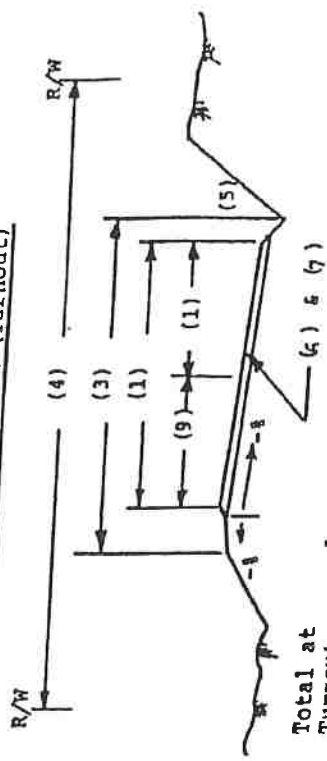
Mobility	Volume
25-35 MPH Safe Driving Speed	Low 0-50 ADT

Notes:

- (1) Traveled Way Width: Turnout
10 - 12 ft. 10 ft.
- (2) Shoulder Width: -0- -0- -0-
- (3) Roadbed Width: As approved by Dept. of Public Works
Minimum 40 feet
- (4) Right of Way Width:
- (5) Drainage: Must be adequate to protect road and adjacent properties, and approved by Dept. of Public Works
- (6) Structural Section: Depends upon engineering analysis of materials and soil, must be approved by the Dept. of Public Works.

Geometric Standards

TYPICAL SECTION (Turnout)



- (7) Surface: Native Rock, gravel or Seal Coat (double). (A.C. may be required, depending on proposed use and parcel size)
- (8) Ditch and Shoulders: To vary to suit conditions as approved by the Dept. of Public Works
- (9) Turnout Section: 10 feet wide by 80 feet minimum length, having flared ends approved by Dept. of Public Works
- (10) Distance Between Turnouts: Not to exceed 1/4 mile spacing or as approved by the Dept. of Public Works.
- (11) No Parking on traveled way

ELEMENT	DESIGN SPEED/TERRAIN									
	Flat					Rolling				
	20	30	40	20	30	40	20	30	40	Mountainous
Grade (1) Maximum	9	8	6	12	10	8	12	10	8	10
Grade * (2)	13	12	9	18	15	12	17	11	11	17
Sight Distance	20	30	40	20	30	40	20	30	40	17
Stopping Intersection	150'	200'	275'	150'	200'	275'	150'	200'	275'	
Minimum Curve Radius	200'	300'	550'	200'	300'	550'	200'	300'	550'	
Horizontal Clearance to Obstructions	120'	300'	550'	120'	300'	550'	120'	300'	550'	
Surface Cross Slope	10'	10'	10'	10'	10'	10'	10'	10'	10'	
	4%	4%	4%	4%	4%	4%	4%	4%	4%	

Notes: see Publication "Turnout Spacing on Logging Roads by Conrad L. Mandt (ITRE, Univ. of Calif.)

Superelevation and Curve Widening must be considered for short radius curves. Gutter and backup to vary to suit conditions. Backup on outslotted roads shall be 3 feet min.

* For short distances. (300' maximum and/or approved by the Department of Public Works)

(1) Minimum Grade 1%

(2) Maximum allowable grades may be 4% steeper for paved road when approved by Dept. of Public Works

Figure 2

County SRA Fire Safe Regulation Checklist (Building Permit)

Applicant: _____ Date: _____ Application #: _____
 Address: _____ APN: _____

These regulations apply to all new construction and development in State Responsibility Areas (SRA) in Humboldt County effective January 1, 1992. These regulations are not retroactive to existing structures and facilities, unless a new use of occupancy is applied for. The following is a summary of the minimum standards for building permit issuance. It is provided for informational purposes only. Reference to the specific adopted language should be made before construction or development plans are prepared.

Road Standards

- Roadway surface provides unobstructed access to conventional drive vehicles including sedans and fire engines using County Road Category 2 standard for surfacing type.
- Roadway turnouts (where required) are 10' wide and 80' long and tapered 25 feet from both ends.
- Roadway structures (bridges and culverts) built to carry minimum load as required in California Vehicle Code Sec. 35550 (40,000 lbs.) and complies with the following standards:
 - Minimum 15' vertical clearances and designed in conformance with the County Roadway Design Manual.
 - Signing reflects capability of each bridge for weight, clearance, single lane access, or other limitations, unless signing waived by the Director of Public Works per Section 3112-9 of H.C.C.
 - One lane bridge has unobstructed visibility from both ends and intervisible turnouts at each end.
 - "Flatcar" bridge has roadway surface of not less than 9' and meets visibility requirements of one lane bridge.

Driveways and Gates

- Driveways meet minimum road standards described above.
- Driveways less than 1320' long are 10' wide and have 15' minimum vertical clearance and are built to County Road Category 1 standard.
- Driveways longer than 1320' are 10'-12' wide and have 15' minimum vertical clearance with intervisible turnouts and are built to County Road Category 2 standard.
- Driveways exceeding 150' in length but less than 800' have a turnout near the midpoint; driveways longer than 800' have turnouts at intervisible locations at approximately 400' intervals.
- Driveways have maximum grade meeting standard for County Road Category 1; 7% - 12% (normal); 11% - 18% (tolerable). Grade in excess of 16% must demonstrate conformance with County roadway Design Manual.
- Driveways have minimum curve radius meeting standard for County Road Category 1; 120' (normal); 50' (tolerable). Curve radius less than 50' must demonstrate conformance with County Roadway Design Manual.
- All gates at least 2' wider than the lanes serving the gate and allow a vehicle to stop without blocking traffic.

- Gates providing access from a road to a driveway are located at least 30' from the roadway except as provided below.
- Gates less than 30' from the roadway are permitted when turnouts are constructed next to the travel lanes with safe turning movements and visibility when approaching from either direction of travel.
- One-way roads accessing gates have turnaround with 40' radius minimum.

Signing and Numbering

- Street and road signs (where required):
 - Visible from both directions for 100' minimum and installed prior to final acceptance.
 - Minimum size of letters/numbers/symbols are 3" tall, 3/8" stroke and contrasting with background color.
 - Reflectorized where private road where travel speed is more than 30 mph or along County-maintained roads. Wooden sign material used only when reflectorized signs are not required.
 - Intersections of roads, streets and private lanes are signed.
 - Height, naming, orientation and numbering are according to County standards (H.C.C. Sec. 442-1 et seq.)
 - Access limitations signed at the intersection proceeding and no more than 100' from limitations.
- Addresses for buildings:
 - Permanently posted address located at the driveway entrance and visible from the access road.
 - Minimum size of letters/numbers/symbols are 3" tall, 3/8" stroke and contrasting with background color.
 - Reflectorized where access is from private road where travel speed is more than 30 mph or along County-maintained roads. Wooden sign material used only when reflectorized signs are not required.
 - Posted at beginning of construction and maintained thereafter.
 - Address signs along one-way roads are visible from both directions (this means "wrong way" also).
 - A single post carries all addresses where multiple addresses are required at a single driveway.
 - An address sign is located at the nearest road intersection where a roadway provides access solely to a single commercial or industrial business.

Fuel Modification and Setbacks

- Parcels one (1) acre or larger provide at least 30' minimum setback from property lines and/or center of road, except as provided below:
 - Building setback less than 30 feet from property line where open space easement recorded over adjoining parcel with adjustment no more than width of easement and no exception to zoning setbacks.
 - Detached accessory building setback less than 30 feet from property line when constructed using non-combustive/fire-resistive materials and located at least 20' from all other buildings.
- Parcels less than one (1) acre provide the same practical effect as above. Methods of achieving the "same practical effect" include but are not limited to the following:
 - Development of a community water system.

- Create County Service Area (CSA) or other entity to provide maintenance of defensible space.
- Use of non-combustible or fire-resistive materials in construction.
- Installing residential sprinklering.
- Development of greenbelts in strategic locations.
- Road development with travel lanes and parking lanes which exceed minimum requirements of these regulations.
- Other measures found to provide defensible space.
- Flammable vegetation and fuels caused by site development/construction/fuel modification are lawfully disposed of prior to final inspection.
- Greenbelts proposed by developer are located strategically between structures and wildland fuels.

Provisions for Annual Maintenance

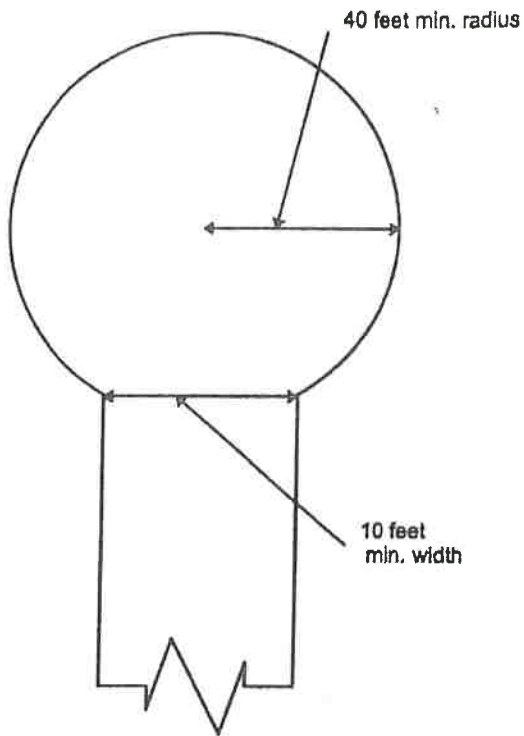
- Annual maintenance of standards and measures secured through condition of building permit. Provisions deemed to satisfy this requirement include but are not limited to:
 - Recordation of a "Notice of Requirement for Maintenance" with the County Recorder's office.
 - Evidence of the property being within a county Service Area (CSA) with responsibility for annual maintenance of fire safe measures.
 - A maintenance association or similar agreement between property owners which is responsible for annual maintenance of fire safe measures for the development and includes the owner's property.
 - Recorded Covenants, Conditions and Restrictions (CCR) for maintenance of individual measures which are binding and enforceable against the property.
 - Other provisions acceptable to the County.

Applicant/ Owner's Acknowledgement

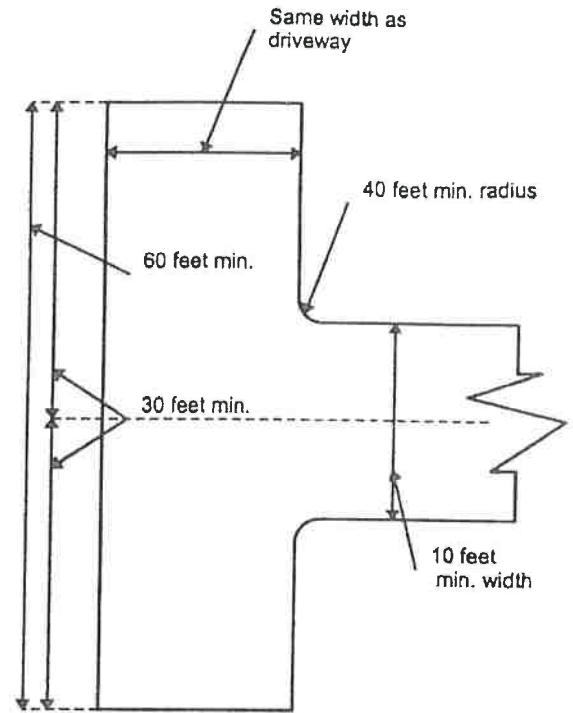
Signature

Once signed this sheet becomes part of the building plans.

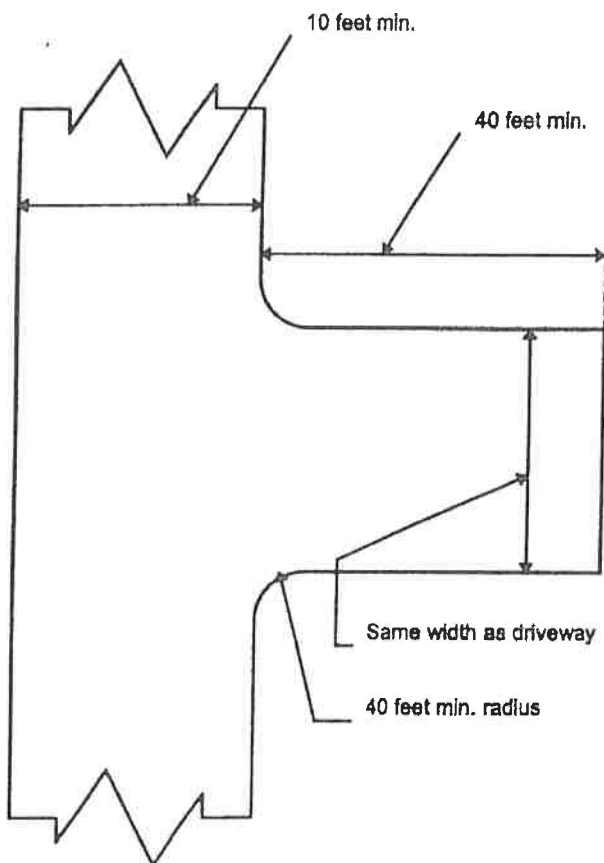
SRA TURNOUTS AND TURNAROUNDS



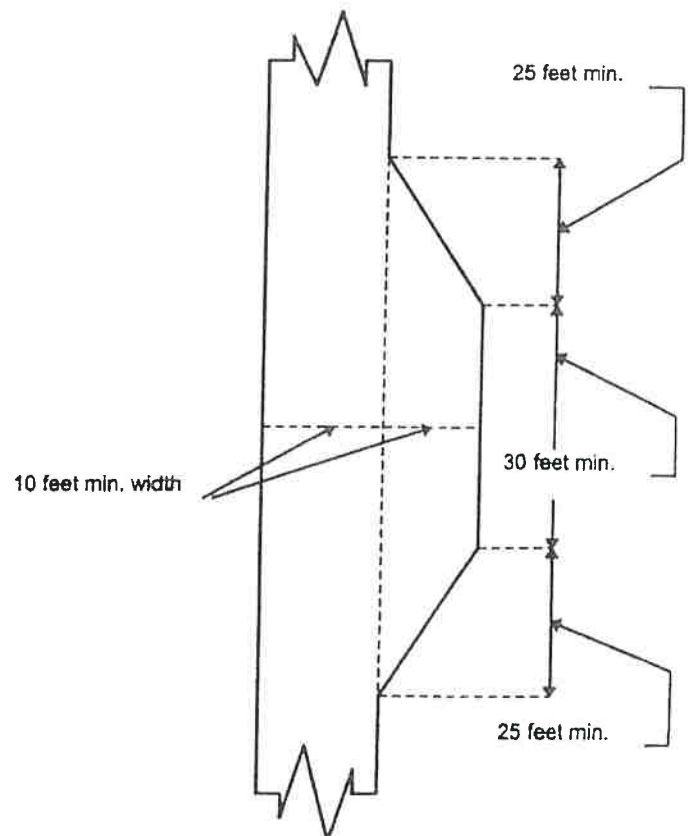
TURNAROUND



HAMMERHEAD T



LATERAL SLIP



TURNOUT

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
Environmental Health Division	✓	Approval	Attached
Humboldt County Sheriff	✓	Approval	Attached
Public Works Land Use Division	✓	Conditional Approval	Attached
Building Inspection Division	✓	Conditional Approval	Attached
NWIC	✓	Further Study	On file with Planning
Bear River Band Rohnerville Rancheria	✓	Inadvertent Discovery Protocol	On file with Planning
CALFIRE		No Response	
CA Department of Fish & Wildlife		No Response	
NCUAQMD		No Response	
RWQCB		No Response	
Humboldt County District Attorney		No Response	
Humboldt County Agricultural Commissioner		No Response	
County Counsel		No Response	
Southern Humboldt Joint Unified School District		No Response	
Intertribal Sinkyone Wilderness Council		No Response	

PLN-12808-SP - Mountain Meadow Farms, Inc. - Eugene Hendershot - SP 6,440 outdoor...

Workflow History (8)

Comments (2)

Documents (16)

Conditions of Approval (0)

Locks Holds (0)

Address (1)

Owner (1)

Parcel (1)

Contacts (18)

Communications (21)

Consolidated Record Activities (45)

Cancel

Help

Task	Due Date	Assigned Date
Environmental Health	02/17/2019	01/23/2019
Assigned to Department	Assigned to	Status
Environmental Health	LandUse1 DEH	Approved
Action by Department	Action By	Status Date
Environmental Health	Ben Dolf	02/07/2019
Start Time	End Time	Hours Spent
		0.0
Billable	Overtime	Comments
No	No	
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA	<input checked="" type="checkbox"/> Display Comment in ACA	Comment Display in ACA
No		<input checked="" type="checkbox"/> All ACA Users
		<input checked="" type="checkbox"/> Record Creator
		<input checked="" type="checkbox"/> Licensed Professional
		<input checked="" type="checkbox"/> Contact
		<input checked="" type="checkbox"/> Owner
Estimated Hours	Action	Workflow Calendar
0.0	Updated	

PLN-12808-SP - Mountain Meadow Farms, Inc. - Eugene Hendershot - SP 6,440 outdoo...

Workflow History (8)		Cancel	Help
Comments (2)	Task Sheriff	Due Date 02/04/2019	Assigned Date
Documents (16)	Assigned to Department Sheriff	Assigned to	Status Approved
Conditions of Approval (0)	Action by Department Sheriff	Action By Sheriff Humboldt County	Status Date 01/25/2019
Locks Holds (0)	Start Time	End Time	Hours Spent 0.5
Address (1)	Billable No	Overtime No	Comments Misdemeanors only for owner/applicant
Owner (1)	Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Parcel (1)	Display E-mail Address in ACA No	<input checked="" type="checkbox"/> Display Comment in ACA	Comment Display in ACA <input checked="" type="checkbox"/> All ACA Users
Contacts (18)			<input checked="" type="checkbox"/> Record Creator
Communications (21)			<input checked="" type="checkbox"/> Licensed Professional
Consolidated Record Activities (45)			<input checked="" type="checkbox"/> Contact
			<input checked="" type="checkbox"/> Owner
	Estimated Hours 0.0	Action Updated	Workflow Calendar Workflow Blockout



ARCATA-EUREKA AIRPORT TERMINAL
MCKINLEYVILLE
FAX 839-3596

AVIATION 839-5401

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

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

ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MAINTENANCE 445-7493

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Liza Welsh, Supervising Planner, Planning & Building Department

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

DATE: 01/23/2019

RE:

Applicant Name	MOUNTAIN MEADOW FARMS, INC
APN	212-031-007
APPS#	PLN-12808-SP

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

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

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a road evaluation report, stamped received by the Humboldt County Building Division on Sept. 15, 2017, with Part A –Box 3 and Part B #3 checked, certifying that “the roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above”.

The Department did not see a road evaluation report for Oriole Lane.

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 12808

☐ **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 BEAR BUTTE ROAD)**

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 //



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

4/21/2020

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, RWQCB, NCUAQMD, School District: Southern Humboldt Joint, Cal Fish & Wildlife, Bear River Band, Intertribal Sinkiyone Wilderness Council, NWIC

Applicant Name Key Parcel Number 212-031-007-000

Application (APPS#) PLN-12808-SP **Assigned Planner** Liza Welsh 707-268-3718

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

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

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

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

Return Response No Later Than: 5/6/2020

Planning Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
Email: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268 - 3792

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

- ☐ Recommend Approval. The department has no comment at this time.
- ☒ Recommend Conditional Approval. Suggested conditions attached.
- ☐ Applicant needs to submit additional information. List of items attached.
- ☐ Recommend Denial. Attach reasons for recommended denial.

Other Comments: Recommend APPROVAL bases on the condition that all GRADING, building, plumbing, electrical, and mechanical permits AND or Ag Exempt are obtained

DATE: 4-29-2020 PRINT NAME: Rob Edwards



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

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

Building Division's Referral Comments for Cannabis Operations:

Application No.: 12808-SP
Parcel No.: 212-031-007
Case No.: _____

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

- ☒ Site/plot plan appears to be accurate.
- ☐ Submit revised site/plot plan showing all of the following items: all grading including ponds and roads, location of any water course including springs, all structure including size and use and all setbacks from the above stated to each other and property lines.
- ☐ Existing operation appears to have expanded, see comments: _____
- ☒ Existing structures used in the cannabis operation shall not to be used/occupied until all required permits have been obtained.
- ☐ Proposed new operation has already started.
- ☐ Is development near wet area? yes or no
- ☐ If yes, what is the distance?
- ☐ Is development near Stream side Management Area (SMA)? yes or no
- ☐ If yes, what is the distance?
- ☒ Recommend approval based on the condition that all required grading, building, plumbing, electrical, and mechanical permits and or Agricultural Exemption are obtained.

☐ Other Comments: _____

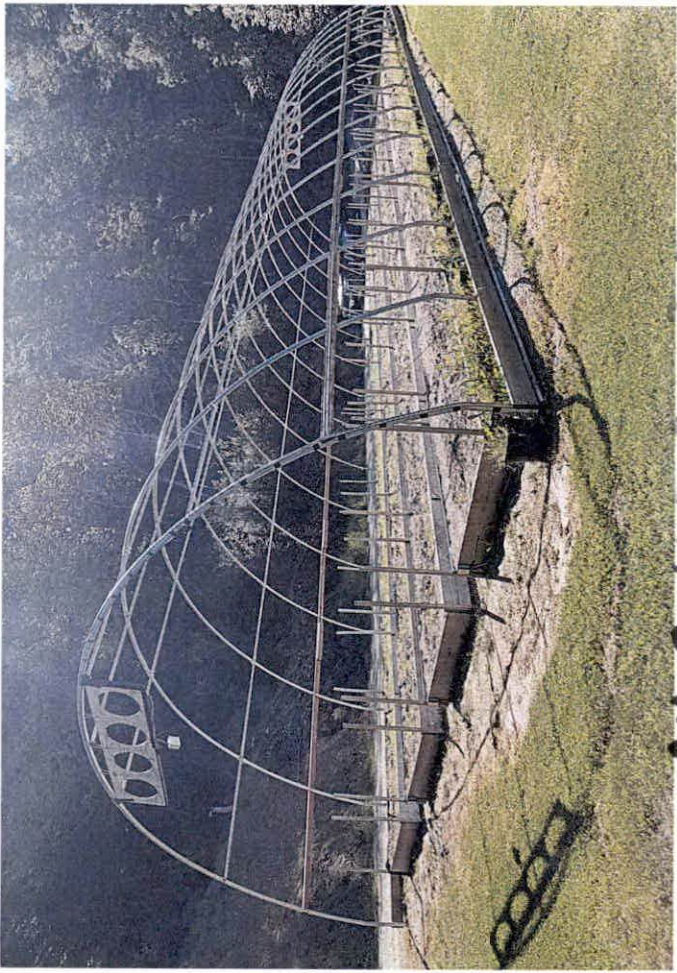
Name: Robert M. Eds

Date: 4-29-2020

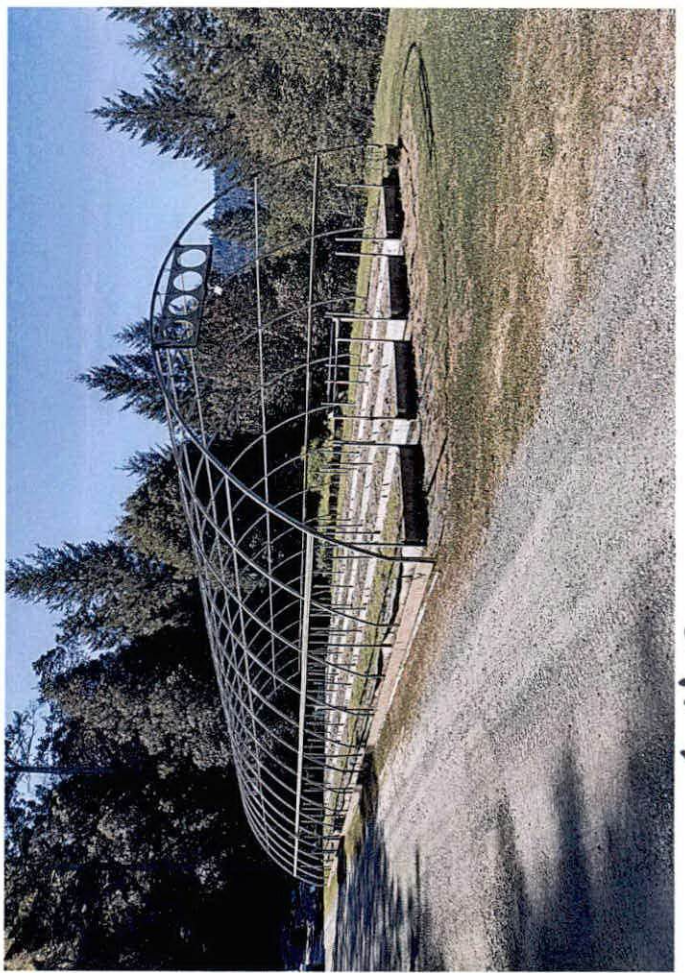
Note: Remember to take photographs and then save them to the Planning's case number. File location J, Current Planning, Projects, (CUP, SP, ZCC) Case number.

4-23-2020 KML

CH2



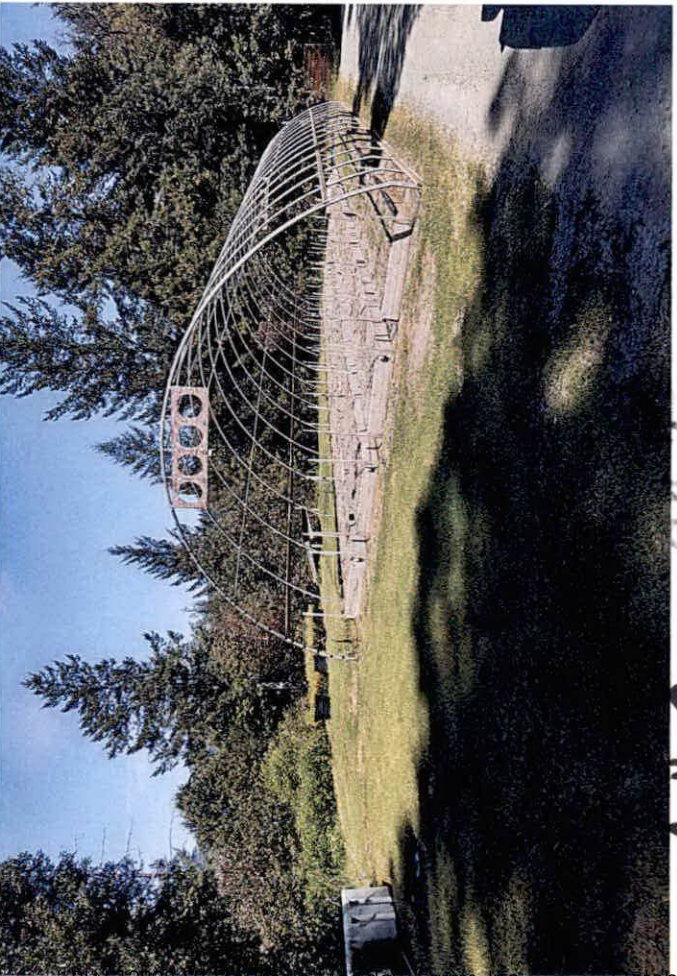
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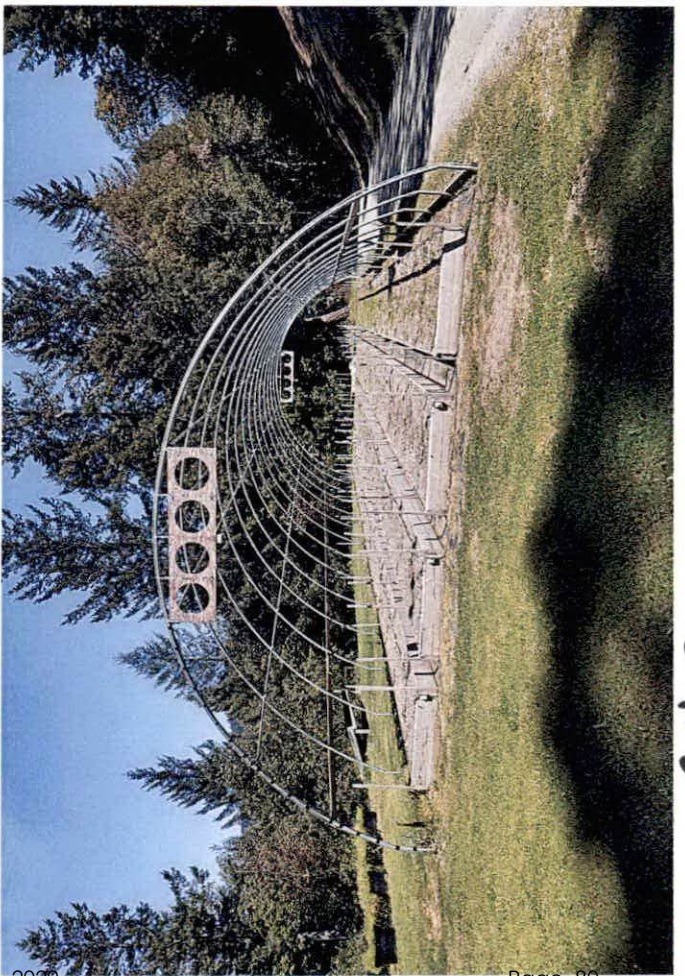
CH2

4-23-2020 KML

CH2



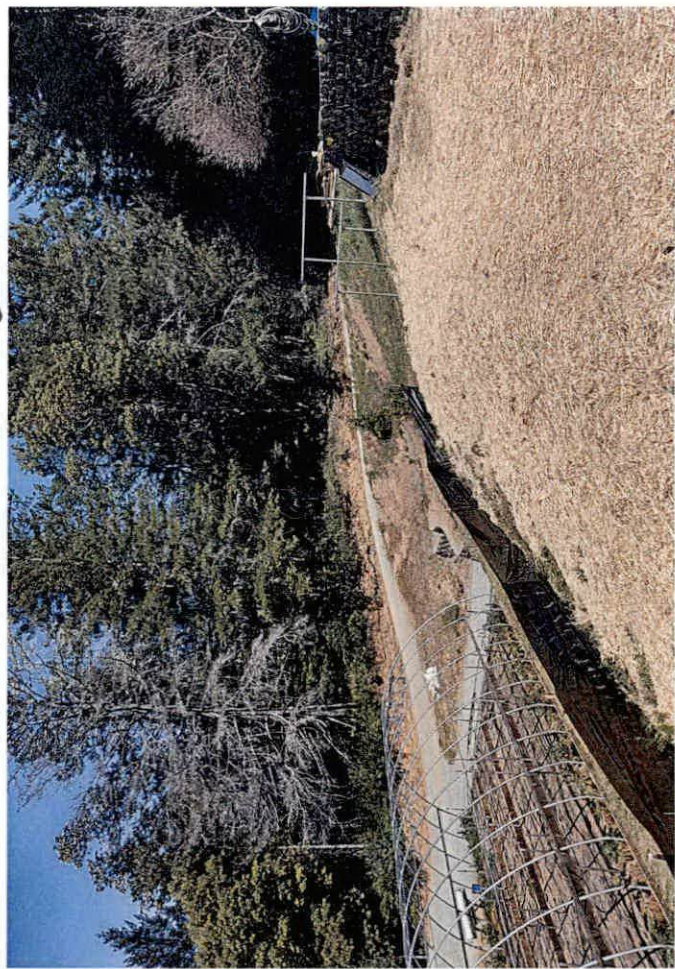
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CH2

JMS 0505-83-H

CH9



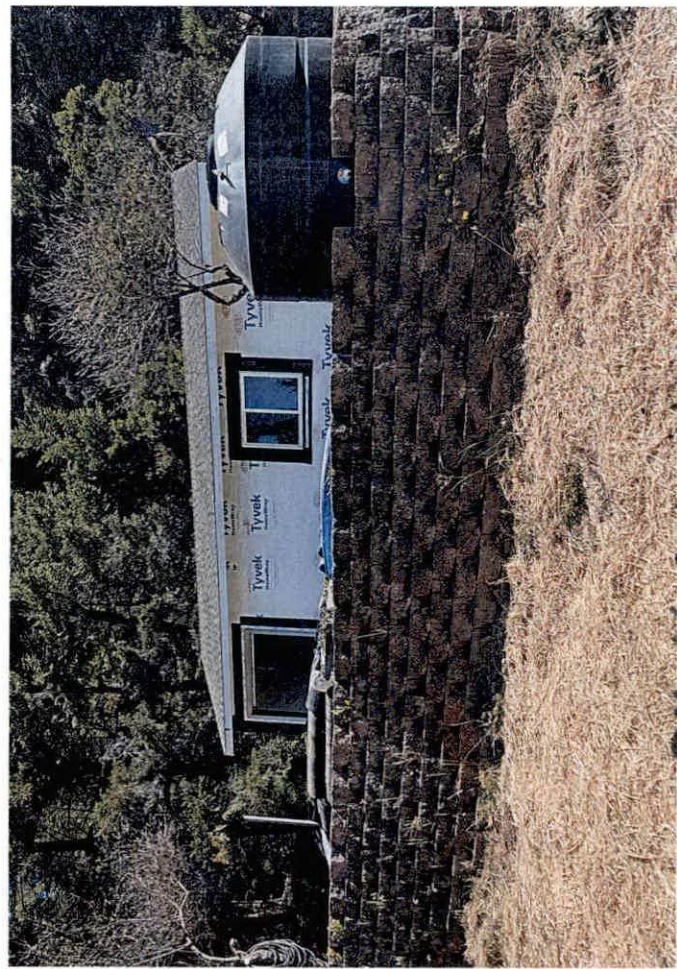
PLN-12808-SP

CH9



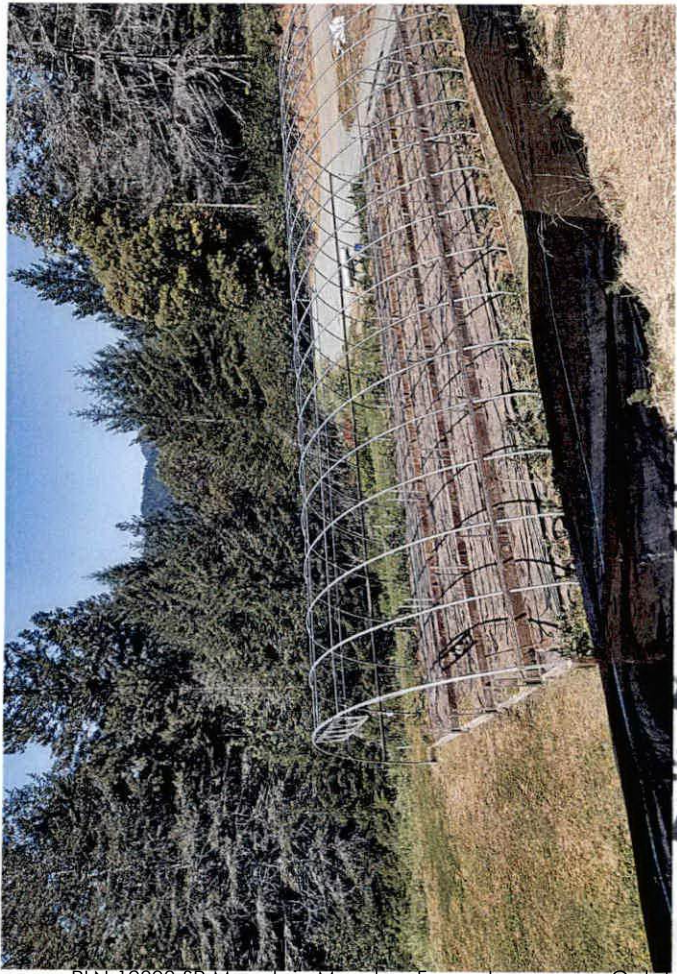
CH9

CH9



CH9

CH9



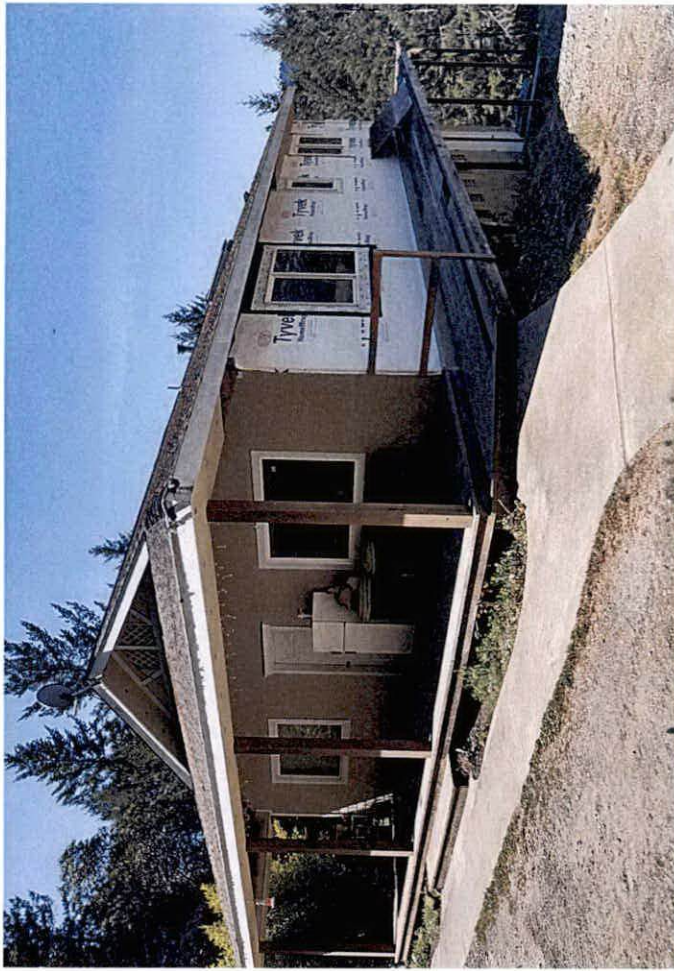
CH9

CH9

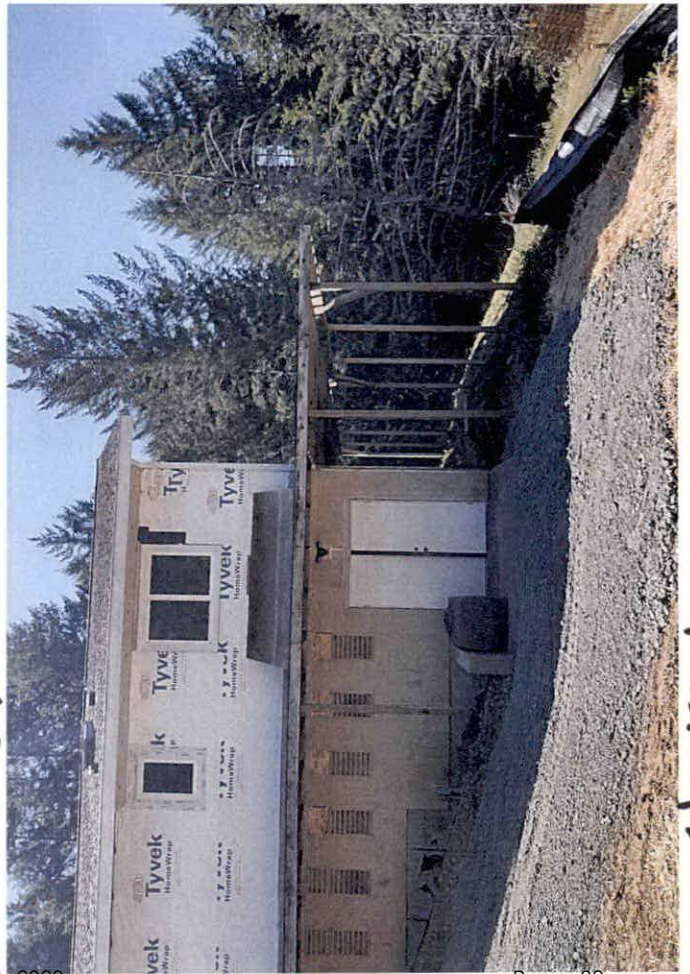
2600-100-717 2600-100-717 2600-100-717



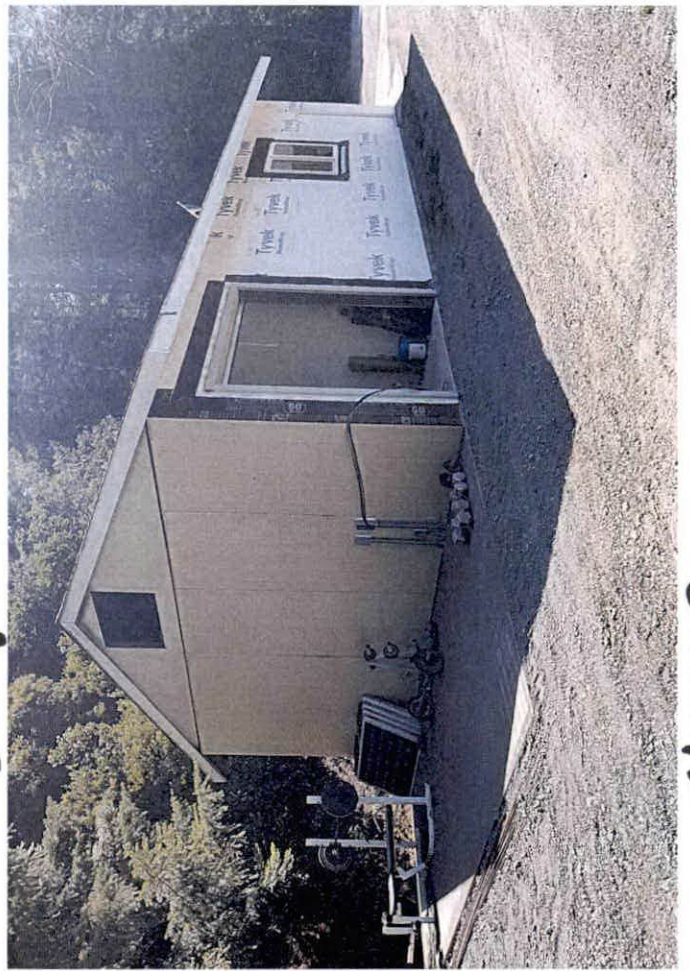
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Storage 1 2600-100-717

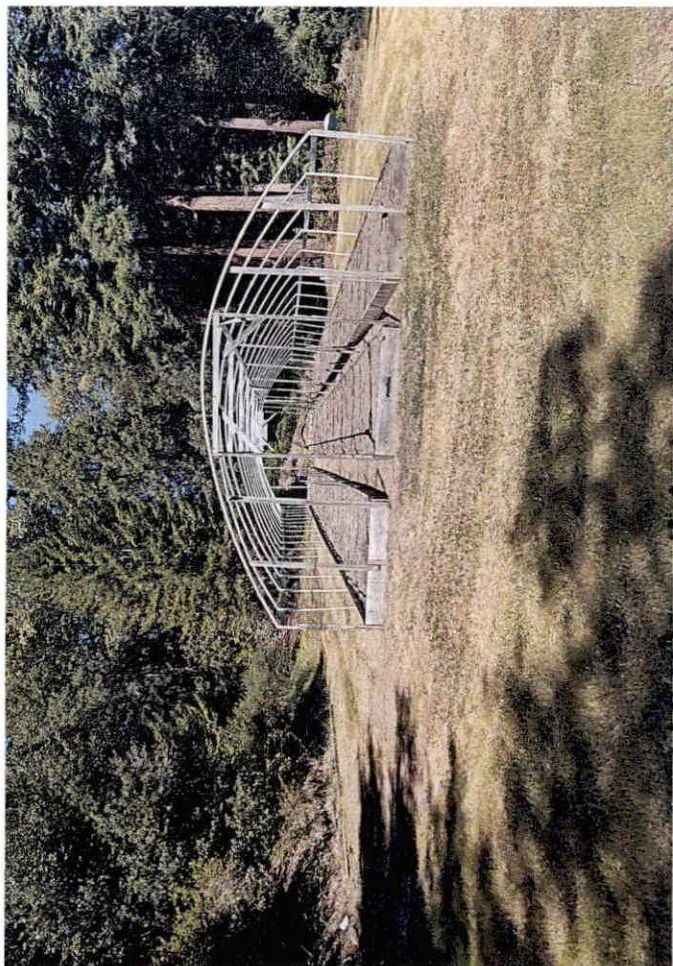


Storage 1 2600-100-717



Storage 2 2600-100-717

6 photos



CH2 photos

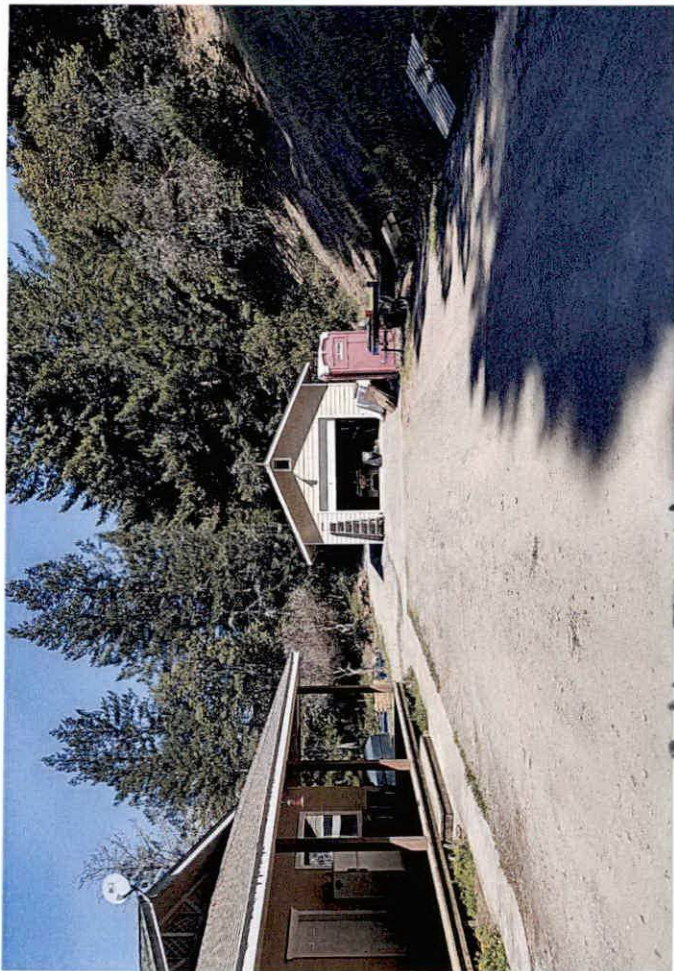


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505-25-12

SWK KWA

1 photo



21 photos CH2

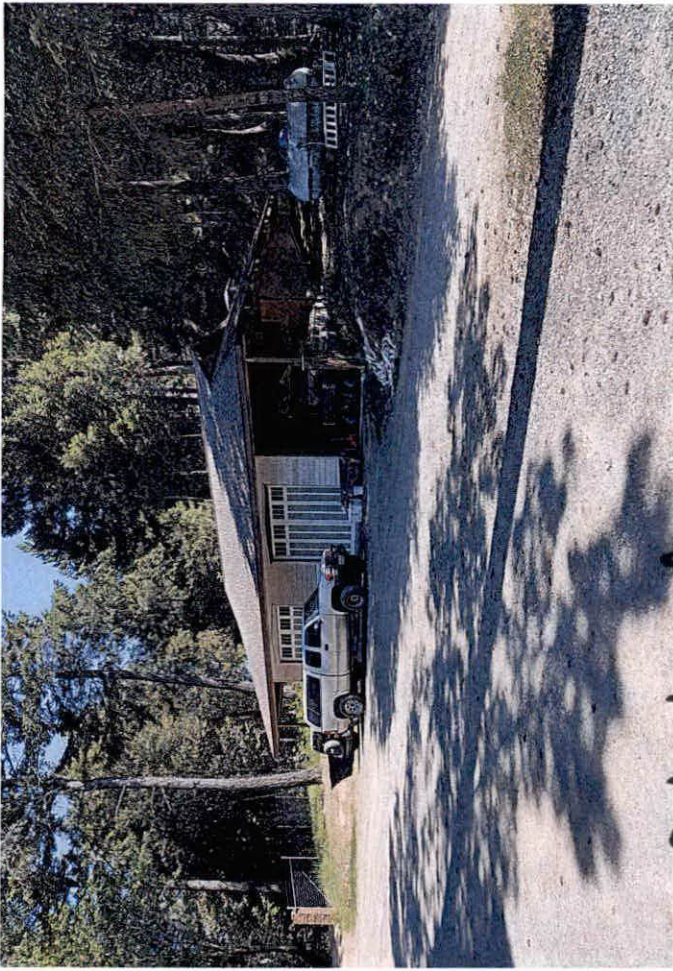


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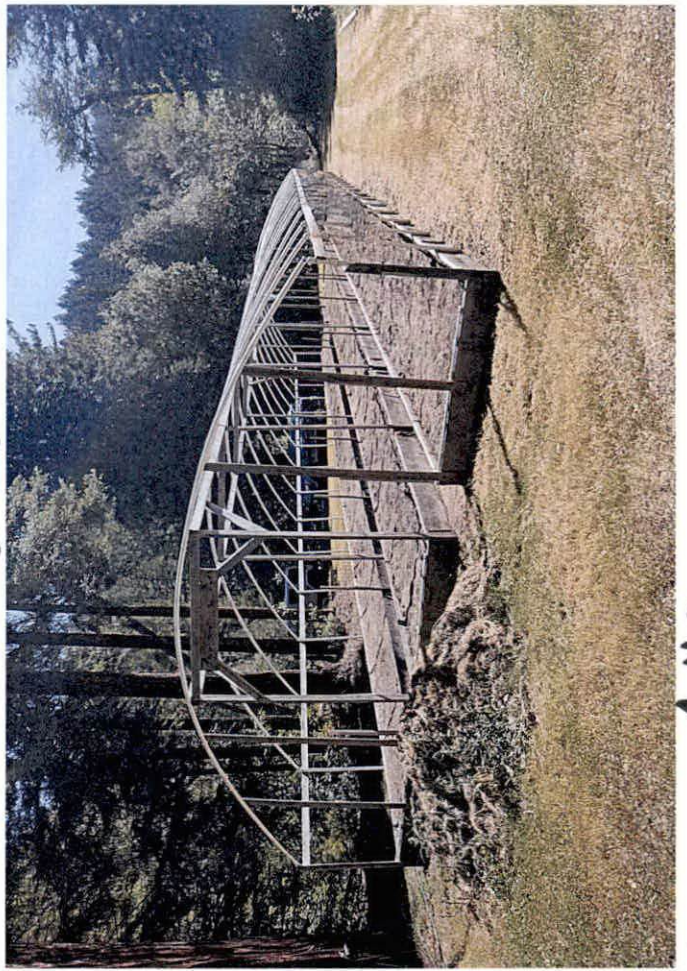
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2021-03-01-1422

2021-03-01-1422



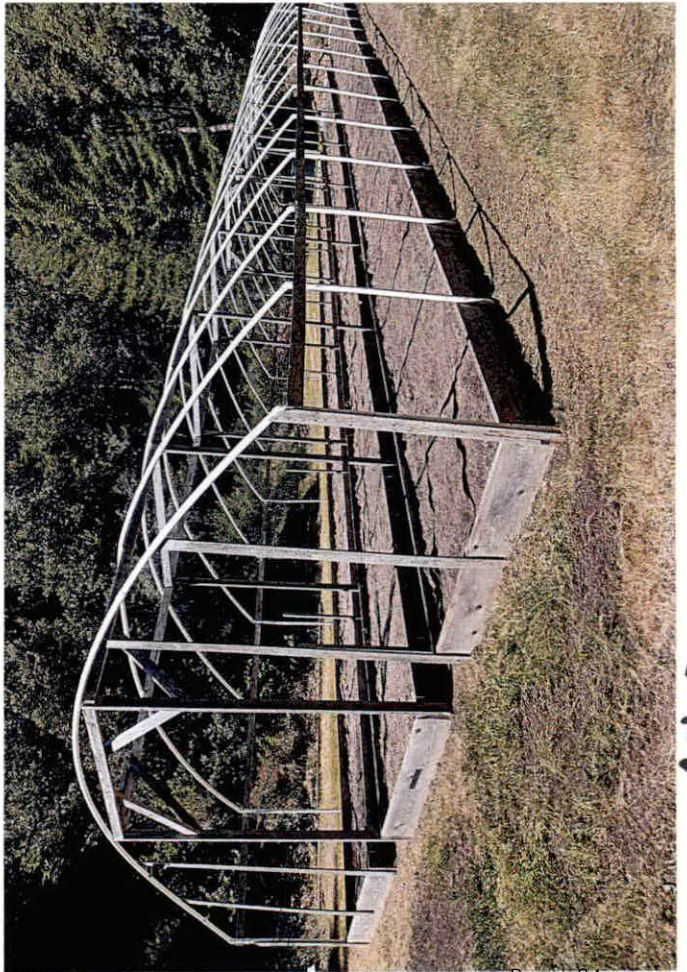
Detached Barn



CH3



CH3



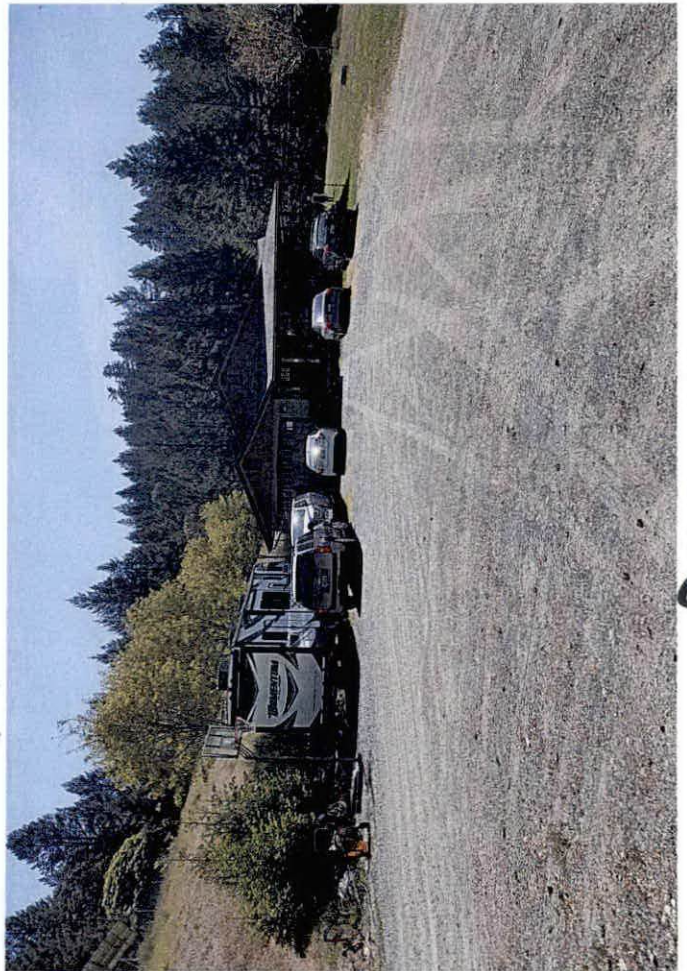
CH3

CH 3

CH 3

CH 3

CH 3



501-031-005 Residence

501-031-005

501-031-005