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: November 19, 2020

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Ancient Truth Inc., Conditional Use Permit**
Application Number 10888
Record Number: PLN-10888-CUP
Assessor's Parcel Number (APN) 210-042-003
1370 Little Larabee Creek Rd, Bridgeville, CA 95526

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Please contact Portia Saucedo, Planner 1, at 707-268-3745 or by email at psaucedo1@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
November 19, 2020	Conditional Use Permit	Portia Saucedo

Project Description: A Conditional Use Permit for 22,000 square feet (SF) of existing mixed light, 43,560 SF of existing outdoor commercial cannabis cultivation. Processing is proposed to occur in a 2,500 SF existing building and alternate between processing activities and indoor cultivation. Power is currently provided by 3 (three) generators. The applicant proposes future electricity be provided by Pacific Gas and Electric (PG&E) in 2021. Water for irrigation is sourced from two existing permitted wells with an annual water demand estimate of 631,800 gallons per annum (9.64 gallons per SF) applied via drip irrigation. The applicant currently has 12,800 gallons of HDPE water tanks storage. The applicant proposes to add 11,500 gallons additional storage for a total of 24,300 gallons of water storage. The project site includes a permitted septic system for the existing shop. The applicant proposes up to ten (10) employees.

Project Location: The project is located in the Dinsmore area, on the south and west side of State Highway 36, approximately 8.5 miles from the intersection of Alderpoint Road and State Highway 36, on the property known as 1370 Little Larabee Creek Rd, Bridgeville, CA 95526.

Present General Plan Land Use Designations: Timberland (T), Density: 40 - 160 acres/unit, Slope Stability: High Instability (3).

Present Zoning: Agriculture Exclusive (AE), Timberland Production (TPZ)

Application Number: 10888 **Record Number:** PLN-10888-CUP

Assessor Parcel Number: 210-042-003-000

Applicant	Owner	Agent
Ancient Truth Inc.	Valentin Marinov Umjt	Green Road Consulting, Inc.
Valentine Marinov	Vessela Iordanova	Attn: Kaylie Saxon
141 Amaryllis Court	141 Amaryllis Court	1650 Central Avenue, Suite C
San Ramon, CA 94582	San Ramon, CA 94582	McKinleyville, CA 95519

Environmental Review: The project is consistent with a previously adopted Mitigated Negative Declaration per §15162(c) of CEQA Guidelines.

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

Major Issues: None

ANCIENT TRUTH INC.
Record Number PLN-10888-CUP
Assessor's Parcel Number 210-042-003-000

Recommended Commission Action

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

Find that the Planning Commission has considered the Addendum to the Mitigated Negative Declaration adopted for the Commercial Medical Marijuana Land Use Ordinance, make all of the required finding for approval of the Conditional Use Permit based on evidence in the staff report and adopt the Resolution approving the proposed Ancient Truth, Inc. Conditional Use Permit subject to the recommended conditions.

Executive Summary: The proposed Conditional Use Permit (CUP) would allow the operation of and existing 43,560 square feet (SF) outdoor and 22,000 SF mixed light commercial cannabis cultivation on Assessor's Parcel Number (APN) 210-042-003-000, which is approximately 160 acres in size. The property is zoned Agriculture Exclusive (AE) and Timberland Production (TPZ). The CMMLUO identifies TPZ zoned parcels over 1 acre in size as sites where existing cannabis cultivation activities could be allowed. There is no parcel size limitation for AE zoned parcels.

The cultivation for which an interim permit has been issued consists of 20,768 square feet (SF) of existing outdoor cannabis cultivation and 16,810 SF of existing mixed light cannabis cultivation. However, after a more complete review of satellite images and substantial coordination with CDFW to determine baseline cultivation amounts, staff is recommending approval of 3,518 SF of full sun outdoor and 13,531 SF of mixed light cannabis cultivation.

The project parcel contains the following five (5) existing buildings: one (1) 1,500 SF shop used for drying harvested cannabis and nutrient storage, three (3) 100 SF sheds used for tool storage, and one (1) cabin used as a temporary living space with no nexus to cannabis related activities.

Processing activities, include drying and trimming, are proposed for the 2,500 SF processing building to be constructed and commercially permitted upon permit approval. Per the Applicant, the project will include one (1) outdoor cultivation harvest per year and two (2) mixed light harvests per year. As a condition of project approval, the applicant shall shield all extraneous light in the mixed light greenhouses in accordance with the International Dark Sky Association standards. The project site includes a permitted septic system for the existing 1,500 SF shop which is used for the drying of harvested cannabis as well as nutrient storage. Per the applicant, between 6 and 10 employees will be on-site during peak periods of cultivation.

Irrigation water is sourced from two (2) permitted wells. The annual water demand is approximately 631,800 gallons (9.64 gallons per SF). The applicant currently has 12,800 gallons of HDPE water tanks (one (1) 2,800-gallon HDPE tank and four (4) 2,500-gallon HDPE tanks) storage and will add 11,500 gallons additional storage for a total of 24,300 gallons of water storage. The applicant will be required to add an additional 2,500 gallons of stored water allocated for fire suppression.

A WRPP was prepared by Green Road Consulting that describes the standard conditions as they relate to the NCRWQCB discharger program and a timeline for the applicant to come into full compliance. The WRPP includes an assessment of standard conditions and anywhere the standard conditions are not met on the property, descriptions of the assessments are included, and their prescribed treatments made a condition of approval.

A Timber Conversion Report was conducted October 20, 2017. The recommendation of the report for mitigation include a hazard reduction methodology to treat and slash woody debris around Conversions Areas specified in the report (Attachment 4).

A Biological Assessment and Jurisdictional Wetland Delineation was conducted in June of 2019 by TransTerra Consulting. The Jurisdictional Wetland Delineation indicated that the project parcel contains 0.14-acres of jurisdiction wetland. The wetland appears to be hydrologically connected to Little Larabee Creek within the jurisdiction of United States Army Corps of Engineers (USACE), North Coast Regional Water Quality Control Board (NCRWQB), and the California Department of Fish and Wildlife (CDFW) and considered for the Humboldt County Streamside Management Area policies. The project area contains habitat for various rare and/or listed species, as specified in the report. Aquatic species observed included northern clustered sedge (*Carex arcta)*, adult and juvenile beetles in Gyrinidae family, adult Northern red-legged frogs (*Rana aurora*), Northwestern salamander (*Ambystoma gracile*) egg masses were observed in the water, and signs of raptor species including pellets and whitewash. Northern Spotted Owl was recorded in the CDFW database within 1 mile. Habitat was present on-site for nesting spotted owls due to stand age and structure. The HUM0755 activity center is located approximately 9,115 feet west of the project and positive observations of a nesting pair were most recently made by Ram in 2007 and others dating back to 1994. Both positive and negative observations were made on or near the subject parcel. The HUM0128 activity center is located approximately 9,122 feet southwest of the project and positive observations of a nesting pair were most recently made by Franklin in 2016 and others dating back to 1978. Both positive and negative observations were made within one mile of the subject parcel. The HUM0125 activity center is located approximately 7,991 feet southwest of the project and positive observations of a pair were most recently made by Franklin and others in 2012 and others dating back to 1984. Both positive and negative observations were made within one mile of the subject parcel. The HUM0925 activity center is located approximately 8,824 feet northeast of the project and positive observations of a pair were most recently made by Obrien in 2006 and others dating back to 1999. Both positive and negative observations were made within one mile of the subject parcel. Critical habitat for NSO is located approximately 1 mile to the southwest. Several recommendations were made by TransTerra and were added as conditions of project approval including the following:

1. Impacts from light, noise and chemicals can be addressed in the operations plan and best management practices can be employed to minimize impacts.
2. Additional disturbance, clearing, and road cuts could modify existing groundwater, and surface water patterns and could impact water quality and/or hydrophytic species.
3. Avoid altering the hydrology or filling the perennial or seasonal wetlands delineated in this investigation.
4. Clean up and properly dispose of solid waste near the perennial stream and the tributary to Little Larrabee Creek.

On January 11, 2018, an Interim Permit was issued to the applicant authorizing 20,786 SF full sun outdoor and 16,810 SF of mixed light commercial cannabis cultivation on APN 210-042-003-000. Prior to the time of the time of the Interim Permit issuance, the County incorrectly determined these pre-existing square-footages based off aerial imagery from the baseline date of May 28, 2014 (Google Earth) in combination with the evidence of pre-existing cultivation submitted by the applicant November 13, 2017. Subsequent to this, a large area covering approximately 76,500 square feet in the center of the parcel appeared to have been expanded into. Upon further investigation by the County and statements from the applicant, the County deemed the area to be a hayfield, thus acquitting the applicant from a substantial expansion violation fee of $153,000. Green Road Consulting submitted a subsequent Cultivation Area Verification on July 6, 2018, which utilized images from several years (August 2013, May 2014, November 2015, and December 2017) of previous cultivation areas, including cultivation that appears to be off parcel on APN 210-042-004-000. Part of the expansion area was included in Green Road's pre-existing cultivation determination. After subsequent reviews of aerial imagery, a site visit, and consultation with CDFW, County staff was not able to verify the full amount of cultivation area applied for by the applicant and is therefore recommending approval of 3,518 SF of outdoor and 13,531 SF of mixed light cannabis cultivation.

The applicant submitted an Expansion Removal Report on October 25, 2019. Remediation actions included the laying of weed-free straw, spent soil piled and covered with wattles installed along the perimeter of

piles. The refuse found on-site was not mentioned as removed in the remediation report and has been added as a condition of approval.

The Division of Environmental Health (DEH) recommends approval of the project with the following conditions: no processing can be approved until an acceptable site suitability report can establish potential for onsite waste treatment system, and an invoice, or equivalent documentation, is provided to DEH to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to reissuance of annual permit.

The Department of Public Works requested a Road Evaluation Report and the Applicant prepared a self-certified Road Evaluation Report and provided one to the County for the access road from State Route 36 to the project driveway. A self-certified Road Evaluation Report with photo documentation concluded that the access road is developed to a category 4 road standard.

CalFire provided their standard referral comments regarding Fire Safe, Resource Management, and Cannabis cultivation standards. Additionally, CalFire commented that "it appears an illegal conversion has occurred on this property." The existing mixed light and outdoor cultivation areas were created as part of an unauthorized timberland conversion. Blair Forestry Consulting, a Registered Professional Forrester (RPF), visited the project site and prepared a written evaluation of the timberland conversion on October 20, 2017. The RFP that the unauthorized conversion activities require

In an email (on file) dated November 8, 2017, CalFire Division Chief concluded that the mitigation of slash disposal and treatment is acceptable and appropriate based on the conditions and information provided in the RPF's report and that CalFire has no additional recommendations or comments.

CDFW commented on the project twice: once before (November 30, 2018) the October 18, 2019 site visit with the County and once after (December 31, 2019). CDFW requested a copy of the County Cultivation Area Verification, as they were only able to identify approximately 3,518 SF of outdoor and 13,531 SF of mixed light cannabis cultivation prior to January 1, 2016 (Figure 1) during the year the County identified as most prolific (2014) (Attachment 4).

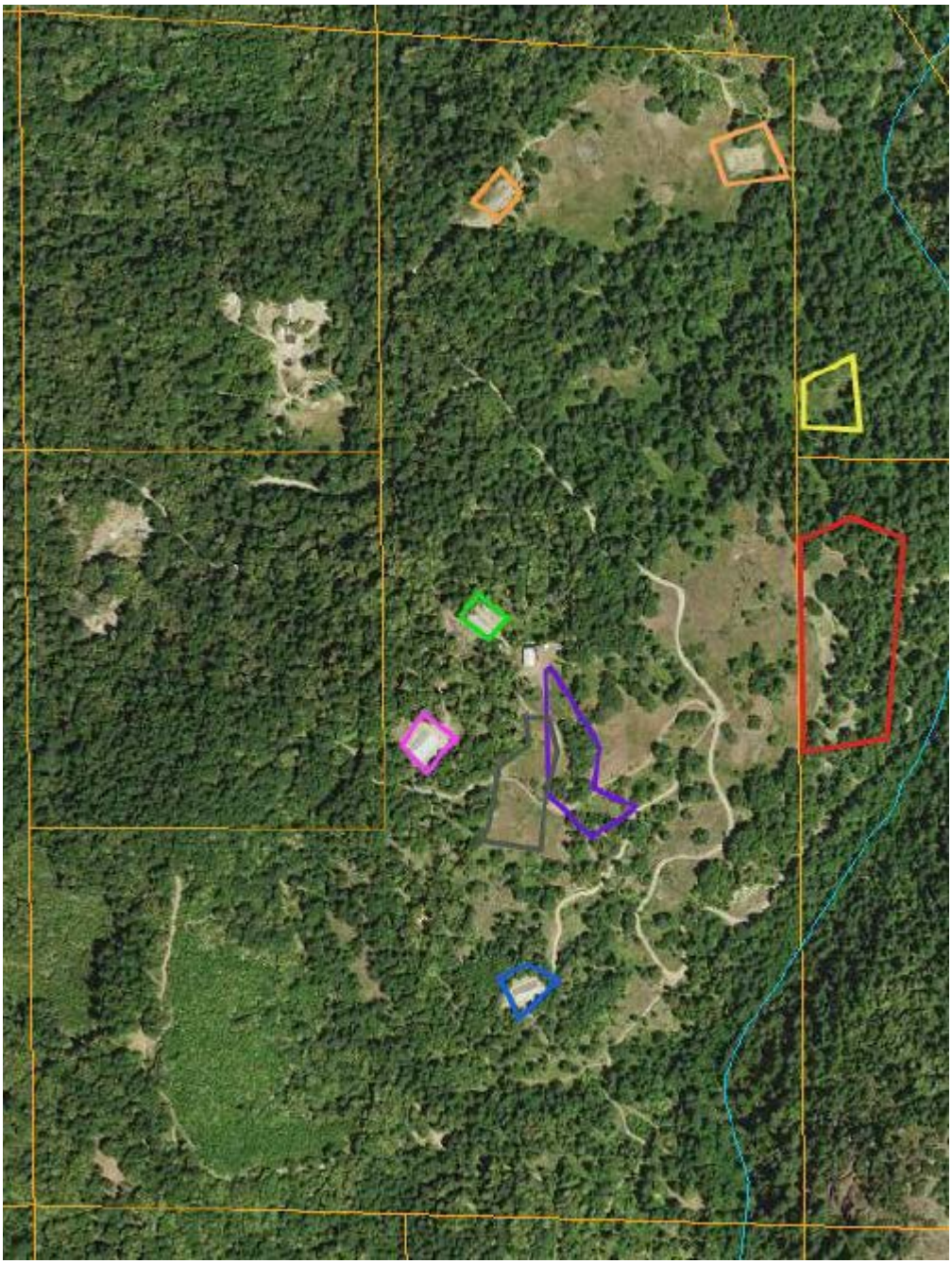


Figure 1. CDFW Color-coded map of cultivation areas in existence prior to January 1, 2016 from the most prolific time period; May 28, 2014, as used by the County for the Cultivation Area Verification completed January 17, 2019.

Figure 1 is color-coded based on a combination of aerial imagery and site visit observations. The following comments correspond to each of the colored alleged cultivation areas to describe the history of cultivation area verification and the county's current recommendation:

Red: The areas identified by the County as in existence May 28, 2014 were erroneously considered cultivation and appear to be off the property boundaries. Upon further review with CDFW this area appears to have no cultivation occurring May through August. Cultivation materials and structures appear to have been from cultivation activities in 2013.

Orange: Imagery from May through August of 2014 does not show any indication of being cultivated in the cultivation areas. It appeared to be actively cultivated upon in 2013. This location was infested with the invasive species yellow star thistle (*Centaurea solstitialis*) and teasel (*Dipsacus laciniatus*), which appear to have been brought on site with the utilization of untreated straw mulch. The project has been conditioned such that the applicant remove extant invasive species and conduct on-ongoing monitoring of the site to prevent further establishment of these and other invasive species.

Yellow: Aerial imagery retrieved from May through August 2014 did not indicate any cultivation occurred. There were remnants of previous cultivation activities that appear to have been from 2013, if at all. This also appears to be off the property.

Grey: This area was an expansion established post-CAV year (2014 as determined to be the largest cultivation year) and contains several delineated wetland features downslope of the cultivation operations. Cultivation on this slope has the potential to contribute to nitrification and sedimentation during wet weather events. A portion of this area has been utilized for relocation of the full sun areas. These full sun areas were expanded into greenhouses without approval in 2020.

Green: County and CDFW analyses nearly consistent with a mixed light cultivation area totaling 4,000 SF pre-existing mixed light cultivation. Observations made onsite at this location included fill and spent potting soil. The soil appeared to be failing, hence had the potential to discharge into downslope watercourses. There was also trash strewn about this location and in the adjacent wooded areas.

Blue: County concurs with 4,088 SF mixed light pre-existing cultivation area. Using the most prolific cultivation year (2014), aerial imagery suggests that CDFW was correct in their measurements. The access road to the location was poorly maintained and appeared to be contributing to sediment flow to downstream watercourses. It is a condition of approval that this access road be brought to standard or decommissioned in conjunction with a remediation and relocation plan from a qualified professional. There was also a significant amount of trash and cultivation waste, trash, and imported soil material. Further, there was additional 1,000 SF outdoor cultivation occurring that was not previously cultivated prior to the May 2014 baseline year. It is a condition of approval that this additional cultivation area be decommissioned in conjunction with a remediation plan from a qualified professional.

Purple: After additional aerial imagery analyses and the on-site investigations, the County and CDFW concur that this site had a total of 3,518 SF of pre-existing full-sun outdoor cannabis cultivation. Much of this area has been relocated into the grey area and within greenhouses. The county is recommending that this aera be permitted but only as full sun outdoor as was originally occurring.

Pink: In this area, it appears after both and on-site investigation and a review of aerial imagery confirms that there was 5,000 SF of pre-existing mixed light cultivation, per the May 2014 baseline year. Substantial trash, cultivation waste, and spent potting soil were discarded in multiple areas downslope of the cultivation area.

The total cultivation area that can be supported based on the most prolific pre-existing cultivation year (2014) is 3,518 SF of outdoor and 10,531 SF of mixed light cannabis cultivation.

Overall, onsite observations indicated that cultivators have mismanaged waste, including disposal within streamside management areas and continued to cultivate in a manner inconsistent with the protection of water quality and wildlife habitat. In addition, generators onsite appeared improperly contained and may contribute to substantial noise pollution to the surrounding environment. As a condition of approval, the applicant shall immediately dispose of cultivation waste, trash, and imported soil material be disposed of

at a designated waste management facility. The mismanagement occurred by a previous applicant, as the permit application was recently transferred to a new party.

Per the CDFW Resource Map, Spotted Owl observations have occurred at the project site and in the project vicinity. The parcel contains substantial nesting and roosting sites for northern spotted owl (NSO) (*Strix* occidentalis) and critical habitat and positive NSO observations have been recorded within on mile of the project site. CDFW requests that the applicant assume presence and avoid impacts as determined by a qualified biologist, in consultation with CDFW. Avoidance measures include, but are not limited to, a decrease in the cultivation area to be consistent with what existed in 2013 and the prohibition of generators, project lighting and fans, including those used in ancillary structures (e.g. nurseries) during the breeding season (February 1 to July 9). Following the breeding season, CDFW requests the succeeding measures, as conditions of Project approval:

- A Noise Attenuation Plan be submitted, approved (in consultation with CDFW), and implemented prior to the use of generators and fans as applicable to the Project; noise released shall be no more than 50 decibels measured from 100ft or edge of NSO habitat whichever is closer.

- A Light Attenuation Plan be submitted, approved (in consultation with CDFW), and implemented prior to the use of lights as applicable to the Project; artificial light used for cannabis cultivation operations (including ancillary nurseries) shall be fully contained within structures such that no light escapes (e.g., through automated blackout curtains) between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular and nocturnal wildlife. CDFW further requests, that security lighting be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.

- That additional timber removal be prohibited within 150ft of the designated cultivation sites.

As a condition of approval, prior to further site development such as the construction of the 2,500 SF processing building, installation of another well and tanks, or road improvements, that a qualified Biologist shall survey the site for the presence of Northern Spotted Owl.

Further, due to the likely presence of Norther Spotted Owl and the existing environmental baseline, staff is recommending that the 13,000 square feet of outdoor cultivation be approved only for full-sun outdoor and that the greenhouses that were developed without authorization be removed prior to the beginning of cultivation for 2021.

Energy

Due to the remote location and off the grid nature of the site, it is necessary for Ancient Truth, Inc. to employ the use of generators for power. There are three generators that currently provide power to the site. One, 100kW generator and two 50kW generators. These generators are housed in sound dampening structures in order to keep the decibel level of the generators below 50 dB at 100 feet. There is a 1,000-gallon and a 500-gallon diesel tank with proper containment on site. The applicant proposes to have on-grid power or another sustainable energy source installed by 2021. Until a sustainable source is installed onsite, power for the parcel will continue to be provided by the use of three generators. The generators will be in operation from February to November for the fans within the greenhouses, and for drying cannabis.

All generators will be housed in noise containment structures on stable surfaces and located at least 200 feet from all Class I and II streams. To avoid or minimize impacts to NSO and other wildlife resources, a condition of permit approval is included requiring that secondary containment housing be installed for all generators to ensure that generator decibel (db) levels will not exceed 50 db measured from 100 feet or

the nearest edge of habitat. The applicant is required to obtain all building permits for these secondary containment structures. The Cultivation and Operations plan includes projected generator user by month. The location of all four generators are included on the Site Plan Map.

A Cultural Resource Investigations was prepared for the project by Archaeological Research and Supply Company in November 2017. No artifacts, features, site, buildings, structures, or elements of a historical landscape were identified during the field survey and there are no previously recorded resources on the subject property or within ½ mile. However, ongoing conditions of approval are incorporated regarding the inadvertent discovery protocol to protect cultural resources.

Environmental review for the proposed project was conducted, and based on the results of that analysis, staff believes the existing cultivation and processing aspects of the project, as recommended and conditioned are consistent with the Mitigated Negative Declaration that was adopted for the Commercial Medical Marijuana Land Use Ordinance due to the fact that this is existing cultivation that is being brought into conformance with county and State requirements. No additional development other than that which was contemplated under the previously adopted MND is proposed. An addendum to the MND has been prepared for this project.

Based on a review of Planning Division reference sources and comments from all involved referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the conditional use permit.

Security

The parcel is fenced around the perimeter and all access roads are gated with heavy steel gates and locked with heavy shackle locks. A closed-loop camera system in in place.

Based on a review of Planning Division reference sources and comments from all involved referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the conditional use permit.

ALTERNATIVES: The Planning Commission could elect not to approve the project, require the applicant to submit further evidence, or modify the project. These alternatives could be implemented if the Commission is unable to make all required findings. Planning Division staff has stated that the required findings in support of the proposal have been made. Consequently, Planning Commission staff does not recommend further consideration of the alternatives.

RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 20

Case Number Pln-10888-CUP
Assessor Parcel Number: 210-042-003-000

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Ancient Truth Inc. Conditional Use Permit request.

WHEREAS, Ancient Truth, Inc. submitted an application for a Conditional Use Permit for 22,000 square feet of existing mixed light and 43,560 sf of existing outdoor commercial cannabis cultivation; and

WHEREAS, staff determined the pre-existing cultivation (pre-January 1, 2016) on the property consisted of no more than 13,531 sf mixed light and 3,518 sf full-sun outdoor commercial cannabis cultivation; and

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

WHEREAS, staff determined the existing cultivation and processing aspects of the project were previously analyzed in 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 substantial evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Record Number PLN-10888-CUP); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on November 19, 2020.

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Planning Commission that:

1. The project is consistent with a previously adopted Mitigated Negative Declaration as described by §15162(c) of CEQA Guidelines; and

2. The findings in Attachment 2 of the Planning Commission staff report for PLN-10888-CUP support approval of the project based on the submitted substantial evidence; and

3. Conditional Use Permit PLN-10888-CUP is approved as recommended for 13,531 sf mixed light and 3,518 sf full-sun outdoor commercial cannabis cultivation and conditioned in Attachment 1.

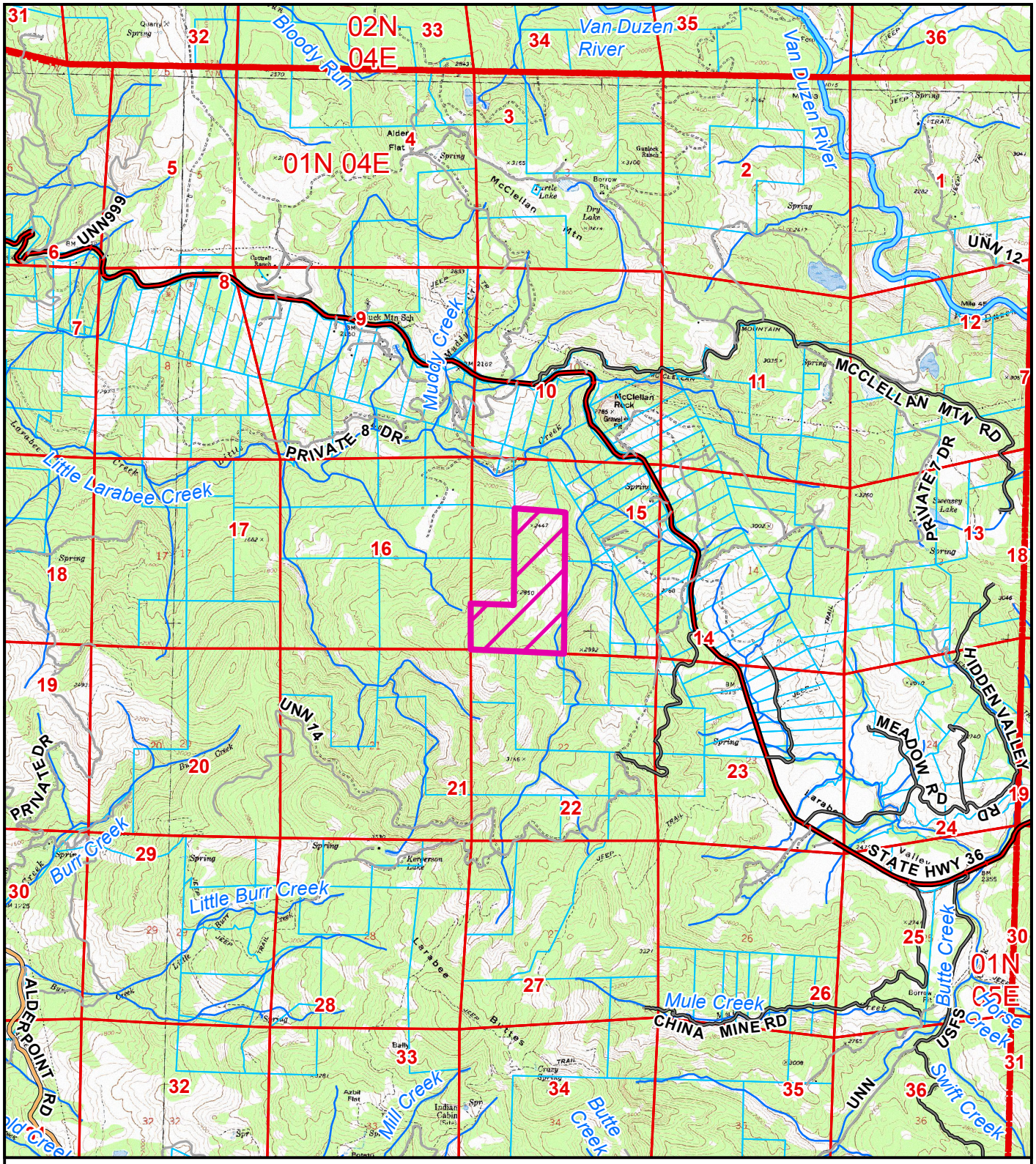
Adopted after review and consideration of all the evidence on November 19, 2020.

The motion was made by COMMISSIONER _____and second by COMMISSIONER _____:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:
ABSTAIN: COMMISSIONERS:
DECISION:

I, John Ford, Secretary to the Planning Commission 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 Commission at a meeting held on the date noted above.

John H. Ford
Director, Planning and Building Department



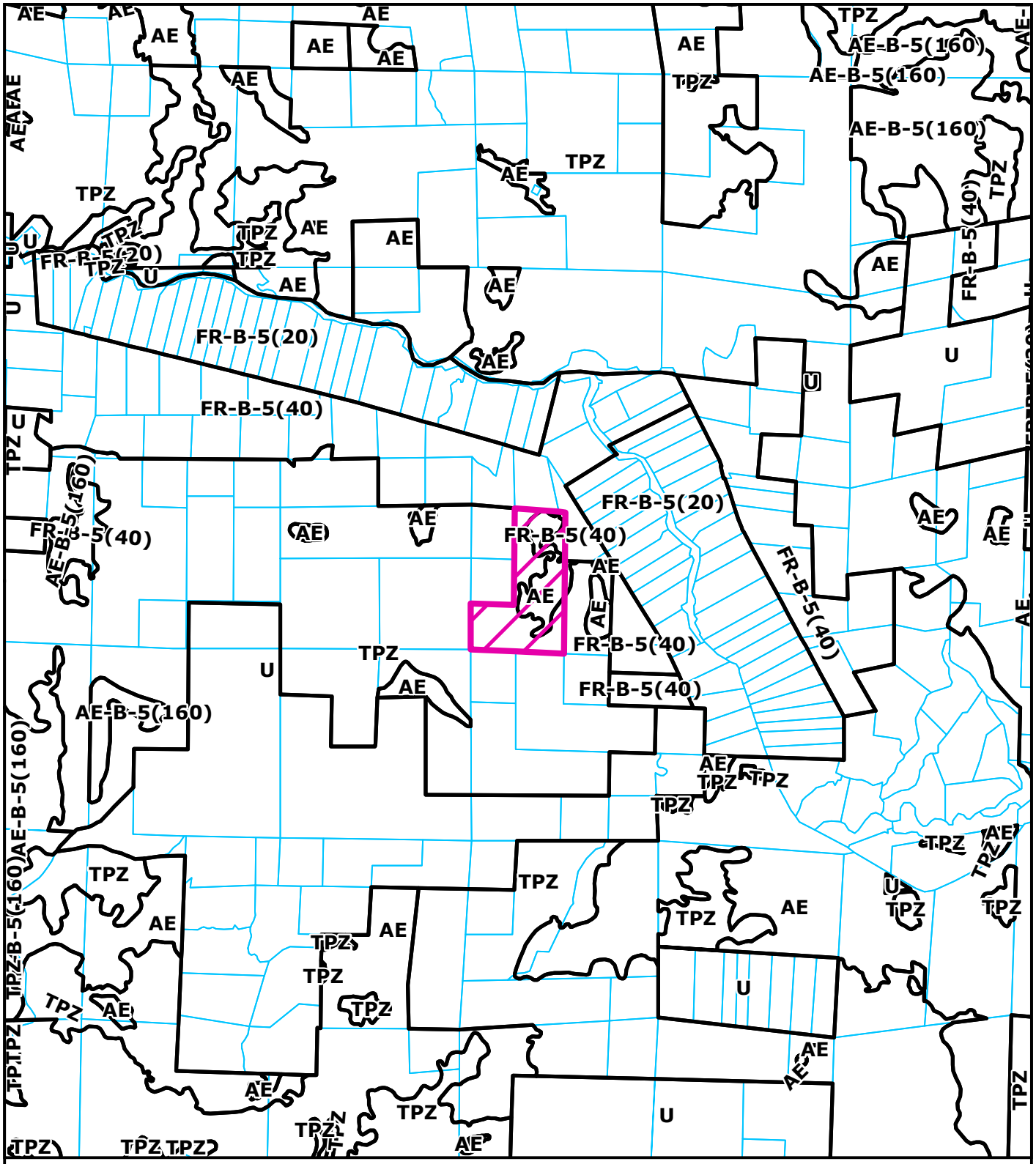
TOPO MAP
PROPOSED ANCIENT TRUTH INC
DINSMORE AREA
CUP-16-099
APN: 210-042-003
T01N R04E S15 HB&M (LARABEE VALLEY)

Project Area =

N

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 0.4 0.8 1.6 Miles

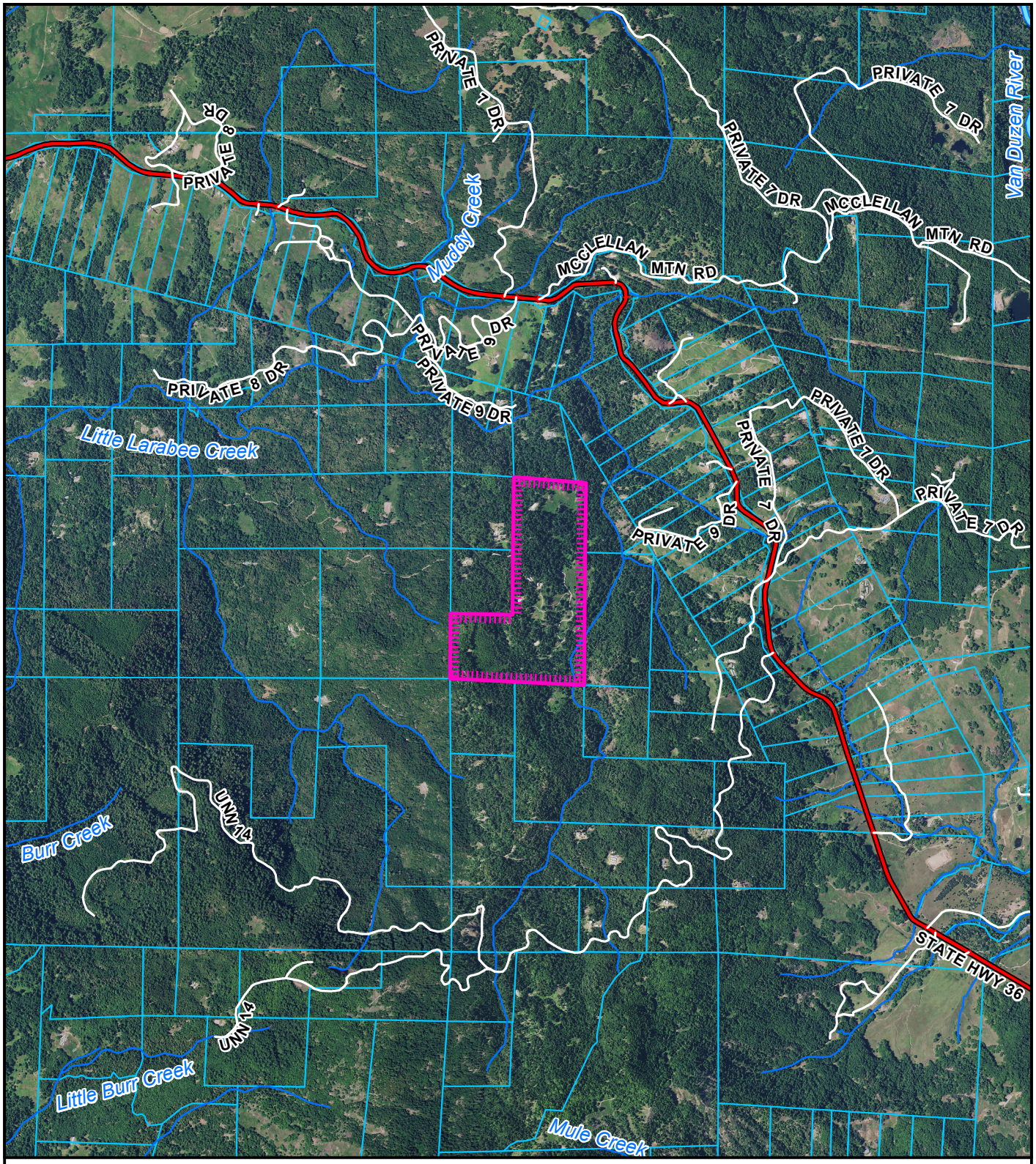


ZONING MAP
PROPOSED ANCIENT TRUTH INC
DINSMORE AREA
CUP-16-099
APN: 210-042-003
T01N R04E S15 HB&M (LARABEE VALLEY)

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 0.4 0.8 1.6 Miles



AERIAL MAP
PROPOSED ANCIENT TRUTH INC
DINSMORE AREA
CUP-16-099
APN: 210-042-003
T01N R04E S15 HB&M (LARABEE VALLEY)

Project Area =

N

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.

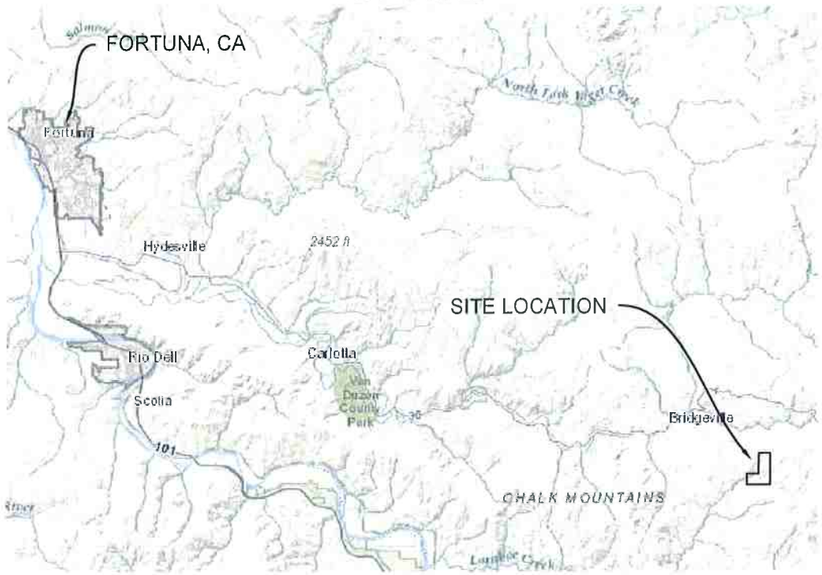
0 0.275 0.55 1.1 Miles

ANCIENT TRUTH, INC.

APN:210-042-03

VICINTY MAP

NOT TO SCALE



AERIAL MAP

N

300' 600' 1,200'

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

PROJECT DIRECTIONS

FROM: FORTUNA, CA
-HEAD SOUTH ON US-101 (1 MI)
-TAKE EXIT FOR CA-36 EAST
-FOLLOW CA-36 EAST (32 MI)
-TURN RIGHT ON UNNAMED ROAD
-FOLLOW ROAD TO DRIVEWAY

TRAVEL TIME

APPROXIMATELY: 36 MILES (50 MINUTES)

SHEET INDEX

CP-COVER PAGE
P0-PARCEL OVERVIEW

PROJECT INFORMATION

LAT/LONG: 40.4611,-123.7157
APN: 210-042-03
APPLICANT: ANCIENT TRUTH, INC.
PARCEL SIZE: ±163 ACRES
ZONING: AE,TPZ
APPLICATION TYPE: TYPE 3 OUTDOOR
TYPE 3B SMALL MIXED LIGHT
TYPE 1A SPECIAL INDOOR

COASTAL ZONE: NO
100 YEAR FLOOD: NO

AGENT:

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

GREEN ROAD CONSULTING

PROJECT INFORMATION
PROPERTY OWNER MAG-ECB, LLC
ADDRESS APN: 210-042-03
SHEET INFO COUNTY COVER PAGE

REVISIONS

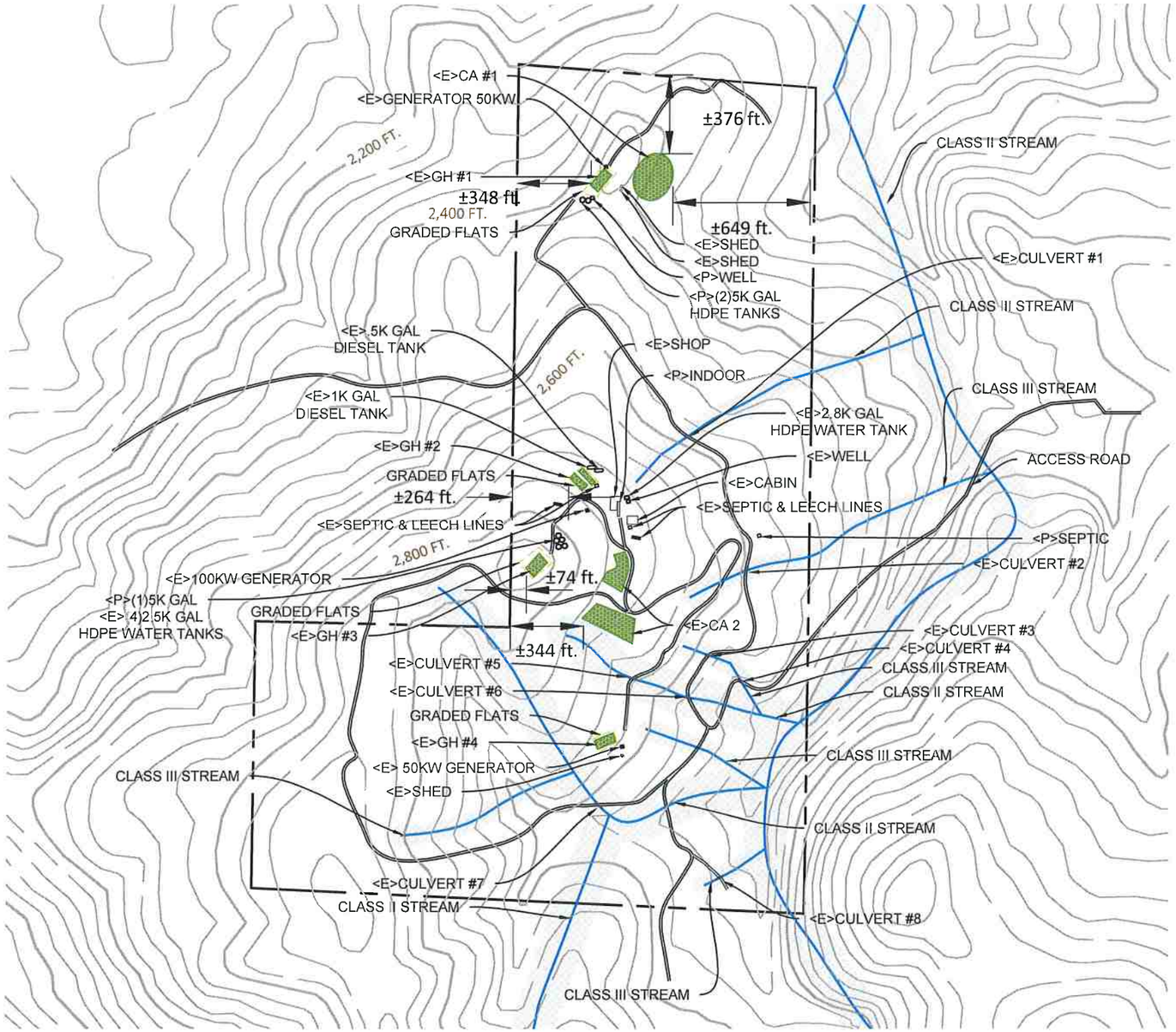
NO.	NOTES	DATE

DATE 6/5/17
DRAFTER RP
SCALE AS SHOWN
SHEET CP

6/5/2017 – X:_Projects\Mar.Hu.Bl.16.7\CAD\County Permit\Vol-County.dwg – 4:12 PM – Rico

PARCEL OVERVIEW

APN:210-042-03



SURROUNDING BUILDINGS

THERE ARE NO SCHOOLS, BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL CULTURAL RESOURCES WITH IN 600 FEET OF THE CULTIVATION SITE.

THERE ARE NO OFF SITE RESIDENCES WITHIN 300 FEET OF THE CULTIVATION SITE.

N

300' 600' 1,200'

CLASS II STREAMS WITH REQUIRED 100 FT. BUFFER ZONE
CLASS III STREAMS WITH REQUIRED 50 FT. BUFFER ZONE

CULTIVATION INFORMATION

OUTDOOR CULTIVATION AREA

CA #1= 32,560 FT^2
CA #2= 11,000 FT^2

TOTAL OUTDOOR CULTIVATION AREA = 43,560 FT^2

INDOOR CULTIVATION AREA

INDOOR= 5,000 FT^2

TOTAL INDOOR CULTIVATION = 5,000 FT^2

MIXED LIGHT CULTIVATION AREA

GH #1= 6,000 FT^2
GH #2= 3,000 FT^2
GH #3= 6,500 FT^2
GH #4= 6,500 FT^2

TOTAL MIXED LIGHT CULTIVATION = 22,000 FT^2

CULTIVATION BUILDINGS AND USE

BUILDINGS	USE/ACTIVITY	YEAR	SIZE
<P>INDOOR	PROCESSING/INDOOR CULTIVATION	2018	70'x70'
<E>SHOP	DRYING/NUTRIENTS STORAGE	1993	30'x50'

DOMESTIC BUILDINGS AND USE

BUILDINGS	USE/ACTIVITY	YEAR	SIZE
<E>CABIN	TEMPORARY LIVING	2015	UNKNOWN
<E> SHED(x3)	TOOL STORAGE	2016	10'x10'

WATER USE AND STORAGE

EXISTING STORAGE	NUMBER	SIZE
HDPE TANK	4	2,500 GALLONS
HDPE TANK	1	2,800 GALLONS

TOTAL AMOUNT OF EXISTING WATER STORAGE= 12,800 GALLONS

PROPOSED STORAGE	NUMBER	SIZE
HDPE TANK	3	5,000 GALLONS

TOTAL AMOUNT OF PROPOSED WATER STORAGE= 15,000 GALLONS

WATER SOURCE

WELL

POWER SOURCE

GENERATOR-50KW(x2)
GENERATOR-100KW

500 GALLON DIESEL FUEL TANK
1,000 GALLON DIESEL FUEL TANK

GREEN ROAD CONSULTING

PROJECT INFORMATION

PROPERTY OWNER: MAG-ECB, LLC
ADDRESS: APN: 210-042-03
SHEET INFO: PARCEL OVERVIEW

REVISIONS

NO.	NOTES	DATE

DATE 6/5/17
DRAFTER RP
SCALE AS SHOWN

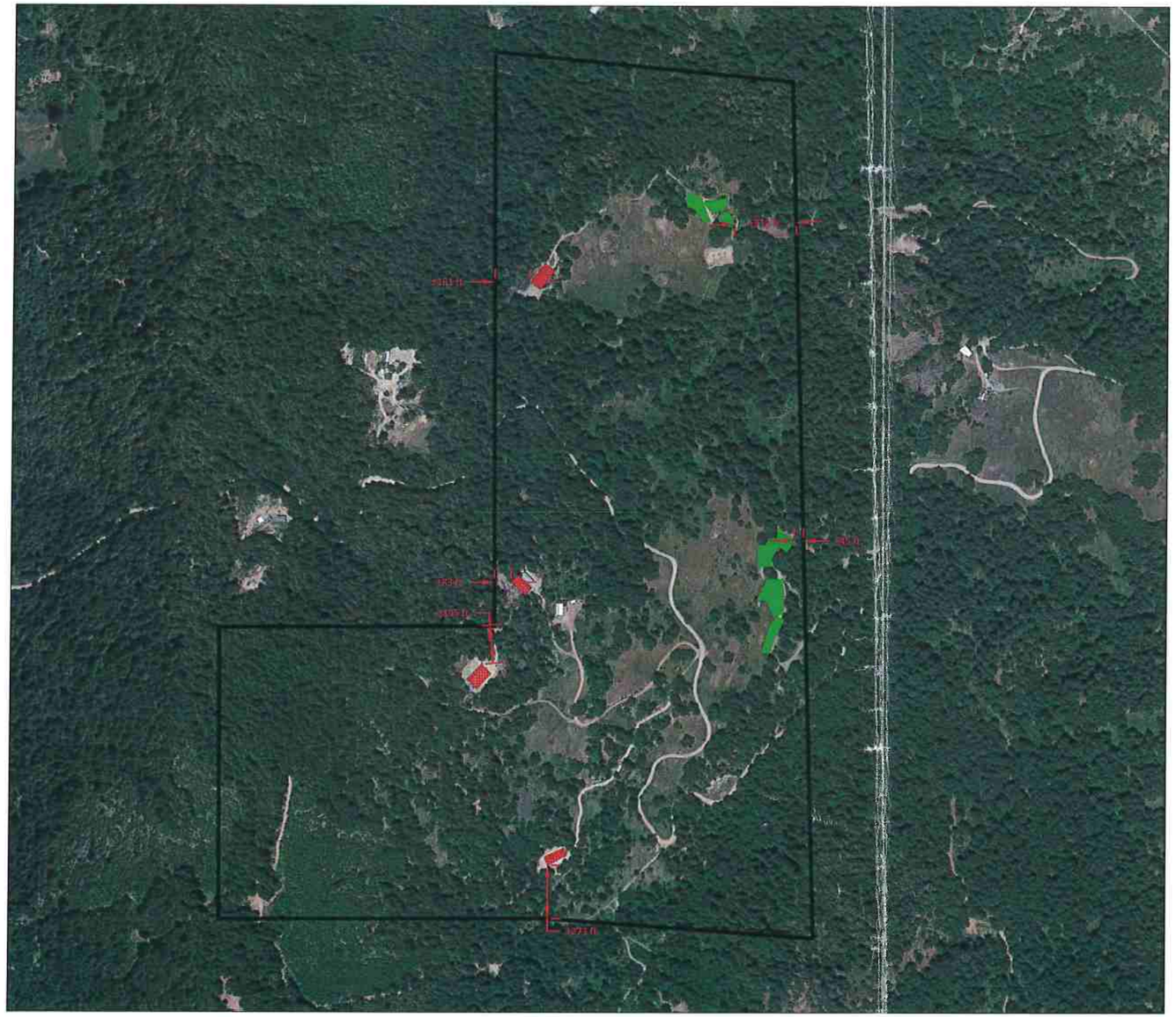
SHEET
PO

6/5/2017 – X:_Projects\Mar-Hu.Bl.16.7\CAD\County Permit\Vol-County.dwg – 4:12 PM – Rico

CULTIVATION OVERVIEW

APN: 210-042-03

(Historic)



CULTIVATION BUILDINGS AND USE

CULTIVATION AREA

OD #2 =43,560 FT²

ML #1 = 22,000 FT²

OUTDOOR CULTIVATION	MIXED LIGHT CULTIVATION

N

GREEN ROAD CONSULTING

PROJECT INFORMATION

PROJECT: ANCIENT TRUTH, INC.

ADDRESS: APN: 210-042-03

SHEET INFO: CULTIVATION OVERVIEW

REVISIONS

NO.	NOTES	DATE

DATE 8/12/16

DRAFTER RP

SCALE NOT TO SCALE

SHEET

CO

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ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

1. 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 #2 –22. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.

2. The applicant shall be responsible for obtaining all necessary County and State permits or licenses and for meeting all the requirements as set forth by other regulatory agencies.

3. Within 30 days, applicant shall submit a revised and cohesive cultivation and operations plan and site plan to reflect the cultivation total cultivation areas of 11,650 mixed light and 13,000 full-sun outdoor commercial cannabis cultivation. Further, pre-existing sites shall be granted the use type specified in the locations in Figure 1 of this staff report.

4. The applicant shall immediately engage in efforts to remove invasive species, including but not limited to, teasle (*Dipsacus lacinatus*) and yellow star thistle (*Centaurea solstatialis* L.), and conduct on-going monitoring of the site to prevent further establishment of invasive species. The use of untreated straw mulch is henceforth unauthorized.

5. Within 30 days, the applicant shall remove all cultivation waste material, including imported soil fill material be addressed immediately and properly disposed of at a designated waste management facility.

6. The applicant shall secure permits for all unpermitted grading, structures, including fire suppression infrastructure, related to the cannabis cultivation and other commercial cannabis activity. 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. Until then, existing structures used in the cannabis operation and proposed structures are not to be utilized until all required permits have been obtained.

7. The applicant shall file an Ag Exempt letter of intent for each structure used for cannabis cultivation activities.

8. The applicant shall secure a grading permit prior to commencing any ground disturbance. The grading permit shall be prepared by a qualified professional engineer. The plan shall identify the cubic yards of all proposed grading and shall incorporate the erosion control measures listed below. The applicant shall be responsible for implementing the erosion control measures:
    a. If the project proposes future ground disturbing activities, include protocol level surveys, conducted by a qualified botanist, for any California Rare Plant Ranked Species that may be present within 200 feet of the proposed project site.
    b. Minimize soil exposure during the rainy season by proper timing of grading and construction;
    c. Retain natural vegetation where feasible;
    d. Vegetate and mulch denuded areas to protect them from winter rains;
    e. Divert runoff from steep denuded slopes and critical areas with barriers or ditches;
    f. Minimize length and steepness of slopes by benching, terracing, or constructing diversion structures;

g. Trap sediment-laden runoff in basins to allow soil particles to settle out before flows are released to receiving waters; and
h. Inspect sites prior to significant rain events to ensure control measures are working properly and correct problems as needed.

2. The applicant shall secure the approval of the Division of Environmental Health and the Regional Water Quality Control Board for any on-site sewage disposal system prior to the issuance of the building permit. A letter from those agencies indicating approval has been issued will satisfy this condition. In the interim, the applicant shall provide portable toilets and hand washing stations to employees. Documentation of provisioning of these services are required by the Division of Environmental Health.

3. 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.

4. The project area has been determined to have potential nesting, roosting, or foraging habitat for Northern Spotted Owl (*Strix occidentalis caurina*), a State- and Federally threatened species. The following avoidance and minimization measure shall be implemented:

    a. No lights, generators or fans are permitted by this permit until a scoping report for Northern Spotted Owl and Marbled Murrelet habitat is prepared by a biologist or forester with experience in the life history of the species, and approved by the Planning Director. If habitat is present within the project vicinity, a light and noise attenuation plan shall be developed in consultation with the Planning Department and California Department of Fish and Wildlife prior to the use of any lights, generators or fans. Conformance will be evaluated using auditory disturbance guidance prepared by the United States Fish and Wildlife Service and any other relevant published literature. Should the applicant propose to achieve noise attenuation by placing the generators inside a building(s), the applicant shall secure a building permit prior to construction.
    b. Prior to any site development activities (i.e. tree removal, grading, construction, or road improvements), a qualified wildlife biologists with experience in Northern Spotted Owl surveys shall complete a protocol-level survey of the site to determine if there are trees that could provide habitats for this species. No tree that could provide suitable nesting, roosting, resting or denning habitat for these species shall be removed or altered and suitable mitigation measures developed by the biologist in consultation with CDFW will be implemented.
    c. In the interim, Northern Spotted Owl shall be assumed present and no construction or road grading work will occur in the nesting or denning seasons (February 1 through August 30) unless protocol level surveys and associated biological assessments of the property scientifically demonstrate absence and are agreed upon by the CDFW. Any measures developed by the biologist must be adhered to during the nesting or denning season.
    d. No proposed activity generating noise levels 20 or more decibels above ambient noise levels or with maximum noise levels above 90 decibels as measured from the nearest suitable habitat may occur during the nesting or denning season.
    e. No human activities shall occur within a visual line-of- sight of 40 meters (131 feet) or less from a known nest or den location.
    f. No use of anticoagulant rodenticide poisons are to be used on site as these are known to pose a significant threat to Fisher and Northern Spotted Owl populations in Northern California.

5. Any on-site lighting existing in any existing or proposed greenhouses shall be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. The light source should comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). Should the Humboldt County Planning Division receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of

receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected, and corrected as necessary. Should we add more stringent compliance condition?

6. Because generators are used the applicant shall provide a noise pollution plan that factually demonstrates all generators would not deliver noise pollution, which may affect fish and/or wildlife directly, or from a distance. Noise generated from any generators shall not exceed 50 decibels (dB) at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer, as required by Section 314-55.4.11(o) of the Humboldt County Code. Prior to issuance of a building permit or the initiation of cultivation activities, whichever occurs first, the applicant shall provide documentation from a qualified professional demonstrating that the generator(s) conform to the specified standard. Conformance will be evaluated using auditory disturbance guidance prepared by the United States Fish and Wildlife Service. Should the applicant proposed to achieve noise attenuation by placing the generators inside a building(s), the applicant shall secure a building permit prior to construction. This condition shall be completed to the satisfaction of the Humboldt County Planning Division prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

7. The applicant shall complete and implement all corrective actions detailed within the WRPP developed for the property by Green Road Consulting, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board (RWQCB) Cannabis Waste Discharge Regulatory Program, including those measures later determined necessary during annual and periodic site inspections in accordance with the monitoring element. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the RWQCB a letter or similar communication from the RWQCB verifying that all their requirements have been met by the listed dates or the applicant has proven to the satisfaction of the RWQCB that the plan to complete the improvements by the listed dates is sufficient and will satisfy this condition. [After July 31, 2019, plans and reporting shall conform to the Cannabis Cultivation Policy and Cannabis General Order adopted October 17, 2017 by the State Water Board.]

8. The applicant shall secure a final Lake and Streambed Alteration Agreement approved by the California Department of Fish and Wildlife for any culvert maintenance and installation needs and comply with all applicable terms.

9. Water for this Project is sourced from groundwater wells. CDFW requests that the groundwater wells be inspected annually to evaluate drawdown, and the potential for the well to go dry. This evaluation should include a standard pump test to be conducted during the dry season. Evaluation of the pump test results should be conducted by a licensed professional with expertise. Since the County is the lead agency on land use and associated groundwater well use and management, planning staff should evaluate the location and water use of other proximal wells to this Project and require storage as necessary to avoid excessive aquifer drawdown. CDFW recommends additional water storage at this site in the event that the well does not produce in perpetuity.

10. Any new structures will be required to meet the required 30-foot Humboldt County Fire Safe setbacks and receive appropriate Building Permits.

11. Prior to issuance of any building or construction permits a revised site plan shall be prepared by the applicant and reviewed and approved by the Planning Division showing:
    a) Adequate off-street parking,
    b) Compliance with emergency vehicle access requirements,
    c) Location and purpose of all existing and proposed facilities, and
    d) Setbacks between project activities and wetlands, surface waters and Streamside Management Areas.

12. Prior to issuance of any building or construction permits a grading, erosion and sediment control plan shall be prepared by a qualified engineer. The plan shall identify the cubic yards of all grading that has been done and any proposed grading. Dust control practices during construction and grading shall achieve compliance with North Coast Air Quality Management District (NCAQMD) fugitive dust emission standards.

13. The Mitigation measures detailed in the Registered Professional Forester report dated October 20, 2017 are made a condition of approval. These include treating the slash and woody debris around Conversion Areas A and B by reducing them to the degree that treatment would not cause soil disturbance issues. The slash piles and logs that are not heavily intermixed with soil and reasonably accessible should be lopped and scattered by hand (to specifications described in 14 California Code of Regulations (CCR) 1104.1(a)(2)(D)(1)), cut and used for wood heat (to specifications described in 14 CCR 1104.1(a)(2)(D)(7)) or piled on the clearings and burned during the wet winter period (under permit from the appropriate fire protection agency).

14. It is assumed, until factually demonstrated by a professional geologist, hydrologist, or engineer, that the well on the property is hydrologically connected to surface waters. As such, the applicant shall obtain an appropriative water right for the potentially jurisdictional well from the State Water Resources Control Board for water diverted for irrigation uses as diversion for cannabis cultivation has the potential to substantially affect instream flows. Until either a letter from a professional geologist, hydrologist, or engineer, or a letter of agreement from the State Water Board regarding the non-diversionary status of the well is provided to the Humboldt County Planning Division, the applicant shall agree to forebear from diverting water from for cultivation activities during the forbearance period of May 15 to October 31 of 2018, consistent with Section 55.4.11(l).

15. Within 60 days of project approval the applicant shall submit a revised site plan that shows the amount of cultivation as approved by the Planning Commission.

16. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

17. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding 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.

18. A review fee for Conformance with Conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently $125.00) shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate.

19. The applicant shall agree to use a water meter to demonstrate that there is sufficient water supply to meet the demands of the project. As part of the annual inspection, the applicant shall present water use records showing water use for the year broken down by month. If the well doesn't produce sufficient water to support annual operations, additional water storage will need to be added to the subject parcel. Alternatively, the Planning Department may reduce the cultivation area.

20. Prior to the beginning of cultivation activities in 2021, and in no case later than March 1, 2021, the applicant shall remove all of the greenhouses in the center flat area that is approved for 13,000 square feet of full-sun outdoor only. A revised site plan showing these areas consistent with the approval shall be submitted to the Planning Department no later than March 1, 2021.

21. 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.

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

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

1. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.

2. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MCRSA, as applicable to the permit type.

3. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning & Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort towards compliance can be shown within the two years following the issuance of the provisional clearance or permit, The Planning Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow for additional time to meet the outstanding requirements.

4. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MCRSA, and regulations promulgated thereunder, as soon as such licenses become available.

5. Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.

6. Confinement of the area of cannabis cultivation, processing, manufacture or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, or Tribal Cultural Resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).

7. Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.

8. Comply with the terms of any applicable Streambed Alteration (1600) Permit obtained from the California Department of Fish & Wildlife, if applicable.

9. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays).

10. To avoid disturbance of NSO and other sensitive species, construction of noise containment structures for all generators and fans on parcel; noise released shall be no more than 50 decibels measured from 100ft or edge of habitat whichever is closer. To avoid disturbance of NSO and other sensitive species, CDFW recommends that the proposed Project be limited to full-sun outdoor cultivation methods, with

noise/light attenuation as applicable. Noise released shall be no more than 50 decibels measured from 100ft or edge of habitat whichever is closer. On-site lighting (e.g. security lighting, etc.) shall comply with attenuation shall follow International Dark-Sky Association standards and Fixture Seal of Approval Program; see: https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low-pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed. CDFW further requests, a light attenuation monitoring and management plan for this activity within thirty-days, following execution of the final permit.

11. This permit does not authorize the use of Anticoagulant rodenticides on the subject parcel. Anticoagulant rodenticides are prohibited.

12. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.

13. 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.

14. All refuse be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.

15. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.

16. Pay all applicable application and annual inspection fees.

17. The noise produced by a generator used on an emergency-only basis for cannabis drying, curing, and processing shall not be audible by humans from neighboring parcels. The decibel level for generators measured 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. 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.

18. 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.

19. The Master Logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.

20. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

21. The operation shall participate in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner, when available.

<u>Performance Standards for Cultivation and Processing Operations</u>

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

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

23. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).

24. Cultivators engaged in processing shall comply with the following Processing Practices:
    i. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
    ii. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
    iii. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
    iv. Employees must wash hands sufficiently when handling cannabis or use gloves.

25. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
    I. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
        (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.

26. All cultivators shall comply with the approved Processing Plan as to the following:
    I. Processing Practices.
    II. Location where processing will occur.
    III. Number of employees, if any.
    IV. Employee Safety Practices.
    V. Toilet and handwashing facilities.
    VI. Plumbing and/or septic system and whether or not the system is capable of handling increased usage.
    VII. Drinking water for employees.
    VIII. Plan to minimize impact from increased road use resulting from processing.
    IX. On-site housing, if any.

27. Term of Commercial Cannabis Activity 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 permitees and the permitted site have been found to comply with all conditions of approval.

28. If the inspector or other County official determines that the permitees 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 Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to section 55.4.13.

29. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #22 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.

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

    Permittee further acknowledges and declares that:

    I. All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt for commercial cultivation, processing, manufacturing, and distribution of cannabis for adult use or medicinal use within the inland area of the County of Humboldt, shall at all times be conducted consistent with the provisions of the approved County permit; and

    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 State of California Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA") (SB 94), 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 State of California MAUCRSA.

31. 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; and

d. Acknowledgement of full responsibility for complying with the existing Permit; and

e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

32. 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 of county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit. 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 #23 of the On-Going Requirements /Development Restrictions, above.

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

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

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

5. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will send a bill to the Applicant for all staff costs incurred for review of the project for conformance with the conditions of approval. All Planning fees for this service shall be paid to the Humboldt County Planning Division, 3015

"H" Street, Eureka.

6. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines.

7. **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 NOE and will charge this cost to the project.

8. 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.

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

ATTACHMENT 2
Required Findings for Approval

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

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

1. The proposed development is in conformance with the County General Plan, Open Space Plan, and Open Space Action Program.

2. The proposed development is consistent with the purposes of the existing zone in which the site is located;

3. The proposed development conforms with all applicable standards and requirements of these regulations; and

4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.

5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.

6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:

    a. Is categorically or statutorily exempt; or

    b. Has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or

c. Has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.

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

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Land Use Chapter 4 Land Use Designations Section 4.8	**Timberland (T)**: Lands primarily suitable for the growing, harvesting and production of timber. Allowable uses include timber production, general agriculture, agricultural and timber products, natural resources uses, and other related uses. Density range is 40 -160 acres/unit.	The project is a request for 22,000 square feet (SF) of existing mixed light cultivation in four greenhouses and 43,560 SF of existing outdoor cultivation within "T" designated lands. General agricultural is an allowed use within the T designation. The MAUCRSA, Health and Safety Code section 11362.777(a) provides that medical cannabis is an agricultural product, subject to extensive state and local regulation. The CMMLUO provides for the cultivation and processing of medical cannabis within the zoning districts where agriculture is a principally permitted use, with limits and in compliance with performance standards that will preserve space for more traditional agricultural activities that supply food and fiber contributing to a diverse economic base. The existing cultivation is considered an agricultural use.
Circulation Chapter 7	Goals and policies contained in this Chapter relate to a 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-G4, C-G5). Related policies: C-P3, Consideration of Transportation Impacts in Land Use Decision Making.	The property is accessed off an unnamed access road approximately 1.37 miles off of State Route 36. Public Works requested a road evaluation report be prepared and returned to them for review in a memorandum dated September 29, 2017. The Applicant completed a self-certified road evaluation report with supporting photo documentation October 3, 2017. The Applicant's Cultivation and Operations Plan does not identify the number of trips per day, but it is anticipated to be up to 10 total trips in the AM and 10 trips in the PM peak periods to support up to 10 employees (applicant claims up yo 10 employees will be utilized). Applicant will limit daily trips during peak traffic times by scheduling deliveries to and from the site during off-peak hours. Conditions of approval require driveways that connect to the County road to be improved to meet County visibility ordinance and encroachment permit ordinance standards if they do not already. Additionally, CDFW requires that some of the access roads between sites be brought to code as a condition of approval.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Housing Chapter 8	Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing. Related policies: H-P3, Development of Parcels in the Residential Land Inventory	The project does not involve residential development, nor is the project site part of the Housing element Residential Land Inventory. However, the project will not preclude any future residential development. The project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.
Conservation and Open Space Chapter 10 Open Space Section 10.2	Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces (CO-G1, CO-G3). Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review, CO-S1, Identification of Local Open Space Plan, and CO-S2, Identification of the Open Space Action Program.	The project can be found consistent with the Conservation and Open Space Element because the proposed project is consistent with the allowable uses of the "T" Land Use Designation. The proposed cannabis cultivation - an agricultural product - is within land planned for agricultural purposes, consistent with the use of Open Space land for managed production of resources while preserving the provisioning of livelihoods, profitable economic returns, and ecological values.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Conservation and Open Space Chapter 10 Biological Resources Section 10.3	Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources). Related policies: BR-P1, Compatible Land Uses; BR-P5, Streamside Management Areas.	Power is currently provided by 4 generators (100KW and 50KW) and the applicant proposes future electricity to be provided by PG&E. All generators and fans shall not exceed 50 decibels (dB) at 100 feet from the generator or at the edge of the nearest forest habitat as a condition of approval. As an ongoing condition of approval, there will be a prohibition on use of synthetic netting and anticoagulant rodenticides. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves. Ongoing Requirements/Development Restriction COA states that the Applicant shall refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide. The Applicant uses mixed light cultivation that uses artificial light. As a condition of this permit, the Applicant shall shield greenhouses so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. There are multiple Class II and Class III streams that bisect the property. No cultivation activities occur within 50 or 100 feet of these streams, respectively. The applicant shall secure a final Lake and Streambed Alteration Agreement approved by the CDFW for any culvert maintenance and installation needs and comply with all applicable terms as a condition of approval.
Conservation and Open Space Chapter 10 Cultural Resources Section 10.6	Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources). Related policies: CU-P1, Identification and Protection; CU-P2, Native American Tribal Consultation.	A cultural resources investigation was prepared for the project by Archaeological Research and Supply Company in November 2017. No artifacts, features, sites, buildings, structures, or elements of a historical landscape were identified during the field survey. Ongoing conditions of approval are incorporated regarding the inadvertent discovery protocol to protect cultural resources, in accordance with CU-S4(E) Standard Conditions.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Conservation and Open Space Chapter 10 Scenic Resources Section 10.7	Goals and policies contained in this Section relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County (SR-G2). Related policies: SR-S4, Light and Glare.	The project involves 22,000 SF of existing mixed light cultivation in four greenhouses and 43,560 SF of existing outdoor cultivation. The CMMLUO requires that mixed light cultivation comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). International Dark Sky Association Standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries.
Water Resources Chapter 11 Stormwater Drainage	Goals and policies contained in this Section 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). Related policies: WR-P10, Erosion and Sediment Discharge; WR-P42, Erosion and Sediment Control Measures.	The project site falls within Tier 2 of the North Coast Regional Water Quality Control Board's (NCRWQCB) Order No. R1-2015-0023 (Order), which requires preparation of a Water Resources Protection Plan (WRPP) to protect water quality from cannabis cultivation and related activities. The applicant retained Green Road Consulting to prepare a WRPP for submittal to the NCRWQCB. The WRPP includes an assessment of standard conditions and anywhere the standard conditions are not met on the property, descriptions of the assessments and the prescribed treatments are included. The WRPP recommendations have been made a condition of approval. A Biological Assessment and Jurisdictional Wetland Delineation was completed for APN 210-042-003-000 in June of 2019 by TransTerra Consulting. The recommendations of this report have been incorporated into the conditions of approval. The Parcel has four (4) Class II watercourses and six (6) Class III watercourses. All cannabis cultivation is at least 100 feet from Class II watercourses and 50 feet from Class III watercourses.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Water Resources Chapter 11 Onsite Wastewater Systems	Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution (WR-G6, WR-G9, WR-G10); and Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P17, On-Site Sewage Disposal Requirements.	The project site includes a permitted septic system for the existing shop. The Division of Environmental Health reviewed the project and recommended conditional approval on September 29, 2017, which stated no processing can be approved until an acceptable site suitability report can establish potential for onsite waste treatment system and an invoice, or equivalent documentation, is provided to DEH to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to re issuance of annual permit.
Noise Chapter 13	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). Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.	The subject parcel is located in an area that requires special noise attenuation measures due to the potential of surrounding Northern Spotted Owls (NSO) and other wildlife. Power is currently provided by 4 generators (100KW and 50KW) and the applicant proposes future electricity to be provided by PG&E. Conditions of approval pertaining to NSO and other wildlife have been added. The noise generated during generator operation shall comply with the standards set forth in Section 55.4.11(o) of the CMMLUO and Department Policy Statement #DPS-16-005 as a condition of approval.
Safety Element Chapter 14 Geologic & Seismic	Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury (S-G1 to S-G2). Related policies: S-P11, Site Suitability; S-P7, Structural Hazards.	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 related from exposure to natural or manmade hazards. The applicant must secure a grading permit for any planned improvements and as part of the permit the applicant will, at a minimum, incorporate the standard erosion control measures enumerated in the General Plan as a condition of approval.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Safety Element Chapter 14 Flooding	Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding (S-G3). Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.	The entire project site is outside the mapped 100-year flood hazard zone and the site is not within a mapped dam or levee inundation area. At approximately 35 miles distance from the coast and approximately 2,600 feet above mean sea level, is outside the areas subject to tsunami run-up.
Safety Element Chapter 14 Fire Hazards	Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential (S-G4). Related policies: S-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.	The subject property is located within the State Fire Responsibility Area where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. CalFire reviewed the project and provided standard comments regarding compliance with the requirements of the County's Fire Safe Regulations, Resource Management policies, and Cannabis cultivation. The Humboldt County Fire Safe Ordinance 1952 (Section 3111-1 *et seq.*) establishes development standards for minimizing wildfire danger in state responsibility designated areas (SRA), including the maintenance of a minimum of 30 feet of defensible space from all parcel boundaries (Section 3115-2). According to the site plan there are no cultivation areas or structures within 30 feet from a parcel boundary. According to the applicant, during the peak season, the operation will employ up to 10 employees that will live offsite.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Air Quality Chapter 15	Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2, AQ-G3) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G4). Related policies: AQ-P4, Construction and Grading Dust Control; AQ-S1, Construction and Grading Dust Control; AQ-P7, Interagency Coordination.	As a condition of project approval, 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 construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.

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

Zoning Section and 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 parcel of land known as APN 210-042-003 originated from a patent parcel to Littlefield: Book 17 of Patents, page 570 recorded May 28, 1912. There is no evidence indicating there have been any subsequent acts to merge or divide this parcel. Therefore, the subject parcel was lawfully created in its current configuration and can be developed as proposed.
§314-7.1 Agricultural Exclusive (AE): Intended to be applied in fertile areas in which agriculture is and should be the desirable predominate use and in which protection of this use from encroachment from incompatible uses is essential for the general welfare. §314-7.4 Timberland Production (TPZ): Intended to provide standards and restrictions for the preservation of timberlands for growing and harvesting timber.	All general agricultural uses are enumerated as a principally permitted use in the AE zoning district and accessory agricultural uses and structures are principally permitted uses in the TPZ zoning district. The project is for the existing cultivation of commercial medical cannabis using outdoor and mixed light methods. All cultivation will take place in lands zoned AE and not within the TPZ zoning district. Commercial cannabis cultivation is recognized under State law as an agricultural product. Although State law specifies it as an agricultural use and general agricultural uses are principally permitted in AE, pursuant to Humboldt County Code Section 314-55.4.3.7, the commercial cultivation of cannabis for medical use is a regulated specialty crop and the cultivation of that specialty crop is not a principal permitted use under the General Agriculture use type classification in the Humboldt County Zoning Regulations. The applicant has applied for the requisite permit. Based on the referenced principally permitted use and the above, a finding of consistency with the AE zoning district can be made for the project.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
AE: Minimum Lot Area TPZ: Minimum Lot Size	20 acres None specified	Per Humboldt County Web GIS, the subject parcel is 160 acres in size. As discussed above, the subject parcel is a separate legal parcel and greater than 20 acre in size.
AE: Maximum Ground Coverage TPZ: Maximum Ground Coverage	35 percent None specified	According to the site plan, the total ground coverage of existing and proposed structures and cultivation areas is approximately 78,000 SF, which is substantially less than the maximum ground coverage for the subject parcel, which is 2,439,360 SF (35% of 160 acres).
AE: Minimum Lot Width TPZ: Minimum Lot Width	100 feet None specified	1,403 feet
Maximum Lot Depth	None specified	N/A
Setbacks	Front: AE-30 feet. TPZ-20 feet (superseded by 30-foot Fire Safe setback) Rear: AE-20 feet (superseded by 30-foot Fire Safe setback). TPZ-30 feet. Side: AE-ten percent of lot width but not more than 20 feet. Subject parcel has a lot width 330 feet, so the side yard setback is 20 feet. TPZ-30 feet.	Front, east property line: plot plan shows a 649-foot setback. Rear, west property line: plot plan a 74-foot setback. Side, north and south property lines: plot plan shows a 376-foot setback in the north and unknown, but greater distance in the south.
§314-61.1 Streamside Management Area (SMA)	Purpose: to provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.	Irrigation water is provided by an existing permitted well with annual water usage estimated at 631,800 gallons. Domestic water is also obtained from the existing well. According to the Cultivation and Operations Plan, all cannabis cultivation resides at least 100 feet from Class II watercourses and 50 feet from Class III watercourses.

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 Criteria for existing outdoor and mixed-light cultivation areas:	With documented current water right or other non-diversionary source of irrigation water.	The applicant's cultivation operation uses water from existing permitted wells and does not utilize any diverted water. Based on the submitted evidence, the project complies with the referenced section.
§314-55.4.8.2	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.	The project will not result in a conversion of timberland because the project will result in the land being used for agricultural production and no trees will be removed, henceforth. A Timber Conversion Report October 20, 2017 conducted by Blaire Forestry Consulting recommended that the applicant treat and slash woody debris around the conversion areas specified in the report. This has been added to the conditions of approval. In an email (on file) dated November 8, 2017 regarding the conversion of timberland, CalFire Division Chief concluded that the mitigation of slash disposal and treatment is acceptable and appropriate based on the conditions and information provided in the RPF's report and that CalFire has no additional recommendations or comments.
§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, Ancient Truth, Inc., the applicant, holds no other approved cannabis activity permits, and is entitled to four. This application is for one CUP.
§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 medical cannabis cultivated will be processed onsite in the proposed processing building pursuant to the Processing Performance Standards and Employee Safety Practices enumerated in section 55.4.11(q) through (u). Until the proposed shop is built and properly permitted, the applicant will continue processing cannabis in the referenced shop.
§314-55.4.9.4 Pre-Application Registration	Existing cultivation sites shall register with the County within 180 days of the effective date of this ordinance.	A Commercial Cannabis Registration Form for APN 210-042-003 was filed with the Planning Division on July 26, 2016, and within the specified window.
§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.

§314-55.4.11.c Performance Standards-Water	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.	The applicant is not proposing to use surface diversion for irrigation water. Based on the submitted evidence, the project complies with the referenced section.
§314-61.1 Streamside Management Area (SMA)	Purpose: to provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.	There are multiple Class II and Class III streams that bisect the property. No cultivation activities occur within 50 or 100 feet of these streams, respectively. The applicant shall secure a final Lake and Streambed Alteration Agreement approved by the CDFW for any culvert maintenance and installation needs and comply with all applicable terms as a condition of approval.
§314-55.4.11.d Performance Standards-Setbacks	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).	The cultivation area is not less than 600 feet from known schools, school bus stop, churches, parks, or TCRs. The Bridgeville School District has not responded to the project referral. The applicant's site plan shows that the cultivation area conforms to the 30-foot setback for all neighboring parcels.
§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.	As discussed above the primary power source for the project is currently provided by 4 generators (100KW and 50KW) and the applicant proposes future electricity to be provided by PG&E. There are also circulation fans being used within each of the greenhouses. The applicant agrees to demonstrate that all generators and circulations fans are quiet enough or audibly shielded so that they conform with the referenced standard. See the associated Attachments for information regarding noise containment structures for each generator and fan. Noise released from each generator and circulation fan containment structure shall be no more than 50 decibels measured from 100ft or at the nearest edge of habitat (whichever is closer) and will not exceed 60db at any property line.
§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 on August 11, 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 (or conditionally approved) the proposed project design. The project as proposed and conditioned is consistent with the general plan and zoning ordinances; and the proposed project is not expected to cause 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 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.	The property was not included in the 2014 Housing Inventory because of the land use designation and zoning. It is developed with an existing cabin and appurtenant structures 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.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§§15164 CEQA	A subsequent mitigated negative declaration shall only be prepared, if any of the following are found: (1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Negative Declaration 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 Negative Declaration was adopted, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration; (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.	Environmental review for the proposed project was conducted, and based on the results of that analysis, staff determined the existing cultivation and processing aspects of the project were previously analyzed in 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. An addendum to this MND has been prepared for consideration and is included as Attachment 3.

ATTACHMENT 3

CEQA Addendum

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

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

APN 208-042-003-000, in the Bridgeville area, on the south side of State Highway 36, approximately 1.37 miles west from the intersection of State Highway 36 and Little Larabee Creek Road, on the property known as 1370 Little Larabee Creek Road

Prepared by Humboldt County Planning and Building Department

3015 H Street, Eureka, CA 95501

October 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 Conditional Use Permit for 22,000 square feet (SF) of existing mixed light, 43,560 SF of existing outdoor commercial cannabis cultivation. Processing is proposed to occur in a 2,500 SF existing building and alternate between processing activities and indoor cultivation. Power is currently provided by 3 (three) generators. The applicant proposes future electricity be provided by Pacific Gas and Electric (PG&E) in 2021. Water for irrigation is sourced from two existing permitted wells with an annual water demand estimate of 631,800 gallons per annum (9.64 gallons per SF) applied via drip irrigation. The applicant currently has 12,800 gallons of HDPE water tanks storage. The applicant proposes to add 11,500 gallons additional storage for a total of 24,300 gallons of water storage. The project site includes a permitted septic system for the existing shop. The applicant proposes up to ten (10) employees. The parcel contains substantial nesting and roosting sites for northern spotted owl (NSO)(*Strix* occidentalis) and critical habitat and positive NSO observations have been recorded within on mile of the project site. Prohibition of use of synthetic netting, refuse contained in wildlife proof storage containers, noise containment structures for the generators, lighting conditions to meet International Dark Sky Association standards, prohibition on anticoagulant rodenticides, requirements to leave wildlife unharmed have all been added in the ongoing conditions of approval.

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, light, and other standards to limit disturbance to PLN-10888-CUP Ancient Truth, Inc., in compliance with all state agency requirements, and compliance with setback requirements.

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 authorization of pre-existing cultivation of 11,650 SF mixed light and 13,000 full-sun outdoor commercial cannabis cultivation 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. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

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

- A Biological Resource Assessment and Jurisdictional Wetland Delineation for APN 210-042-003-000 by TransTerra Consulting June 2019.
- Water Resource Protection Plan
- Road Evaluation Report prepared by applicant October 2, 2017.
- Operations Plan and Site Plan for Ancient Truth, Inc. on 210-042-003-000, both updated submitted January 28, 2019.
- Expansion Decommission Completion Report submitted by Green Road Consulting April 15, 2019.
- Timber Conversion Report conducted by Blair Forestry Consulting October 20, 2017.
- Cultural Resource Study completed by Archaeological Research and Supply Company November 2017.
- Fan Specifications and information submitted by applicant.

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. (Site Plan dated 2019, Attached)

4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan Attached)

5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not applicable)

6. Description of water source, storage, irrigation plan, and projected water usage. (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. (On file)

8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (Not applicable)

9. If the source of water is a well, a copy of the County well permit, if available. (On file)

10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (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. (Timberland Conversion Report dated October 20, 2017 attached; CalFire email response dated November 8, 2017)

11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)

12. 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)

13. 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)

14. Water Resource Protection Plan, Green Road Consulting (Attached)

15. Well Documents. (Attached)

16. Monthly/yearly Proposed Water Use Document. (Attached)

17. Cultural Resources Investigation, Archaeological Research and Supply Company, November 2017 (on file and confidential)

18. Addendum Cultivation and Operations Plan, 2019 (attached)

19. North Coast Regional Water Quality Control Board notification of enrollment, October 2016. (on file)

20. Road Evaluation Report and photo documentation, (Attached)

21. Expansion Removal Report submitted by Green Road Consulting. (Attached)

22. Biological Assessment Report and Jurisdictional Wetland Delineation submitted by TransTerra Consulting June 2019. (Attached separately as Attachment 4.A)

23. Fan Information and Specification documents. (Attached)

Site Plan Overview and Cultivation and Operations Plan

Applicant/Owner

Ancient Truth, Inc.

1282 Stabler Lane, Suite 630-125

Yuba City, CA 95993

APN: 210-042-003

Agent

Kaylie Saxon

Green Road Consulting, Inc.

1650 Central Avenue, Suite C

McKinleyville, CA 95519

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I. Site Plan Overview

1.0 Project Information

Ancient Truth, Inc. ("Applicant") is submitting this application for a Type 3 Outdoor Use Permit for an existing 43,560 square foot outdoor commercial cannabis cultivation, a Type 3B - Small Mixed Light Use Permit for an existing 22,000 square foot mixed light commercial cannabis cultivation on a 160-acre parcel, located near Bridgeville, CA ("Parcel"), Assessor's Parcel Number 210-042-03.

The parcel receives its water from two (2) permitted, confined aquafer wells and the applicant estimates their water usage to be at approximately 631,800 gallons annually. The applicant currently has 12,800 gallons of HDPE water tank storage and is proposing an additional 11,500-gallons of hard tank storage.

There are five buildings that currently exist on the parcel. The Shop is a 30'x50' building that was constructed in 1993. It is used to dry and process harvested cannabis and to store nutrients and fertilizers. The Cabin is a place living that was constructed in 2015. Sheds #1 - #3 are 10'x10' buildings that were constructed in 2016 and are used for general domestic storage.

The Applicant is proposing the addition of a 50'x50' commercially rated structure in order to process on-site with employees. Once this building is completed, the Shop will no longer be used to machine process harvested cannabis.

There are three generators that currently provide power to the site. One, 100kW generator and two 50kW generators. These generators are housed in sound dampening structures in order to keep the decibel level of the generators below 50 dB at 100 feet. There is a 1,000-gallon and a 500-gallon diesel tank with proper containment on site.

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

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

a. Permit the existing 43,560 square feet of existing outdoor cannabis cultivation, permit the existing 22,000 square feet of existing mixed light cannabis cultivation.
b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near Bridgeville, CA. The Parcel is comprised of 163-acres and is identified by Assessor's Parcel Number ("APN") 210-042-03. There is no street address for the Parcel.

2.1 Zoning Classification

The County's Zoning Classification of the Parcel is a Combined Zone of AE;TPZ with a Current General Plan of AL 40;T (FRWK). The CMMLUO permits commercial cannabis cultivation on land zoned as AE and TPZ with outdoor cultivation sites up to 43,560 square feet with a Use Permit, mixed light cultivation sites up to 22,000 square feet with a Use Permit. The Applicant's Parcel meets all of the CMMLUO zoning requirements for commercial cannabis cultivation.

2.2 Site Topography

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

3.0 Easements

The following information is from Exhibit "A" of the Grant Deed, included in the Evidence of Ownership and Authorization section of this Application.

" THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS

PARCEL ONE
The Southeast Quarter of the Northwest Quarter, the East Half of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 15 in Township 1 North, Range 4 East of the Humboldt Meridian.

RESERVING THEREFROM a non-exclusive easement for ingress, egress and public utility purposes over and across a strip of land 50 feet wide shown as Road "A", Road "C" and Road "D" as shown on Record of Survey filed in Book 48 of Surveys, pages 18 through 22, Humboldt County Records, and over and across the existing road which begins near Course 21 of said Road "D" and runs thence Southerly to a point on the North line of the Northwest Quarter of the Northwest Quarter of Section 22 in said Township and Range.

ALSO RESERVING THEREFROM a non-exclusive right for development, extraction, processing and transportation of rock products, for non-commercial purposes, from the rock pit area which is situated on the Northerly side of Road "A" as referred to below between Courses 17 through 21 of said Road "A."

The intent of the above reservation is to use said rock for maintenance of the road system which serves the seventeen parcels in Township 1 North, Range 4 East owned by Barnum Timber Company in 2004.

PARCEL TWO

A non-exclusive easement for ingress, egress and public utility purposes over and across a strip of land 50 feet wide shown as Courses 1 through 123 of Road "A" and Road "I" as shown on Record of Survey filed in Book 48 of Surveys, Pages 18 through 22, Humboldt County Records.

PARCEL THREE

A non-exclusive easement for ingress, egress and public utility purposes over and across a strip of land running in a general Northwesterly direction from said Road "I" above to Parcel Four hereafter described:

PARCEL FOUR

A non-exclusive right of way for ingress and egress over and across an existing road commencing at a point on State Highway Route 36 adjacent to the Westerly line of Parcel Five, as shown on the record of survey map recorded in Book 23, page 116 of Surveys, in the office of the Humboldt County Recorder, said roadway thence traversing said Parcel Five; and thence Easterly across Parcel Two; and thence Easterly and Southerly across Parcels Two, Three, Four, Ten, Twelve and Fifteen, as shown on the record of survey map referred to above, together with the incidental rights of maintenance, repair and replacement of said roadway and including the right to relocate the same by making necessary cuts and fills adjacent thereto.

Being the same right or way and rights, as granted in the flowing deeds:

(a) From Deerfield, Ltd, a limited partnership, to Bridgeville Lumber Co., a California Corporations, dated June 1, 1972 and recorded December 29, 1972 in Book 1171 of Official Records at page 432 under Recorder's File No. 22946.

(b) From The Bank of California, National Association, a national banking association, as Trustee, to Bridgeville Lumber Co., a California Corporation, dated May 31, 1972 and recorded December 29, 1972 in Book 1171 of Official Records at page 435 under Recorder's File No. 22947.

PARCEL FIVE

A right of way for ingress and egress over the existing road (approximately 50 feet wide) extending from the South line of the North Half of Section 15, Township 1 North, Range 4 East over the Northeast Quarter of said Section 15 and Over the Northwest Quarter of Section 14 of said township and range, to its junction with State Highway 36.

Being the same right of way as granted from Bank of California, a national association, to Bridgeville Lumber Co., a California Corporation, dated August 11, 1966 and recorded December 13, 1966 in Book 906 of Official Records at page 250 under Recorder's File No. 19786, Humboldt County Records."

4.0 Natural Waterways

The Parcel has four (4) Class II watercourses and six (6) Class III watercourses. All cannabis cultivation resides at least 100 feet from the Class II watercourse and 50 feet from the Class III watercourse.

5.0 Location and Area of Existing Cultivation

Outdoor

The Applicant anticipates one harvest annually from their full-term, full-sun outdoor cultivation areas.

Cultivation Area #1

Cultivation Area #1 consists of approximately 7,260 square feet of outdoor cannabis cultivation.

Cultivation Area #2

Cultivation Area #2 consists of approximately 12,705 square feet of outdoor cannabis cultivation.

Cultivation Area #3

Cultivation Area #3 consists of approximately 23,595 square feet of outdoor cannabis cultivation.

Mixed Light

Greenhouse #1

Greenhouse Area #1 consists of 5,000 square feet of mixed light cultivation.

Greenhouse #2

Greenhouse #2 consists of 2,500 square feet of mixed light cultivation.

Greenhouse #3

Greenhouse #3 consists of 2,500 square feet of mixed light cultivation.

Greenhouse #4

Greenhouse #4 consists of 2,500 square feet of mixed light cultivation.

Greenhouse #5

Greenhouse #5 consists of 2,500 square feet of mixed light cultivation.

6.0 Setbacks of Cultivation Area

Outdoor

Cultivation Area #1

Cultivation Area #1's setback from the northern parcel line by 376 feet and from the eastern parcel line by 649 feet.

Cultivation Area #2

Cultivation Area #2's setback from the western parcel line by 344 feet and greater than 30 feet from all other parcel lines.

Mixed Light

Greenhouse Area #1

Greenhouse Area #1's setback from the northern parcel line by 376 feet and from the western parcel line 348 feet.

Greenhouse Area #2

Greenhouse Area #2's setback from the western parcel line is 246 feet and greater than 30 feet from all other parcel lines.

Greenhouse Area #3

Greenhouse Area #3's setback from the western parcel line by 74 feet and greater than 30 feet from all other parcel lines.

Greenhouse Area #4

Greenhouse Area #4 is setback from any parcel line by hundreds of feet in any direction.

7.0 Access Roads

The Parcel is located off of Highway 36, which is in good condition. The following information was taken from the Applicant's Water Resource Protection Plan. Some items may have been completed and may no longer be reflective of what is occurring on site. Any map points referenced are from the Water Resource Protection Plan.

Site Maintenance, Erosion Control and Drainage Features

Erosion Control
The property shows no evidence of any erosion neat water ways where there could be potential runoff.

Drainage Features
After reviewing the property's roads, they are maintained and kept in good condition with a good amount of rock to keep the roads from developing rills in the winter and spring months.

Stream Crossing Maintenance
There are four stream crossings on the site, they are shown as map points #1, #2, #4, and #5 on the Site Plan Overview Map and the Summary of Required Remediation. Map point #1 is a permanent road that crosses a Class III watercourse. We are proposing to install an 18-inch culvert to standard BMP's. Map point #2 is a permanent road crossing of a class II watercourse with an existing 36-inch culvert that needs to have the inlet cleaned out to prevent potential plugging.

Map point #4 is a permanent road with an existing 18-inch culvert that crosses a class III watercourse. The outlet of this culvert that crosses a Class III watercourse needs to be cleaned. Map point #5 is an existing rock ford that crosses a Class III stream. We are proposing to add more rock to the rock ford in order to improve the surface drainage at Map point #5. All other crossing shown on the attached maps are properly functioning.

8.0 Graded Flats

There are existing graded flats located on the parcel. A grading plan will be submitted to the County Building Department.

9.0 Existing and Proposed Buildings

Existing

Shop

The existing Shop was constructed in 1993. It is a 30'x50' structure that is used for the drying of harvested cannabis and nutrient and pesticide storage. It is also currently used to machine process harvested cannabis.

Shed #1 - #3

There are three (3) existing sheds on the parcel. They are all 10'x10' structures that are used for domestic tool storage. Because they are under 120 ft^2, they will not require permitting.

Cabin

The existing Cabin was constructed in 2015. It is used for temporary living and not used for any cannabis related activities.

Proposed

The Applicant is proposing to construct a commercially rated structure in order to process harvested cannabis with employees moving forward. It is proposed to be a 50'x50' building.

10.0 Water Storage, Use and Watershed Protection

10.1 Water Storage

The Applicant currently has 12,800 gallons of hard tank water storage located on the Parcel as outlined below.

- One (1) 2,800-gallon HDPE tank
- Four (4) 2,500-gallon HDPE tanks.

The Applicant is proposing to add an additional 11,500-gallons of HDPE tank storage.

10.2 Water Use

The amount of water used for the cultivation of cannabis will vary throughout the year, with peak periods of water use occurring during the summer months. The Applicant's

cultivation and water use is outlined in the Cultivation and Water Usage Chart, attached as Attachment "B."

The irrigation of the cannabis is completed in multiple ways to insure agronomic practices. Greenhouses are supplied with automated drip irrigation systems. Nutrient dosing systems are in place for both outdoor and mixed light cultivation. Hand watering with a low-flow nozzle is also done in the summer months to ensure there is no over watering. Best management practices are in use in all cultivation areas (heavy mulching, straw, etc.)

10.3 Watershed Protection

Riparian and Wetland Protection and Management

All cultivation sites meet the required buffers for a Tier 2 site. The attached maps show the

locations of the cultivation areas along with identifying the streams that run through the parcel

and the buffer zones associated with each stream (50 feet for class III, 100 feet for Class II and Class I.

Spoils Management

The existing soil is stored near the cultivation sites and needs to be either tarped or stored in pots and is covered with straw to prevent any runoff during the rainy season. All soil is kept within a proper buffer zone away from any watercourse.

Water Storage and Use

The parcel has a permitted well located in the center of the property near cultivation area #4 (seen on attached map). At the site of the well, a 2800-gallon hard water tank is filled, that water is then dispersed to the properties shop, residence, or one of the other 4 2500-gallon hard storage tanks located near each of the cultivation areas. Total storage is 13,150 gallons of hard tanks. The well provides all of the properties current water needs and no surface water is being used for the property (see attached maps for all locations of storage tanks).

Irrigation Runoff

The landowner irrigates at an agronomic rate. Any run off during a rain event will flow downhill through the proper a buffer of shrubs, meadow, brush and forest to the nearest watercourse

Fertilizers and Soil Amendments

Fertilizers and soil amendments are placed in the parcel's shop where any spill can be contained. Currently, amendments are added to the soil. Plants are then fed throughout the season with either a compost tea and/or liquid fertilizer. All labels are kept and directions are followed when amendments and fertilizers are applied. The storage area is in need of posted instructions for storing fertilizers and amendments, instructions for

cleaning up spills and a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (e.t. kitty litter).

Pesticides/Herbicides

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis. Organic pest control substances accepted under the Legal Pest Management Practices for Marijuana Growers in California (http://www.humboldtgov.org/DocumentCenter/Home/View/53255).

Petroleum Products and Other Chemicals

The property is off grid and uses 4 large generators. The property is in need of proper fuel storage and spill prevention measures. Construction of a site that meets the Humboldt County guidelines for an above ground fuel storage tank with secondary containment is required.

Cultivation-related wastes

Currently cultivation-related wastes are managed properly to ensure that residues and pollutants within those materials are not migrating or leaching into surface water or groundwater's.

Refuse and Human Waste

All human garbage is stored in trash containers and is also kept near the property's shop and taken to Humboldt Waste Management. The property's shop has a permitted septic with the Humboldt County Health and Human Services.

Remediation/Cleanup/Restoration

All Remediation/Cleanup/Restoration in this report is designed to meet the Water Resource Protection Plan.

11.0 Distances from Significant Landmarks

There are no schools, school bus stops, places of worship, public parks or Tribal Cultural Resources within 600 feet of the cultivation site. There also are no offsite residences within 300 feet of the cultivation areas.

II. Cultivation and Operations Plan

1.0 Materials Storage

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis.

All fertilizers and amendments are located in the Shop on the Parcel. Fertilizers and amendments are placed on the shelves and floor where any spill will be contained. Currently, the applicant is using approved fertilizers, amendments and pest management practices.

All labels are kept and directions are followed when nutrients are applied. The storage area is in need of posted instructions for storing fertilizers and amendments, instructions for cleaning up spills and a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (kitty litter).

2.0 Cultivation Activities

All cultivation activities are subject to change based on climate, strain and Applicant's schedule.

Outdoor

The Applicant begins cracking seeds for their outdoor cultivation sites and cutting clones in the Shop around March. Plants are placed in their Outdoor environment around June. Harvest begins around October. The Applicant is only anticipating one (1) Outdoor Harvest.

Mixed Light

Mixed Light activities begin in April when plants are kept in their vegetative state in the parcel's greenhouses. Total, there will be approximately 60 600-watt lights throughout the greenhouse system. The Applicant is anticipating two (2) harvests from the Mixed Light activities, one (1) in July and one (1) in November. The Applicant will ensure the greenhouses are tarped during sunset hours with blackout tarps in order to adhere to International Dark Sky Association Standards.

Last year we only used the greenhouse lights at night for approximately 2-weeks. However, our greenhouses are setup to allow for one or two staff members to pull the deprivation curtain. Our staff includes an on-site superintendent and support staff. Our operational plan to meet the requirements of the International Dark Sky Standards will include pulling deprivation curtains while lighting our greenhouses at night. Protocol includes the superintendent assigning staff to the task on a weekly basis. Staff is rotated to allow ample rest during the work week. During vegging cultivation lights may be used at night (from 7pm until 6am). Operational protocol requires staff to pull deprivation curtains immediately after determining lighting will be run at nights. The first task on the following morning will include pulling the deprivation curtain to allow natural light to penetrate the greenhouse along with decommissioning the lights until the next cycle. We have been running two-dep's so the maximum cycle per deprivation for mixed light use would be approximately 4-weeks. One staff can pull the curtains in place and it takes two staff members to raise the curtain.

We agree to install automated deprivation curtains within two (2) years of project approval. The existing greenhouses will either be reconstructed in their entirety or retrofitted with an interstitial frame to accommodate the automatic deprivation system. I have attached some pics of the proposed interstitial system which would be controlled by a Growlink automatic operation system. Due to the remote location of the tract, PG&E power installation will not occur until 2021. Offset of grid power if not attainable will be provided by solar within that time frame.

Fans will be used in the mixed light greenhouses. They run at 80Db at zero clearance and are estimated to run at 40Db at 100ft. as shown on the attached calculation estimate. We did not use the fans last year but will be used during times of extreme hot weather. In 2017 we used the fans approximately ten (10) days during the entire year. They exchange the air in the greenhouse during extreme hot weather to assist in humidity and temperature control. Operational decibel testing will be completed as required to affirm that requirements are met.

We use one large 100kw generator and one small Honda 6500-Watt generator. The large generator is only used during drying / curing and when we may be running our lights in the greenhouses. Based on last year's operations, the large generator ran for approximately six (6) total weeks out of the year. This unit is enclosed in its own building. The building will be double insulated with 2 – layers of 2" rigid polyiso insulation for soundproofing. The small Honda generator runs at 73Db at zero clearance and will be contained in a custom-built box at each running location. The containment box will be constructed of wood and lined with 1 – layer of 2" rigid polyiso insulation for soundproofing. Operational decibel testing will be completed as required to affirm that requirements are met.

3.0 Processing Practices

Standards for Processing Activities:

Pursuant to Section 55.4.11 (q) through (u) of the CMMLUO, the Applicant will implement the following processing plan and practices for parcel 509-061-025.

a.) Provide a statement declaring Jacoby High Grade as an "agricultural employer," as defined in the Alatorre – Zeonvich – 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.

b.) 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).

c.) The Application will comply with the following processing practices:

i.) All work surfaces and equipment will be maintained in a clean and sanitary condition;

ii.) All processing operations will implement protocols which prevent mold and mildew growth and contamination on the harvested cannabis;

iii.) All employees will have access to facemasks and gloves in good, operable condition as applicable to their job function;

iv.) All employees will adhere to proper hand washing and glove protocol.

d.) The applicant will engage in the following Employee Safety Practices, which are including but not limited to:

i.) emergency action response planning as necessary;

ii.) accident reporting and investigation policies in place;

iii.) fire prevention;

iv.) hazard communication policies, including maintenance of material safety data sheets;

v.) materials handling policies;

vi.) job hazard analyses; and

vii.) personal protective equipment policies, including respiratory protection.

e.) The Applicant will visibly post and maintain an emergency contact which includes at the minimum;

i.) Operation manager contacts;

ii.) Emergency responder contacts; and

iii.) Poison control contacts.

f.) Employees will have access to safe drinking water and toilets and handwashing facilities;

g.) There will not be any onsite housing provided.

Processing Plan

a.) Plants will be harvested one at a time using hand shears and taken into the proposed processing building where it will be dried, machine/hand trimmed, cured and stored. All processing will be performed by the estimated six (6) to ten (10) employees.

b.) All processing will occur in the proposed Processing Shed.

c.) The Applicant is anticipating six (6) to ten (10) employees on site.

d.) Employees will abide by the employee safety practices outlined in section C of the Standards for Processing Activities as seen above.

e.) The proposed Processing Shed will have an ADA compliant bathroom and proper handwashing facilities. Until that structure is in place, the applicant will have portable toilets on site with proper handwashing facilities.

f.) The parcel has a septic system, which may need to be expanded to account for employee use.

g.) Potable drinking water will be onsite for employees use.

h.) Highway 36, the access road, is a paved and well maintained road. The interior roads are well maintained and any improvements necessary will be addressed in the Applicant's Water Resource Protection Plan.

i.) There will not be any on-site housing.

j.) All cultivation related waste is stored in water tight containers and disposed of correctly. All green waste will be composted on site.

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

4.0 Security Measures

The Parcel is fenced and all access roads are gated. Gates are of heavy steel construction and heavy shackle locks are in place. A closed loop camera system is in place.

BLAIR FORESTRY CONSULTING

Providing Professional Forestry Services PO Box 2517 McKinleyville, CA 95519 **CELL** 707.834.2990 **EMAIL** blairforestry@gmail.com

October 20, 2017

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

Dear Humboldt County Planning Department:

The following attached document is an evaluation of an existing, unauthorized timberland conversion which was inspected by Blair Forestry LLC for MAG-ECB, LLC within APN 210-042-003. Please accept this letter as the Registered Professional Forester's (RPF) written report showing sufficient evidence that the converted area was inspected as required by Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.10(j), sited below.

> "Alternately, for existing operations occupying HUMBOLDT COUNTY, CA- ORDINANCE NO. 2559 Page 12 of 35 sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. .. "

The RPF has exercised due diligence in inspecting and evaluating the past timber conversion and in making recommendations so that the past conversion falls into compliance with the California Forest Practice Rules (CFPRs).

Sincerely,

Thomas Blair RPF#2607

RECEIVED
OCT 31 2017
Humboldt County
Cannabis Svcs

Enclosed: Conversion Evaluation Report, Photos, CNDDB Map, General Location Map, Timberland Conversion Area Map

RECEIVED
OCT 31 2017
Humboldt County
Cannabis Svcs

Timberland Conversion Evaluation Report

October 20, 2017

As mandated by:

Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.10 (j)

"Alternately, for existing operations occupying HUMBOLDT COUNTY, CA - ORDINANCE NO. 2559 Page 12 of 35 sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. .. . "

Contact Information

1. Timberland Owners(s): **MAG-ECB, LLC**
   Phone: **(570) 954-4048**

2. Timber Owner(s): **Same as above**

3. Registered Professional Forester (preparing report): **Thomas Blair**
   RPF Number: **2607**
   Address: **Blair Forestry LLC**
   PO Box 2517
   McKinleyville, CA 95519
   Phone: **(707) 834-2990**

Location of Project

Legal Description of Ownership:
Address: **Hwy 36**
Dinsmore, CA 95526
APN(s): **210-042-003**
Section 15; T1N; R4E; HB&M; Humboldt County
Parcel Size: **160 acres**
Acres Converted: **0.56 acres**

Project Description

Property History

Note: The property boundaries are based on the Humboldt County Assessor's APN parcel map. Assessor's Parcel data in the ArcMap GIS mapping program differed slightly geographically but parcel

boundaries were not associated with conversion areas. The property background has been summarized using personal accounts of current landowners, historic orthographic photography, Humboldt County Web GIS, and CAL FIRE Watershed Mapper v2. To avoid speculation and maintain relevancy, the property background shall focus on the past 12 years (2005 to 2017).

There are two (2) Timber Harvest Plans (THPs) on record with Cal Fire for this parcel (1-99-196 HUM and 1-06-069 HUM). The 1999 THP apparently used some evenaged silviculture in the southeast portion of the parcel which can be seen in photos spanning from 1998 to 2004. The areas associated with this Conversion Evaluation are within the harvest boundary of THP 1-06-069 HUM. THP 1-06-069 HUM was prepared by Stephen Hochman, RPF 2652, for Ricki and Allen Ray Carpenter utilizing unavenged silviculture in the forms of group selection and shelterwood removal. The property consists of a mixture of open meadow habitat scattered with patches of forested areas. Orthographic photos beginning from 1998 to 2005 suggest that portions of current clearings associated with unauthorized timberland conversion were natural historic meadow habitat. Historic orthographic imagery, combined with a completion and stocking report filed for the THP in June of 2009, strongly suggests that Clearing 3 originated from activities during this THP. Additionally, a proposed road in THP 1-06-069 HUM leads directly to Clearing 3.

Project Description

The current landowner, MAG-ECB, LLC, purchased the property in March of 2017 with the unauthorized timberland conversion areas already present. The previous landowners conducted unauthorized timberland conversions totaling 0.56-acres between the years 2012 and 2014. When a site visit was conducted, there were three (3) Clearing areas inspected and two (2) Unauthorized Conversion Areas inspected (See Conversion Evaluation Map and table below). Based on inspection of the surrounding timber stand, the original composition of the converted sites was a mix of Douglas-fir and tanoak. The Clearing areas associated with the unauthorized conversion were historically comprised of a mix of Douglas-fir/tanoak with open grassland. The Unauthorized Conversion Areas A and B are associated with Clearings 1 and 2 respectfully. Clearing 3 was inspected but is associated with a previous Cal Fire document (THP 1-06-069 HUM) and not considered an Unauthorized Conversion. See Clearing and Unauthorized Conversion area details in the table below.

Clearing ID	Clearing Acreage	Unauthorized Conversion Area ID	Unauthorized Conversion Acreage	Year of Completion
1	0.57	A	0.24	2012-2014
2	0.38	B	0.32	2012-2014
3	0.35	N/A	N/A	2005-2006
Total Clearing Acreage	**1.3 Acres**	**Total Unauthorized Conversion Area**	**0.56 Acres**	

The total acreage of unauthorized converted area on the property is 0.56 acres, well below the 3-acre maximum.

Evidence of the previous authorized harvest activities (THP 1-06-069 HUM) was observed in the form of marked Douglas-fir stumps in the forest interior around the clearing sites. Evidence of unauthorized timber harvest activities was also observed in the form of slash piles.

Humboldt County has zoned different areas of this parcel **Timber Production Zone (TPZ) and Agriculture Exclusive (AE)**. Unauthorized conversion areas are found in both TPZ and AE zones within this parcel. As established under the Timberlands Preservation Act (California Government Code Section 51113), TPZ zoning district to designate and set standards in areas designated for growth, harvesting, and production of timber, timber products, and other compatible uses. According to Humboldt County Code Zoning Regulations, Title III, Land Use Development Agricultural Exclusive Zone "is intended to be applied in fertile areas in which agriculture is and should be the desirable predominant use and in which the protection of this use from encroachment from incompatible uses is essential to the general welfare" (Section 314-7.1, Chapter 4, page 29).

A field inspection of the property and conversion areas was conducted on October 10, 2017 by representatives of Blair Forestry Consulting LLC. All relevant sites concerning the past conversion areas were examined. Findings from this evaluation are summarized below.

Timber Stand Description

The timber stand near the conversion areas is dominated by a Douglas-fir and tanoak mix. Other hardwood species include white oak, black oak, live oak and madrone. Douglas-fir age ranges from young growth to 60 years. Forested areas give way to open grassland habitat in multiple areas of the parcel.

The property is located within Humboldt County, which is in the Zone of Infestation for Sudden Oak Death (SOD). No symptoms or signs of SOD were observed during evaluation.

Analysis of Consistency Between Unauthorized Conversion and Applicable California Forest Practice Rules (CFPRs)

Timber Harvesting and Operations

14 CCR 914.1 Felling Practices
14 CCR 914.2 Tractor Operations
14 CCR 914. 7 Timber Operations, Winter Period

There are no records of practices used for harvesting on the unauthorized timberland conversion sites but it can be assumed trees were hand-felled and that operations involved an excavator or bulldozer. Historic logging roads and skid trails associated with the conversion sites were established during previous THPs. The mainline logging road system (Road A) that is used to enter the property from HWY 36 would have been the most likely route to haul timber from the property. Clearing 3 is presumed to be a historical landing area where log trucks were loaded for past THPs. This is evidenced by the high number of marked stumps surrounding it and historical orthographic photos.

The Clearing 1 was partially historic grassland and orthographic evidence shows a small portion of Clearing 2 may have been cleared under THP 1-06-069 HUM. It is unknown if any logs from the unauthorized conversions were removed from the property. It appears that a large portion of logs associated with the conversion activity were pushed off the edge of Clearings 1 and 2 during grading.

No Winter Operations Plan was recorded for either Conversion Area A or B. Although it is difficult to tell what time of year operations took place, no erosion hazards resulting from timber operations are apparent on any established road. Slopes in both conversion areas are relatively gentle and both conversion areas experienced some degree of grading after the conversions took place.

Roads, Soil Stabilization and Erosion Control

14 CCR Article 12 Logging Roads, Landings, and Logging Road Watercourse Crossings
14 CCR 914.6 Waterbreaks

Operations, including mobilization of any heavy equipment to the conversion sites, used established roads and skid trails. No new road construction has occurred since the current property owner purchased the property.

The entire road system associated with any conversion activities was walked and assessed for sediment delivery potential. There were no sites on any road surface associated with access to the conversion sites exhibiting erosion or surface sediment movement. Running surfaces were intact and smooth. There were no watercourses or watercourse crossings associated with roads accessing the conversion areas. The existing primary historical mainline access road (Road A) is rocked.

Both Timberland Conversion Areas A and B were graded to effectively shed water in a manner to that minimizes concentrated runoff. The conversion sites have also become have become stabilized and vegetated with grasses and forbs further reducing erosion potential.

Overall, the soils, slope, aspect and climate are all suitable for the converted uses.

Recommendations:

- See Hazard Reduction recommendations below pertaining to slash pile removal.

Watercourses and Water Resources

14 CCR 1104.1(a)(2)(F): "No timber operations are allowed within a watercourse and lake protection zone unless specifically approved by local permit (e.g., county, city)."

There are no watercourses or domestic water resources associated with the conversion areas. There are water tanks located on the clearing areas but they are used only for irrigation. The nearest watercourse/resource is over 270 feet away from any portion of the unauthorized conversion areas. The conversion areas are between 2,720 and 2,840 feet in elevation and fall inside the Little Larabee Creek watershed (CALWATER V2 - 1111.220504). Drainage originating from this property makes its way to Little Larabee Creek to the north. The conversion areas are situated on or near the ridge top. As stated

in the previous section above - there were no observable soil stabilization or erosion control issues that would negatively affect any watercourses or water resources far downslope.

The conversion area appears to comply with 14 CCR 1104.1(a)(2)(F). No recommendation is suggested regarding Watercourses and Water Resources.

Hazard Reduction

14 CCR 1104.1(a)(2)(D)(6): "Full slash and woody debris treatment may include any of the following: a. burying; b. chipping and spreading; c. piling and burning; or d. removing slash and woody debris from the site for treatment in compliance with (a)-(b). Slash and woody debris may not be burned by open outdoor fires except under permit from the appropriate fire protection agency, if required, the local air pollution control district or air quality management district. The burning must occur on the property where the slash and woody debris originated."

Several untreated remnant slash piles resulting from the timberland conversion activities exist near both Conversion Areas A and B (Shown on Conversion Map). The piles range from 3 to 5 years old and have begun to somewhat naturally decay. Some of the slash piles are intermixed with fill from grading pushouts. All piles are located on the edges of the Clearings 1 and 2 (associated with Conversion Areas A and B) and away from structures, posing no immediate fuel hazards.

Given the large quantity of slash around the cleared areas, the RPF recommends that slash and woody debris resulting from conversion activities be reduced to the degree that its treatment would not cause soil disturbance issues. Burying slash would likely cause soil disturbance in areas that soils have already settled. Furthermore, slash piles which have been intermixed with fill likely have value as wildlife habitat for small mammals. Slash piles and logs that are not heavily intermixed with soil and reasonably accessible should be lopped and scattered by hand (to specifications described in 14 CCR 1104.1(a)(2)(D)(1)), cut and used for wood heat (to specifications described in 14 CCR 1104.1(a)(2)(D)(7)) or piled on the clearings and burned during the wet winter period (under permit from the appropriate fire protection agency).

Recommendations:

- Treat slash and woody debris around Conversion Areas A and B (Shown on Conversion Map) as described above and in 14 CCR 1104.1(a)(2)(D)(6).

Biological Resources

14 CCR 1104.1 (2)(H): "No sites of rare, threatened or endangered plants or animals shall be disturbed, threatened or damaged and no timber operations shall occur within the buffer zone of a sensitive species as defined in 14 CCR 895. 1"

A query of the California Natural Diversity Database (CNDDB) on September 15th, 2017 showed no observations of sensitive, rare, threatened, or endangered species or species of special concern within a 0.7-mile buffer area surrounding the parcel. No sensitive, rare, threatened, or endangered species or species of special concern were observed during the field assessment of the property. The nearest northern spotted owl activity center (HUM 0125) is approximately 1.38 miles away. A copy of the CNDDB map generated by this query is included in this report.

Conversion activities did not appear to have altered habitat for other non-listed species of wildlife (i.e. no evidence of felled snags). Additionally, there is abundant wildlife habitat elsewhere on the property in the form of tree cavities, grazing/foraging sites and mast-producing tree species such as oaks.

The conversions areas appear to comply with 14 CCR 1104.1 (2)(H). No recommendation is suggested regarding biological resources.

Cultural Resources

14 CCR 1104.1 (2)(1): "No timber operations are allowed on significant historical or archeological sites."

No archeological sites were observed during the conversion evaluation. All relative Native American entities have been notified of the operation activities.

The conversion areas appear to comply with 14 CCR 1104.1 (2)(1). No recommendation is suggested regarding cultural resources.

Summary of Recommendations

Overall, it is the opinion of the RPF that the past unauthorized conversion activities did not entirely meet the standards set forth in the CFPRs and requires the following mitigation recommendations:

1. **Hazard Reduction**
    a. Treat slash and woody debris around Conversion Areas A and B (Shown on Conversion Map) as described above and in 14 CCR 1104.1(a)(2)(D)(6).

Site Maps

General Location Map: Shows ownership boundary in proximity to recognizable landmarks and general location of conversion within property boundary.

Timberland Conversion Map: Location of timber conversion operations, Boundaries of Conversion Areas A and B, location and classification of watercourses, Observation Sites and roads.

Additional Information

Photos

Photo 1: Slash pile below Clearing 1.

Photo 1: Slash pile above road on right entering Clearing 1.

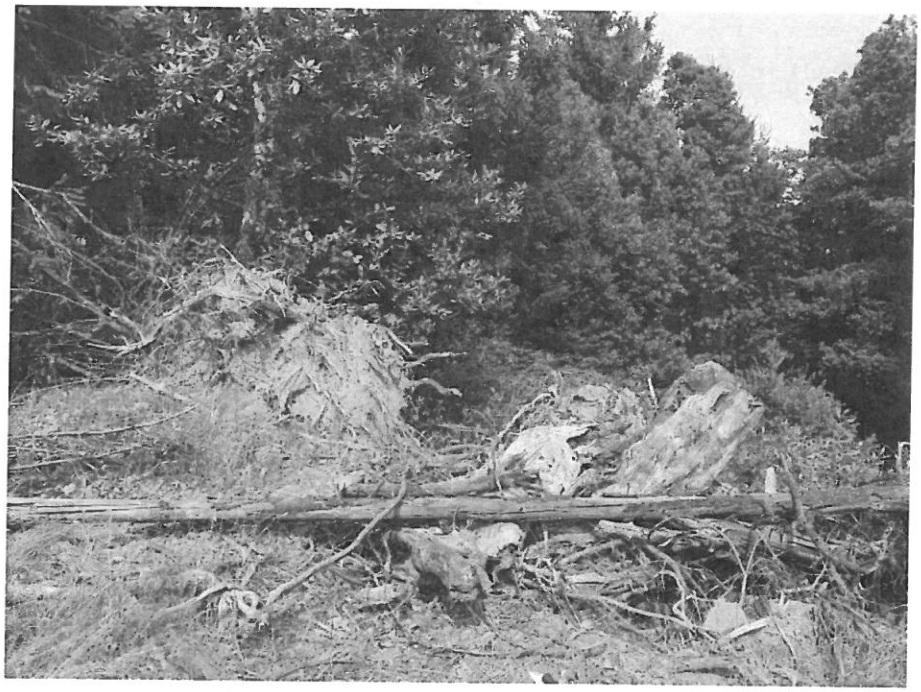


Photo 1: Slash pile below Clearing 1.

Photo 1: Slash pile below Clearing 2.

Photo 1: Slash pile below Clearing 2.

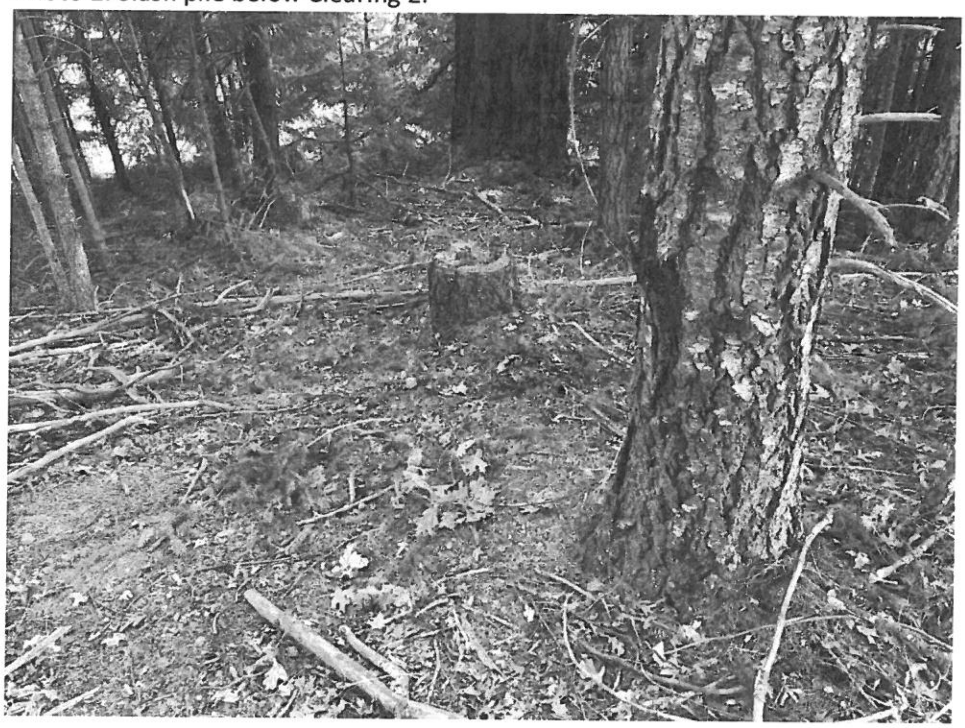


Photo 1: Marked stumps in forest interior near Clearing 3.

Resources

California Forest Practice Rules 2016. Sacramento: CAL FIRE, 2017. Print.

California Natural Diversity Database. California Department of Fish and Wildlife. Web. https://www.wildlife.ca.gov/Data/CNDDB. Version 5.56.24. Accessed September 13, 2017

Forest Practice Watershed Mapper v2. CAL FIRE. Web. http://egis.fire.ca.gov/watershed_mapper/. Accessed September 6, 2017.

Humboldt County Web GIS. County of Humboldt. Web. http://webgis.co.humboldt.ca.us/HCEGIS2.0/. Accessed September 6, 2017

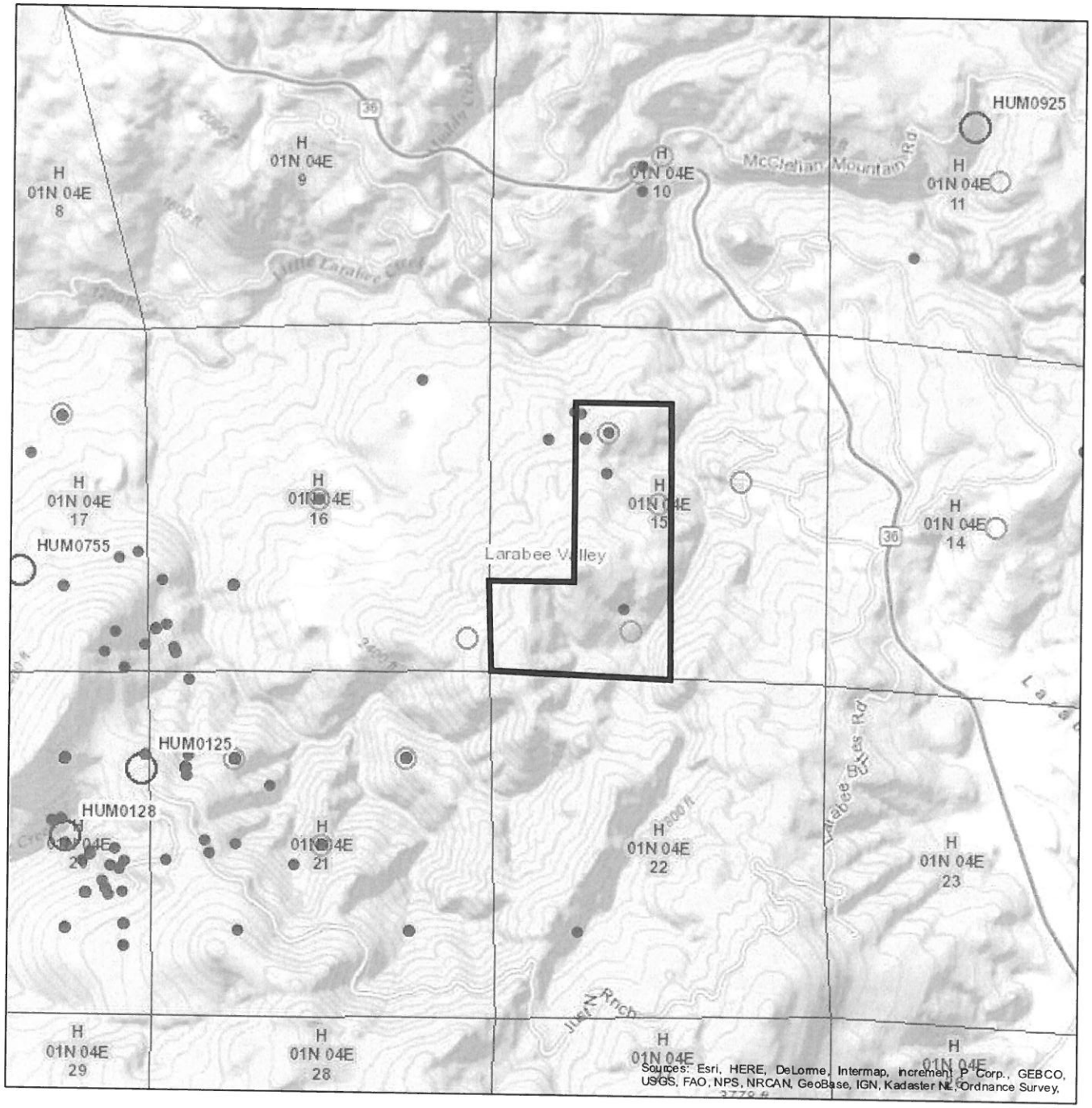
Google Earth Pro

MAG-ECB, LLC Conversion Evaluation APN 210-042-003

Spotted Owl Observations [ds704]

- Positive Observation
- Negative Observation
- Activity Center
- Not Valid Activity Center
- Abandoned

Approximate Location of APN 210-042-003



1:36,112

0 0.3 0.6 1.2 mi

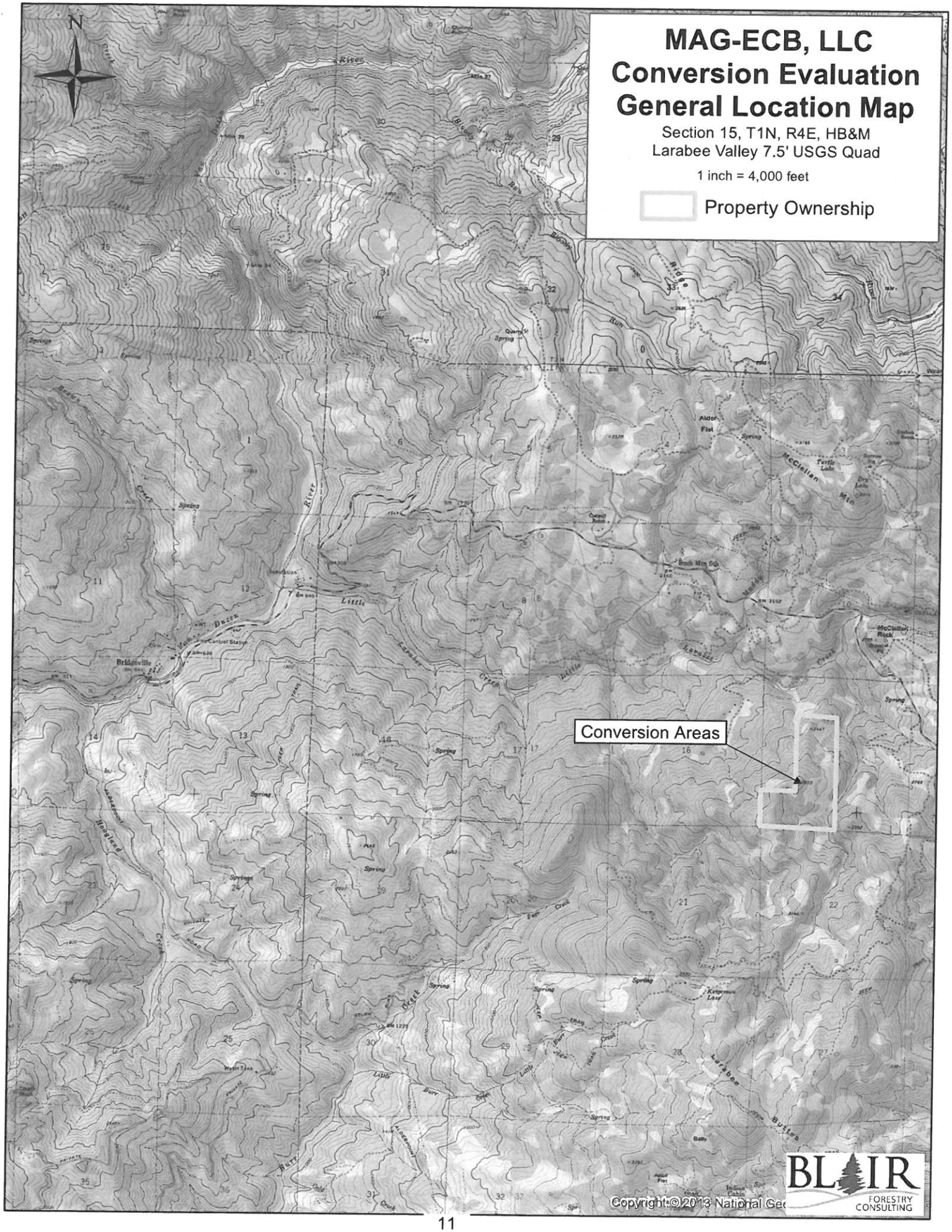
0 0.5 1 2 km

N

September 15, 2017

Author: cnddb_com
Printed from http://bios.dfg.ca.gov

13


MAG-ECB, LLC
Conversion Evaluation
General Location Map
Section 15, T1N, R4E, HB&M
Larabee Valley 7.5' USGS Quad
1 inch = 4,000 feet
Property Ownership
N
Conversion Areas
Bridgeville
Little
River
Larabee
Creek
Alder Flat
McClellan Mtn
Copyright © 2013 National Geo
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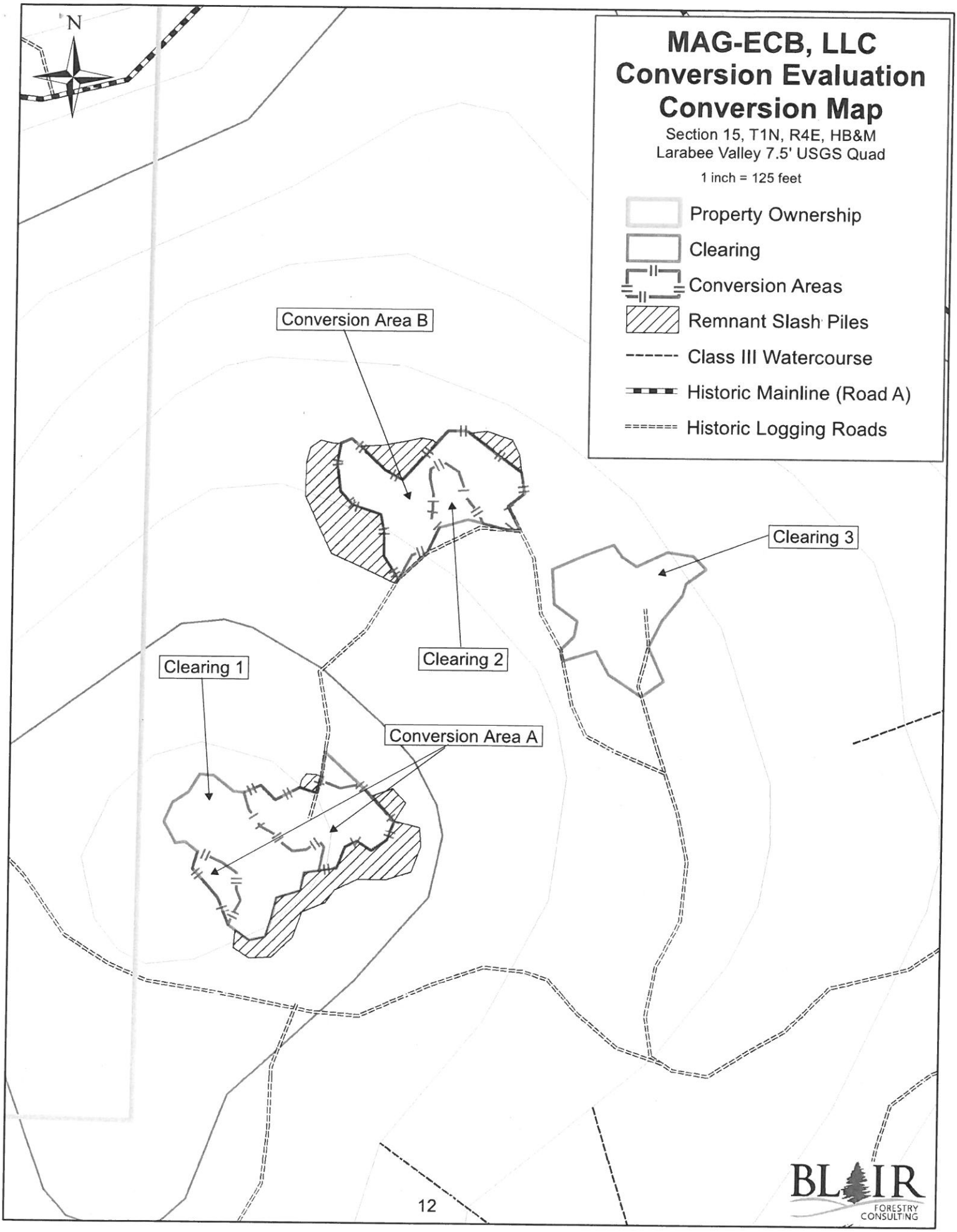
N
MAG-ECB, LLC
Conversion Evaluation
Conversion Map
Section 15, T1N, R4E, HB&M
Larabee Valley 7.5' USGS Quad
1 inch = 125 feet
Property Ownership
Clearing
Conversion Areas
Remnant Slash Piles
Class III Watercourse
Historic Mainline (Road A)
Historic Logging Roads
Conversion Area B
Clearing 3
Clearing 2
Clearing 1
Conversion Area A
12
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Water Resource Protection Plan for APN:

210-042-03

Ty Robin Collins, PE #66605,
QSP/QSD #25796

Green Road Consulting 1650

Central Ave, Suite C

Mckinleyville CA, 95519

&

Thomas Blair, RPF

Blair Forestry Consulting

P.O. Box 2517

McKinleyville, CA 95519

Filed to:

North Coast Regional Water Quality Control Board

Reason

The attached report is a Water Resource Protection Plan, designed by Green Road Consulting (GRC) for Ancient Truth, Inc.; parcel number 210-042-03. The purpose of this plan is to monitor and report on conditions of said parcel, in order to enroll and comply with the Waiver of Waste Discharge Requirements and the General Water Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects in the North Coast Region (Order No. 2015- 0023). The purpose of the order is to provide a water quality regulatory structure and thereby prevent/address poor water quality and other conditions that may have an adverse impact to water resources.

Details of Report

The water resource protection plan is designed to meet or exceed the requirements of Order No. 2015-0023. The plan includes details of the areas determined to be in need of monitoring by the Regional Water Board. Green Road Consulting (GRC) and Blair Forestry Consulting (BFC) have worked together to assess parcel 210-042-03. In addition to site visits, using a variety of county, state and private websites were used to collect data on the parcel and surrounding areas (USDA web soil survey, USGS stream stats program, Google Earth, Humboldt County Web GIS). GRC also used photogrammetry software (Pix4D®) along with CAD software (Auto Desk Civil 3D®) to create an accurate model of the parcel in its current state. In conjunction with additional site visits, this software enables GRC to distinguish and document areas of improvement.

The Property Report, details all areas of the Water Resource Protection Plan and Assessment of Standard Conditions (R1-2015-0023), along with Best Management Practices for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities (Appendix B). The property report, and the attached project overview should outline that all standards and conditions were assessed for parcel 210-042-03.

Site Maintenance, Erosion Control and Drainage Features

Erosion Control

The property shows no evidence of any erosion neat water ways where there could be potential runoff.

Drainage Features

After reviewing the property's roads, they are maintained and kept in good condition with a good amount of rock to keep the roads from developing rills in the winter and spring months.

Stream Crossing Maintenance

There are four stream crossings on the site, they are shown as map points #1, #2, #4, and #5 on the Site Plan Overview Map and the Summary of Required Remediation. Map point #1 is a permanent road that crosses a Class III watercourse. We are proposing to install an 18-inch culvert to standard BMP's. Map point #2 is a permanent road crossing of a class II watercourse with an existing 36-inch culvert that needs to have the inlet cleaned out to prevent potential plugging. Map point #4 is a permanent road with an existing 18-inch culvert that crosses a class III watercourse. The outlet of this culvert that crosses a Class III watercourse needs to be cleaned. Map point #5 is an existing rock ford that crosses a Class III stream. We are proposing to add more rock to the rock ford in order to improve the surface drainage at Map point #5. All other crossing shown on the attached maps are properly functioning.

Riparian and Wetland Protection and Management

All cultivation sites meet the required buffers for a Tier 2 site. The attached maps show the locations of the cultivation areas along with identifying the streams that run through the parcel and the buffer zones associated with each stream (50 feet for class III, 100 feet for Class II and Class I.

Spoils Management

The existing soil is stored near the cultivation sites and needs to be either tarped or stored in pots and is covered with straw to prevent any runoff during the rainy season. All soil is kept within a proper buffer zone away from any watercourse.

Water Storage and Use

The parcel has a permitted well located in the center of the property near cultivation area #4 (seen on attached map). At the site of the well, a 2800-gallon hard water tank is filled, that water is then dispersed to the properties shop, residence, or one of the other 4 2500-gallon hard storage tanks located near each of the cultivation areas. Total storage is 13,150 gallons of hard tanks. The well provides all of the properties current water needs and no surface water is being used for the property (see attached maps for all locations of storage tanks).

Irrigation Runoff

The landowner irrigates at an agronomic rate. Any run off during a rain event will flow downhill through the proper a buffer of shrubs, meadow, brush and forest to the nearest watercourse

Fertilizers and Soil Amendments

Fertilizers and soil amendments are placed in the parcel's shop where any spill can be contained. Currently, amendments are added to the soil. Plants are then fed throughout the season with either a

compost tea and/or liquid fertilizer. All labels are kept and directions are followed when amendments and fertilizers are applied. The storage area is in need of posted instructions for storing fertilizers and amendments, instructions for cleaning up spills and a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (e.t. kitty litter).

Pesticides/Herbicides

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis. Organic pest control substances accepted under the Legal Pest Management Practices for Marijuana Growers in California (http://www.humboldtgov.org/DocumentCenter/Home/View/53255).

Petroleum Products and Other Chemicals

The property is off grid and uses 4 large generators. The property is in need of proper fuel storage and spill prevention measures. Construction of a site that meets the Humboldt County guidelines for an above ground fuel storage tank with secondary containment is required.

Cultivation-related wastes

Currently cultivation-related wastes are managed properly to ensure that residues and pollutants within those materials are not migrating or leaching into surface water or groundwater's.

Refuse and Human Waste

All human garbage is stored in trash containers and is also kept near the property's shop and taken to Humboldt Waste Management. The property's shop has a permitted septic with the Humboldt County Health and Human Services

Remediation/Cleanup/Restoration

All Remediation/Cleanup/Restoration in this report is designed to meet the Water Resource Protection Plan.

See attachment for summary or Required Remediation and Timelines associated

Project Information	
Project Name; APN:	Ancient Truth; 210-042-03

Required Remediation & Sediment Inventory:

Map point	Road Type (P,SD)	Point Type (L, SD, ISD, WC,WLPZ)	Water Course Class (I,II,III)	Structure <E> (C, H,T) <P> (T, C, RD)	Culvert (<E>, <P>, Size)	Site Description (BMP, EO, PA, PF, SGO, SDI)	Potential Discharge (yds^3)	Treatment Priority (1,2,3,4)	<P> Date of Completion	Additional Notes
1	P	WC	III	<P> C	18"	SDI	5	2	9/1/2017	Install for BMP
2	P	WC	II	<E> C	36"	-	20	2	9/1/2017	Clean inlet size 1600
3										
4	P	WC	III	<E> C	18"	SDI	5	2	9/1/2017	Clean outlet
5	P	WC	III	<E> RF	-	SDI				Add rock to RF
6										
7										

Road Type:

P- Permanent Road
PR- Proposed Seasonal Road
SD- Seasonal Road
SK- Skid Trail

Point Type:

L- Landing
SD- Surface Drainage
ISD- Inside Ditch
WC- Watercourse Crossing
WLPZ- In Lieu Operation
RRD- Rolling Rock Dip

Structure:

C- Culvert
DF- Dirt Ford
RD- Rolling Dip
RF- Rock Ford
H- Humboldt
T- Temporary

Site Description:

BMP- Maintained to BMPS
EO- Eroding Outlet
PA- Poorly Aligned
PF- Perched Fill
SGO- Shotgun Outlet
SDI- Surface Drainage Improvement

Treatment Priority:

1 – Treat Prior to Hauling Operations
2 – Treat Prior to Winter Period
3 – Treat Prior to Completion of Operations
4 – Treat if used for Operations

Additional Remediation:

Proper fuel storage and spill prevention measures. Complete construction for above ground fuel storage tanks with secondary containment. Treatment priority: 1; proposed completion 6/15/2017

Proper storage of nutrients and fertilizers with spill kit and instructions for storing materials. Treatment priority: 3, Proposed completion 4/15/2017

Additional Site Information:

Map Point #	Description	Size	Additional Information
C1	GH1	6,000 SQ	
C2	GH2	6,500 SQ	
C3	GH3	6,500 SQ	
C4	GH4	3,000 SQ	
	Building	1500 SQ	1500 square foot shop with permitted septic
	Storage Tanks	13,150 Gal	6 Hard storage water tanks
	G		4 Generators across the property to provide power while working with PG&E to get grid power.

Size:

SQ- Square Feet
Gal- Gallons

Description:

HT- Hard Tank Water Storage
WB- Water Bladder
PO- Pond
FS- Fuel Storage
G- Generator
RS- Residence
SB- Storage Building
W- Well
C#- Cultivation Site #
GH#- Greenhouse #

ANCIENT TRUTH INC.
APN: 210-042-003

PROJECT LOCATION

PROJECT INFORMATION

LAT/LONG
40.4611,-123.7157
APN:
210-042-003
CLIENT:
VESSELA IORDANOVA

AGENT:

PETER HILL
GREEN ROAD CONSULTING
1650 CENTRAL AVE. SUITE, C
MCKINLEYVILLE, CA 95519
707-630-5041

PROJECT DIRECTIONS

FROM: FORTUNA, CA
HEAD SOUTH ON US-101 S
TAKE EXIT 685 FOR CA-36 E
TURN LEFT ONTO CA-36 E
STAY ON CA-36 E FOR APPROXIMATELY 31.4 MILES
TURN RIGHT ONTO UNNAMED ST

DESTINATION ON RIGHT
APPROXIMATELY 35.5 MILES AND 48 MIN DRIVE TIME

N

SHEET INDEX

CP-COVER PAGE
SP-SITE PLAN
AS-AERIEAL SITE PLAN

SHEET	DRAFTER	DATE	NO.	NOTES	DATE
CP	PE	10/12/16			
	SCALE				
	NOT TO				

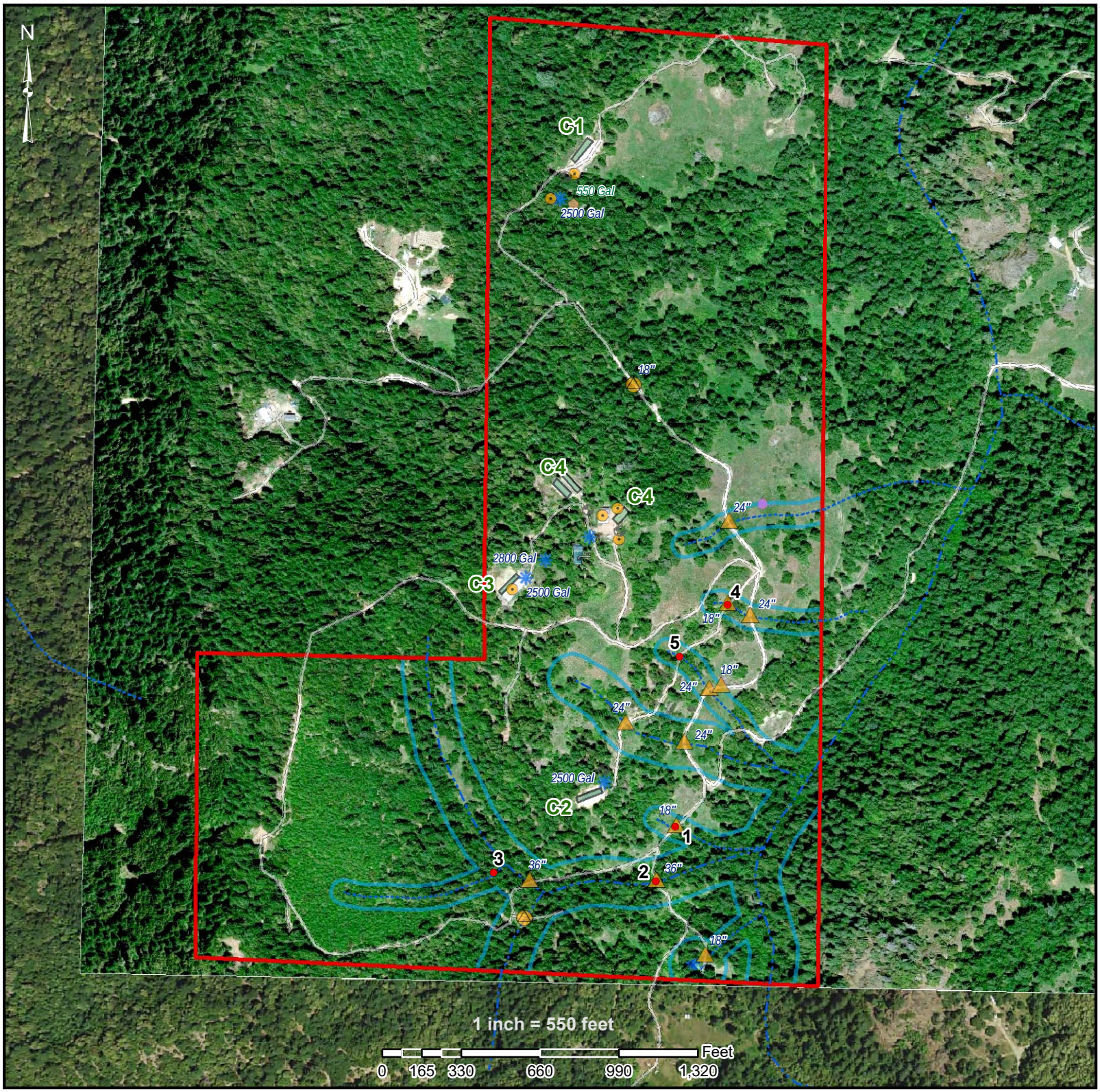
REVISIONS

PROJECT INFORMATION

PROJECT	ANCIENT TRUTH INC.
ADDRESS	APN: 210-042-003
SHEET INFO	WATER RESOURCE PROTECTION PLAN

GREEN ROAD CONSULTING

Site Plan Overview
APN 210-042-03

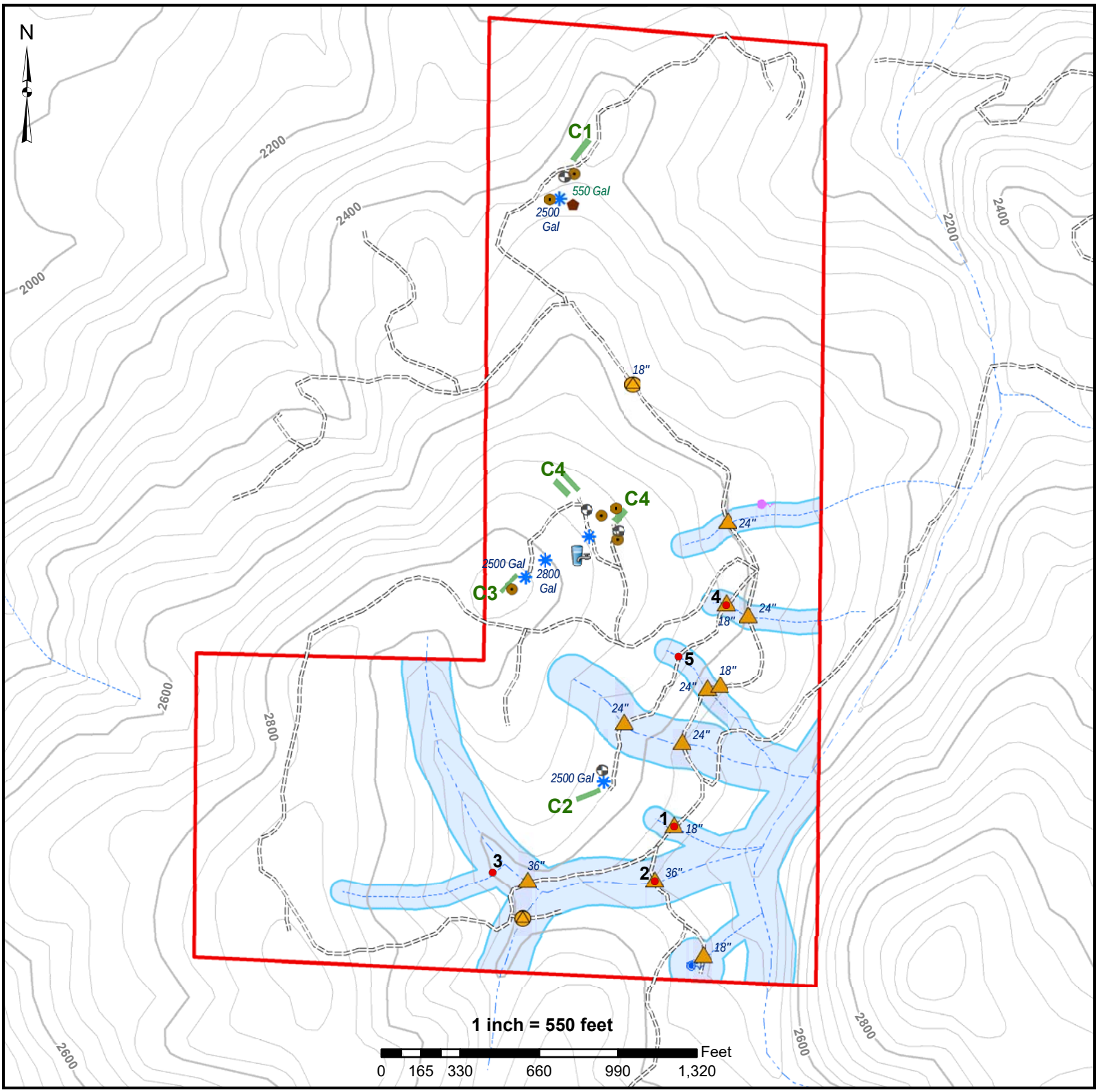


Legend

- Remediation Points
- Storage Tanks
- Mix Tanks
- Wells
- Buildings
- Culverts
- Ditch Relief Culverts
- Springs and Ponds
- Future Ponds
- Generator
- Major Roads
- Private Local Roads
- Class I Watercourse
- Class II Watercourse
- Class III Watercourse
- Cultivation Areas
- Parcel Boundaries
- Watercourse Buffers

BLAIR FORESTRY CONSULTING

Site Plan Overview
APN 210-042-03



Legend

- Remediation Points
- Storage Tanks
- Mix Tanks
- Well
- Buildings
- Culverts
- Ditch Relief Culverts
- Springs and Ponds
- Future Ponds
- Generator
- Major Roads
- Private Local Roads
- Class I Watercourse
- Class II Watercourse
- Class III Watercourse
- Cultivation Areas
- Parcel Boundaries
- Watercourse Buffers

BLAIR FORESTRY CONSULTING

Order No. R1-2015-0023
REPORTING FORM

A. Site WDID:

B. Subwatershed (HUC-12)[2]:180101050905

C. Enrollment date:9/29/2016

D. Reporting date:9/29/2016

E. Please check the box corresponding to the enrolled site's current tier (Tier 3 sites with cultivation must also check Tier 2).

☐ Tier 1 ■ Tier 2 ☐ Tier 3

Has the site's tier status changed since the last reporting period? Y☐/N■
If YES, briefly explain:_____

F. Check all fields that apply to the enrolled site:

i. Tier 1 sites:
(see Order at page 6 for details on Tier 1 characteristics)
- ☐ Average slope of each individual cultivation area is no more than 35% slope.
- ☐ Total cultivation area is no more than 5,000 square feet.
- ☐ No cultivation areas or associated facilities are located within 200 feet of a surface water. (Surface waters include wetlands and Class I, II, and III watercourses.)
- ☐ No surface water diversion from May 15 through October 31.
- ☐ The site is in compliance with all Standard Conditions under Order R1-2015-0023, section I.A.

ii. Tier 2 sites:

a. A Water Resource Protection Plan has been developed and is being implemented?
Y☐/N■

If NO, expected date when plan will be ready and implementation will begin:
_____

If YES, have there been changes to the implementation schedule since the prior year of reporting? Y☐/N☐

[2] 12-digit HUC-12 subwatershed codes are available online at http://iaspub.epa.gov/apex/grts/f?p=110:95:::NO::APP_SHOW_HIDE:

REPORTING FORM
Page 2/5

ii. Tier 2 sites continued:

b. Check below as to whether or not the site meets Standard Conditions under Order R1-2015-0023, section I.A. If a standard condition is not yet met, please indicate the expected date of compliance as identified in the Water Resource Protection Plan. Upon initial enrollment, provide an estimated expected date of compliance.

Standard Condition Met	If NO, expected date of compliance
1. Site maintenance, erosion control, and drainage features Y☒/N☐	
2. Stream crossing maintenance Y☐/N☒	9/1/2017
3. Riparian and wetland protection and management Y☒/N☐	
4. Spoils management Y☒/N☐	
5. Water storage and use Y☒/N☐	
6. Irrigation runoff Y☒/N☐	
7. Fertilizers and soil amendments Y☐/N☒	4-15-2017
8. Pesticides and herbicides Y☒/N☐	
9. Petroleum products and other chemicals Y☐/N☒	6-1-2017
10. Cultivation-related wastes Y☒/N☐	
11. Refuse and human waste Y☒/N☐	

c. All management measures are being implemented as part of the Water Resource Protection Plan? Y☐/N☐

If YES, do management measures appear to be effective in preventing and minimizing discharges of waste to surface water? Y☐/N☐

If management measures do not appear to be effective, are additional measures being implemented iteratively to prevent and minimize discharges of waste to surface water? Y☐/N☐

If NO, describe management measures or practices that have not been effective in preventing and minimizing discharges of waste to surface water, if applicable. Describe plans for new or additional management measures to prevent and minimize discharges of waste, if applicable. Attach additional sheets as necessary.

d. Will work to bring site into compliance with Standard Conditions require disturbance to a stream or wetland over the coming year? Y■/N☐

If YES, indicate status of work authorization by Regional Water Board. Specifically, check one or more of the following and provide the date if/as applicable.

☐ I plan to submit my project plans to the Regional Water Board by the following date:_____

☐ I submitted my project plans to the Regional Water Board on the following date:_____

☐ The Regional Water Board Executive Officer authorized my project plans on the following date:_____

☐ I have elected to receive authorization for instream work under a different Regional Water Board permitting mechanism as follows:
_____

■ Instream work anticipated to occur between the following dates: 5/15/2017-9/1/2017

iii. Tier 2* sites:

Total cultivation area is less than 10,000 square feet? Y☐/N☐

Water resource protection plan developed and fully implemented? Y☐/N☐

All Standard Conditions met? Y☐/N☐

Site was inspected and verified as Tier 2* by Regional Water Board staff (NAME)_____ or approved third party program (NAME): _____ on (DATE) _____.

iv. Tier 3 Sites:

☐ A Cleanup and Restoration Plan has been submitted to the Regional Water Board for approval.

☐ The Cleanup and Restoration Plan has been approved by the Regional Water Board.

☐ The timeline for the approved Cleanup and Restoration plan is being followed.

Will restoration work require disturbance to a stream or wetland in the coming year? Y☐/N☐

Instream work anticipated to occur between the following dates:_____

☐ Cannabis cultivation is occurring or will occur on the site over the coming year. (If this box is checked, ensure that Tier 2 portions of the reporting form are completed as well).

REPORTING FORM
Page 4/5

v. For All Sites:

Annual Reporting Period (Calendar Year), or CHECK HERE ▣ if this is the report accompanying initial enrollment.

0	1	0	1			TO	1	2	3	1		
Month/Day/Year							Month/Day/Year					

(See Order at page 6 for details regarding cultivation area and slope measurements, and watercourse definitions).

Total cultivation area (square feet)	18,825
Distance to surface waters (feet) from nearest edge of each cultivation area or associated facility. Provide distance measurement for each cultivated area separately, as appropriate**.**	see attached
Average slope (percent slope) of each cultivated area List each cultivated area separately, as appropriate.	See attached
Total number of road crossings of surface waters Surface waters include wetlands and Class I, II, or III watercourses.	10
Annual soil amendment and chemical use (pounds or gallons). Total mass and/or volume of soil amendment and/or chemical usage by type, product name, and nutrient content such as N-P-K ratio, if applicable.*	TBD
Total water storage capacity (gallons or acre feet)	13,150

Total surface water diversion by month (gallons or acre feet)*

Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
see	attached										

Water input to storage by source and month (gallons or acre-feet) Report water volume input to storage, listing each source separately. This may include inputs from rainfall catchment, surface water diversions, groundwater pumping, or water delivery. If water is delivered, list delivery date, delivery volume, and name and address of water purveyor.*

Source	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec

Water use by source and month (gallons or acre feet) Report water volume used, listing each source separately. This may include use of stored water, immediate use of pumped groundwater, diverted surface water, or delivered water. If water is delivered, list delivery date, delivery volume, and name and address of water purveyor*

Source	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec

* Upon initial enrollment only, a best estimate is acceptable for reporting annual soil amendment and chemical use, monthly water stored, and monthly water use. Attach additional sheets if more space is needed for your responses.

REPORTING FORM
Page 5/5

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision. The information contained in this document and all attachments is, to the best of my knowledge and belief, true, accurate, and complete.

Print name: Peter Hill

Signature: _____ **Date:** _____

Preparer: Complete if MRP was prepared by someone other than the discharger, including an approved third-party

Organization Name (if applicable):
Green Road Consulting

Prepared by:
First Name, Middle Initial
Peter R

Last Name
Hill

Preparer Address:
Street
1650 Central Ave Suite C

City
McKinleyville

State
CA

ZIP
95519

Phone Number:
707 630 5041

Email:
Peter@greenroadconsulting.com

Attachemnt for Reporting Form

Name: Vessela Iordanova
APN: 210-042-003

Water Input to Storage (Gallons)

Source	January	February	March	April	May	June	July	August	September	October	November	December		Totals
Well			930	1350	4960	22590	23343	23343	22590	17507				116613
													Total	116613

Water use by source (Gallons)
2016 Estimates

Well			930	1,350	4,960	22,590	23,343	23,343	22,590	17,507				116,613
													Total	116,613

Cultivation Space (square footage)	18,825 square feet													
2016 Estimates		0	0	1500	1,500	8,000	18,825	18,825	18,825	18,825	18,825	0	0	
Stage of Cultivation				Vegetative	Vegetative	Both	Both	Both	Flowering	Flowering				

Distance from Cultivation Areas to Surface Water	Distance to watercourse	Slope	Sq Feet
Cultivation Area #1	<200 ft	>15%	5000
Cultivation Area #2	<150 ft	>15%	3500
Cultivation Area #3	<200 ft	>15%	5000
Cultivation Area #4	<200 ft	>15%	4050
Cultivation Area #5	<200 ft	>15%	1275

*Maps and Stream Protection and Mangement w/ WRRP

I. Discharger Information

First Name, Middle Initial

Vessela

Last Name

Iordanova

Mailing Address:

Street

345 Franklin St

City

San Francisco

State: CA ZIP: 94102 Phone Number: 707-357-7673

Email:

jeanbibian@gmail.com

II. Site Information

Site Address:

Street

Lat/Long: 40.4611,-123.7157

City

Bridgeville

State: CA ZIP: 95526

Subwatershed (HUC-12)

*12-digit HUC-12 code available at http://iaspub.epa.gov/apex/grts/f?p=110:95:::NO::APP_SHOW_HIDE:

180101050905

Assessor's Parcel Number (APN)

210-042-03

Please check one of the following boxes to indicate which Tier you are enrolling under:

☐ Tier 1 ☒ Tier 2 ☐ Tier 3

Under Tier 2, water resource protection plans must be developed within 180 days of submittal of this NOI form. Under Tier 3, cleanup and restoration plans must be submitted to the Regional Water Board within 45 days of submittal of this NOI form. Tier 3 enrollees that are cultivating must also be enrolled and comply with Tier 2 conditions.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision. The information contained in this document and all attachments is, to the best of my knowledge and belief, true, accurate, and complete. I agree to monitor and report on my site in compliance with the Order, including the Monitoring and Reporting Program (Appendix C) truthfully, accurately, and completely; complete Sections I and II, above; keep a copy of the Order, this NOI, the annual monitoring and reporting documents and, if applicable, the water resource protection plan and cleanup and restoration plan document(s) on site, and make them available to Water Board staff upon request. If there is a change in Tier status based on changed site conditions, the changes must be documented, appended to this document, and resubmitted to either the Regional Water Board or, if applicable, an approved third party.

Print name: Vessela Iordanova

Signature: Vessela Iordanova **Date:** 10/04/16

Attachment for Additional Best Management practices

BMPs: Permanent Culvert Crossing

New culvert installations shall be sized to accommodate a100-year storm.

New culverts shall be placed at stream gradient or have the outlets armored down to the natural channel:

Align culverts with the natural stream channel orientation to ensure proper function, prevent bank erosion and minimize debris plugging.

Place culverts at the base of the fill and at the grade of the original streambed or armor outlets down to the natural channel.

Culverts should be set slightly below the original stream elevation so that the water drops several inches as it enters the pipe.

Culvert beds should be composed of rock-free soil or gravel, evenly distributed under the length of the pipe. o Compact the base and sidewall material before placing the pipe in its bed.

Lay the pipe on a well-compacted base. Poor basal compaction will cause settling or deflection in the pipe and can result in separation at a coupling or rupture in the pipe wall.

Backfill material should be free of rocks, limbs or other debris that could dent or puncture the pipe or allow water to seep around the pipe.

Cover one end of the culvert pipe, then the other end. Once the ends are secure, cover the center.

Tamp and compact backfill material throughout the entire process, using water as necessary for compaction. Backfill compacting will be done in 0.5 – 1.0 foot lifts until 1/3 of the diameter of the culvert has been covered.

Push layers of fill over the crossing to achieve the final design road grade, at a minimum of one-third to one-half the culvert diameter.

Critical dips shall be installed on culvert crossings to eliminate diversion potential.

Road approaches to permanent culvert crossings shall be rock surfaced with competent rock out to the first drainage structure (i.e. waterbar) or hydrologic divide to prevent transport of sediment.

Road surfaces and ditches shall be disconnected from streams and stream crossings to the greatest extent feasible. Ditches and road surfaces that cannot be feasible disconnected from streams or stream crossings shall be seeded and mulched as described in Item 18, Section II.

Culverts shall be long enough so that road fill does not extend or slough past the culvert ends.

Inlet and outlets of culverts and associate fill shall be armored with rock that extends at least as high as the top of the culvert. Rock used at culvert inlets and outlets should be a matrix of various sized rocks and rip-rap that range from a 3" dia. to a, 2' dia.

Bank and channel armoring may occur when appropriate to provide channel and bank stabilization.

Stabilize the site pursuant to Item 18, Section II.

See General BMPs for additional information.

BMP: Rolling Dip

Rolling dips are drainage structures designed to carry surface water across roads.

The truck road shall dip into and out of the rolling dip to minimize diversion potential.

The rolling dip shall be constructed with clean native materials,

The rolling dips outlet may be armored to resist down cutting and erosion.

Do not discharge rolling dips into swales that show signs of instability or active landsliding.

If the rolling dip is designed to divert both road surface and ditch runoff, block the down-road ditch with compacted fill.

The rolling dip must be drivable and not significantly inhibit traffic and road use.

Stabilize the site pursuant to Item 18, Section II.

<u>BMP: General BMPs</u>

If operations require moving of equipment across a flowing stream, such operations shall be conducted without causing a prolonged visible increase in stream turbidity.

During construction in flowing water, which can transport sediment downstream, the flow shall be diverted around the work area by pipe, pumping, temporary diversion channel or other suitable means. When any dam or artificial obstruction is being constructed, maintained, or placed in operation, sufficient water shall at all times be _allowed to pass downstream to maintain life below the dam. Equipment may be operated in the channel of flowing live streams only as necessary to construct the described construction.

Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations. The disturbed portion of any stream channel shall be restored to as near their original condition as possible. Restoration shall include the mulching of stripped or exposed dirt areas at crossing sites prior to the end of the work period.

No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washing, oil or petroleum products, or other organic or earthen material from any logging, construction, or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream.

1

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HUMBOLDT CO. DIVISION
OF ENVIRONMENTAL HEALTH

Humboldt County Department of Health & Human Services

Environmental Health
100 H Street, Suite 100, Eureka, CA 95501
phone: (707) 445-6215 fax: (707) 441-5699

WATER WELL APPLICATION

13/14-0193

CONSTRUCTION – REPAIR – DESTRUCTION

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

Instructions:

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

Site Address: Hwy 36 — APN: 210-042-003
City/State/Zip: Bridgeville CA 95526
Directions to Site:

Applicant: FISCH DRILLING — Contact: CHRIS FISCH
Mailing Address: 3150 Johnson Rd — Work Phone: 707-768-9800
City/State/Zip: Hydesville, CA 95547 — Cell Phone: 707-601-3042

Property Owner: Vessela Jordanova — Home Phone:
Mailing Address: 68 Ayamonte Ct — Work Phone:
City/State/Zip: San Ramon, CA 94583 — Cell Phone: 415-317-6742

I hereby grant 'right-of-entry' for inspection purposes

Drilling Contractor: FISCH DRILLING — C-57 License #: 683865

I hereby agree to comply with all laws and regulations of the County of Humboldt and the State of California Department of Water Resources Bulletin 74 pertaining to water well construction. I will contact Humboldt County Division of Environmental Health (DEH) when I commence work. Within 15 days after completion of work, I will furnish DEH a report of the work performed.

Well Driller Signature:

Would driller like a copy of approved application? ☑ Yes ☐ No

☐ U.S. Mail address:

☑ Email address: chris@fischdrilling.com

Type of Application:
- ☑ Construction
- ☐ Destruction
- ☐ Repair/Modification

Construction:
- Estimated Depth (ft.):
- Diameter (in.): 10"
- Depth of Seal (ft.): 20'
- Sealing Material: Bentonite

Intended Use:
- ☑ Domestic - private
- ☐ Community Supply
- ☐ Irrigation
- ☐ Other

2

Estimated Work Dates:	Casing:	Type of Sewage System:
Start _____	Diameter (in.) 5"	☐ Community Sewer
Completion _____	Material PVC	☑ OWTS (Septic)
		Distance from well site to OWTS 700'

Special Requirements/Comments:

PLOT PLAN

FOR OFFICE USE ONLY

Fee:	$365	Site Approved by:	2/25/14
Date:	2-20-14	Site Finaled Date:	
Receipt:	300550	Sealed to Depth of:	
Project #:	13/14-0193	Seal observed:	☐ Yes ☐ No
		Final Approved Date:	

√14005

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*The free Adobe Reader may be used to view and comp is form. However, software must be purchased to comple and reuse a saved form.

File Original with DWR MAR 27 2014 State of California

Well Completion Report

Page 1 of 2 HUMBOLDT CO. DIVISION Refer to Instruction Pamphlet

Owner's Well Number 1 OF ENVIRONMENTAL HEALTH No. e0206890

Date Work Began 03/24/2014 Date Work Ended 3/25/2014

Local Permit Agency Humboldt County E.H.D.

Permit Number 13/14-0193 Permit Date 2/25/14

DWR Use Only – Do Not Fill In

State Well Number/Site Number

N W

Latitude Longitude

APN/TRS/Other

Geologic Log

Orientation ⦿ Vertical ○ Horizontal ○ Angle Specify

Drilling Method Direct Rotary Drilling Fluid

Depth from Surface Feet	to Feet	Description Describe material, grain size, color, etc
0	4	Top Soil
4	31	Brown Clay
31	48	Brown Sand
48	51	Blue Clay
51	73	Brown Sandstone
73	89	Blue Sandstone
89	121	Blue Shale
121	131	Serpentine
131	142	Blue Shale
142	163	Green Sandstone
163	171	Blue Shale W/Soapstone
171	193	Blue Shale
193	214	Blue Sandstone
214	246	Blue Shale
246	253	Blue Sandstone W/Quartz
253	268	Blue Sandstone
268	284	Blue Shale
284	302	Blue Sandstone
302	315	Blue Shale
315	328	Blue Sandstone
328	340	Blue Shale

Total Depth of Boring 340 Feet

Total Depth of Completed Well 340 Feet

Well Owner

Name [redacted]

Mailing Address [redacted]

City [redacted] State [redacted] Zip [redacted]

Well Location

Address [redacted]

City Bridgeville County Humboldt

Latitude ___ Deg. ___ Min. ___ Sec. N Longitude ___ Deg. ___ Min. ___ Sec. W

Datum ___ Dec. Lat. ___ Dec. Long. ___

APN Book 210 Page 042 Parcel 03

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 84 (Feet below surface)

Depth to Static Water Level 71 (Feet) Date Measured 03/24/2014

Estimated Yield * 5 (GPM) Test Type Air Lift

Test Length 4.0 (Hours) Total Drawdown 214 (Feet)

*May not be representative of a well's long term yield.

Casings

Depth from Surface Feet	to Feet	Borehole Diameter (Inches)	Type	Material	Wall Thickness (Inches)	Outside Diameter (Inches)	Screen Type	Slot Size If Any (Inches)
0	140	10	Blank	PVC Sch. 80	CL200	5		
140	340	10	Screen	PVC Sch. 80	CL200	5	Milled Slots	0.032

Annular Material

Depth from Surface Feet	to Feet	Fill	Description
0	20	Bentonite	Sanitary Seal
20	340	Filter Pack	3/8" Pea Gravel

Attachments

☐ Geologic Log
☐ Well Construction Diagram
☐ Geophysical Logs
☐ Soil/Water Chemical Analyses
☒ Other Location Map

Attach additional information if there is any.

Certification Statement

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

Name FISCH DRILLING
Person, Firm or Corporation

3150 JOHNSON ROAD HYDESVILLE CA 95547
Address City State Zip

Signed ___ 03/25/2014 383865
C-57 Licensed Water Well Contractor Date Signed C-57 License Number

Water Use Attachment

Name:	**George Albert**
APN:	**210-042-003**
Storage (Gallons):	**12,800**
Total Cultivation (ft^2):	**65,560**

Water Use by Source (Gallons)													
Use from Source	January	February	March	April	May	June	July	August	September	October	November	December	**Total**
Well 1				35,100	39,780	46,800	53,820	56,160	51,480	32,760			315,900
Well 2				35,100	39,780	46,800	53,820	56,160	51,480	32,760			315,900
												Total	**631,800**

* Water use is estimated from the best information available, if water meters are not installed.

Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

RE: Ancient Truth, Inc – Humboldt County APPS 10888– APN: 210-042-003

January 8th, 2019

To Whom It May Concern:

The following information should be added to the Cultivation and Operations Plan for Ancient Truth, Inc APPS #10888, APN: 210-042-003.

International Dark Sky Standards
Greenhouses have permeable floors and will be covered with blackout tarps during sunset hours, ensuring they abide by the International Dark Sky Associations standards. Tarps will be pulled by hand and will not have any negative effects to the surrounding area or the cannabis. It will take two (2) employees to cover the Greenhouses with tarps.

Fan Specifications
The Applicant a total of five (5) fans (one per greenhouse). The Fans are manufactured by Farmtek. The model number of the fans is 115237. The closest fan to the property boundary is approximately 86 ft from the western parcel line. The decibel reading at the fan is 80 d(B). The approximate decibel reading from the nearest property boundary is 57 d(B).

Estimating Sound Levels With the Inverse Square Law

In the real world, the inverse square law is always an idealization because it assumes exactly equal sound propagation in all directions. If there are reflective surfaces in the sound field, then reflected sounds will add to the directed sound and you will get more sound at a field location than the inverse square law predicts. If there are barriers between the source and the point of measurement, you may get less than the inverse square law predicts. Nevertheless, the inverse square law is the logical first estimate of the sound you would get at a distant point in a reasonably open area.

If you measure a sound level I_1 = 80 dB

at distance

d_1 = 2 m = 6.56167979 ft

$$\frac{I_2}{I_1} = \left[\frac{d_1}{d_2}\right]^2$$

then at distance

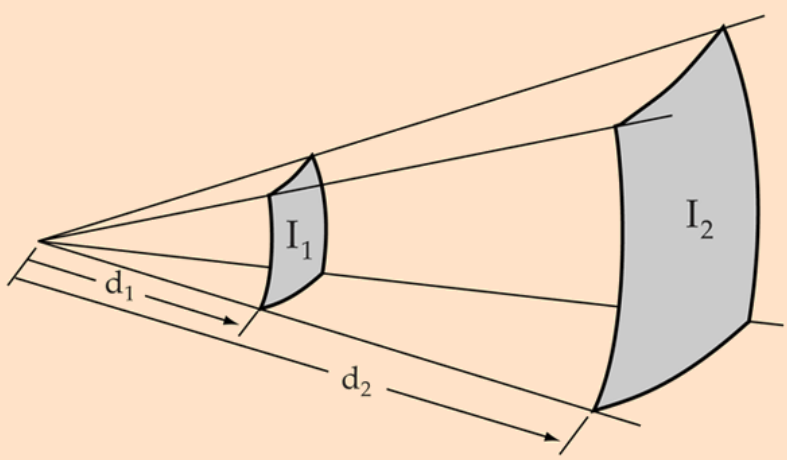
d_2 = 26.2128 m = 86 ft

the inverse square law predicts a sound level

I_2 = 57.6503316 dB

Index

Auditorium acoustics



You can explore numerically to confirm that doubling the distance drops the intensity by about 6 dB and that 10 times the distance drops the intensity by 20 dB.

http://hyperphysics.phy-astr.gsu.edu/hbase/Acoustic/isprob2.html

MB

Yandell, Rodney

From: Yandell, Rodney
Sent: Thursday, October 05, 2017 12:33 PM
To: Freed, Ken
Subject: FW: Ancient Truth
Attachments: ROAD EVALUATION FORM.PDF; ACCESS ROAD LOCATION MAP.PDF

Ken Freed (Public Works),

Please see attached road evaluation for Apps# 10888 APN: 210-042-003.

Thank you,

Rodney Yandell
Planner II
Cannabis Services Division
Planning and Building Department
707.268.3732

From: Kaylie Saxon [mailto:Kaylie@greenroadconsulting.com]
Sent: Thursday, October 05, 2017 11:54 AM
To: Yandell, Rodney <RYandell@co.humboldt.ca.us>
Subject: RE: Ancient Truth

Hey,

I've attached the Road Eval for Ancient Truth. Arch survey will be completed either the 14th or 15th.

Kaylie Saxon
Senior Environmental Planner
(707) 630-5041 – Office
(541) 450-8751 – Cell
1650 Central Avenue, Suite C
McKinleyville, CA 95519

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MB

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

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AVIATION 839-5401

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FACILITY MAINTENANCE	445-7493	ROADS & EQUIPMENT MAINTENANCE	445-7421

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ROAD EVALUATION REPORT INSTRUCTIONS

PURPOSE: The *Road Evaluation Report* is intended as a way for an applicant to document the condition of the access road(s) serving the subject property for cannabis projects that require a Conditional Use Permit (CUP), Special Permit (SP), or Zoning Clearance Certificate (ZCC). This report is not intended to be used for any other type of Planning & Building Department permit application. This will enable Public Works staff to determine if the existing roadway network [excluding on-site driveway(s)] is suitable to accommodate the proposed use on the subject property.

In rural areas, a category 4 road is usually adequate for most uses. If the road is paved and has a centerline stripe it is considered by the Department to be a category 4 road. In urban and suburban areas, the road may also need to accommodate other road users (pedestrians, bicycles, equestrians, etc.). When roads meet or exceed this standard, the roadways can typically accommodate increased traffic. This evaluation is accomplished by the applicant completing Part A of the *Road Evaluation Report.*

When the roadways do not meet a category 4 standard, there is a question that road may not be able to accommodate traffic from the proposed use. The goal is to evaluate roads that do not meet road category 4 standards in order to determine if the roads can accommodate increased traffic. This evaluation is accomplished by the applicants engineer completing Part B of the *Road Evaluation Report.*

In lieu of constructing road improvements to meet a category 4 road standard, the Department may approve a *Neighborhood Traffic Management Plan.* A neighborhood traffic management plan may include (but is not limited) the following elements: restricting the times that project traffic will use the road to off-peak hours; combining trips to reduce the volume of project traffic; carpooling to reduce the volume of project traffic; the use of signs and CB radios to coordinate traffic using the road(s); etc. The Department's criteria for approving a *Neighborhood Traffic Management Plan* is based upon site specific conditions; sound engineering judgment; the proposed ADT and DHV of the roads; the need to accommodate other road users (pedestrians, bicycles, equestrians, and other cannabis projects using the road, etc.); and the frequency and quantity of traffic associated with the proposed use. The applicant's Civil Engineer can address this in Part B of the *Road Evaluation Report.*

There may be other cannabis projects that use the same access road(s) as your project. Part B of the *Road Evaluation Report* needs to address the cumulative impacts from your project and all other cannabis projects that will also use the same road(s). There may be benefits of applicants collectively working together with one engineer to complete the *Road Evaluation Reports* for all of the projects.

(continued on next page)

REFERENCES:

- Humboldt County *Road Design Manual*, Chapter 7, Design Standards for Roadway Categories.
- American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤400).*
- American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets* (AKA "Green Book")
- Institute of Transportation Engineers (ITE) *Trip Generation*

INSTRUCTIONS: The *Road Evaluation Report* consists of two parts. The first part (Part A) *may* be completed by the applicant. If the second part (Part B) is needed, it *must* be completed by a Civil Engineer licensed by the State of California. The .pdf version of this document provides fields that can be filled in.

A separate *Road Evaluation Report* is required for each road. **Save Time: before completing these forms consult with the Land Use Division at 707.445.7205 to make sure you are evaluating all of the necessary roads for your project; that other cannabis projects in the vicinity have been included; and to make sure that you understand what is needed.**

Special instructions to the applicant's Civil Engineer in completing Part B:

- Engineer will need to contact the Department for a list of other cannabis projects that may be using all or some of the same roads in the roadway network.
- Engineer will need to determine which of these projects utilize the roads within the same roadway network by personally reviewing the cannabis project applications at the Planning & Building Department. Many of the cannabis project applications are incomplete; therefore the engineer may need to directly contact other applicants to determine how these other cannabis projects will utilize the roads in question.
- Engineer may propose a master plan in which any required roadway improvements are incrementally divided among several cannabis projects. However, the master plan must be designed so that improvements to the road(s) will be adequate when constructed incrementally.

// END //

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

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

Applicant Name: Ancient Truth, Inc. APN: 210-042-003

Planning & Building Department Case/File No.: 10888

Road Name: Ancient Truth Access Road *(complete a separate form for each road)*

From Road (Cross street): CA36

To Road (Cross street): Ancient Truth Driveway

Length of road segment: 1.37 miles Date Inspected: 10/2/2017

Road is maintained by: ☐ County ☒ Other Private
(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.

Signature 10/3/2017 Date

George M. Albert
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.

u:\pwrk_landdevprojects\referrals\forms\road evaluation report form (09-27-2017).docx

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

Road Name: _____ Date Inspected: _____ APN: _____

From Road: _____ (Post Mile _____) Planning & Building Department Case/File No.:

To Road: _____ (Post Mile _____) _____

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

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

   ADT: _____ Date(s) measured: _____

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

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

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

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

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

   A. Pattern of curve related crashes.
   Check one: ☐ No. ☐ Yes, see attached sheet for Post Mile (PM) locations.

   B. Physical evidence of curve problems such as skid marks, scarred trees, or scarred utility poles
   Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

   C. Substantial edge rutting or encroachment.
   Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

   D. History of complaints from residents or law enforcement.
   Check one: ☐ No. ☐ Yes (☐ check if written documentation is attached)

   E. Measured or known speed substantially higher than the design speed of the road (20+ MPH higher)
   Check one: ☐ No. ☐ Yes.

   F. Need for turn-outs.
   Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

3. Conclusions/Recommendations per AASHTO. Check one:

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

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

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

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

(SEAL)

_____ _____

Signature of Civil Engineer Date

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

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DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
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LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Cannabis Planner, Planning & Building Department

FROM: Ken Freed, Assistant Engineer KF

DATE: 9/29/2017

RE: **REQUEST FOR ADDITIONAL INFORMATION FOR PUBLIC WORKS REVIEW**
APPLICATION No. 10888 **; APN** 210-042-003

The Department has received a greater number of projects than can be processed in the time frame provided. The Department is providing the following abbreviated review of the project. **Once the requested information has been provided, please re-refer the project to the Department.**

All boxes that are checked apply.

☑ (1) Prior to the project being presented to the Planning Commission or the Zoning Administrator, it is recommended that the project should be referred to:

☑ Caltrans; ☐ Bureau of Land Mgmt.; ☐ US Forest Service; ☐ City of _____

Prior to the project being presented to the Planning Commission of the Zoning Administrator, the following must be done:

☑ (2) Applicant shall submit a completed Public Works Road Evaluation Report form for each road that is used to access the subject property. The applicant shall provide a "google earth" type map showing the locations of the road being evaluated that is indexed to each Road Evaluation Form. Road evaluations are needed for all roads that access off of STATE HWY 36.

☐ Including _____.

A Road Evaluation Report form is available from the Land Use Division. The Department recommends that the applicant make an appointment with staff to go over the road evaluation process.

☐ The submitted Road Evaluation Form(s) is(are) inadequate. See attached road evaluation report response for comments.

☐ (3) Applicant shall submit a completed Airspace Clearance Form. The subject property is located within the area covered by County Code section 333-1 et seq., the applicant shall submit evidence that the project complies or will comply with County Code.

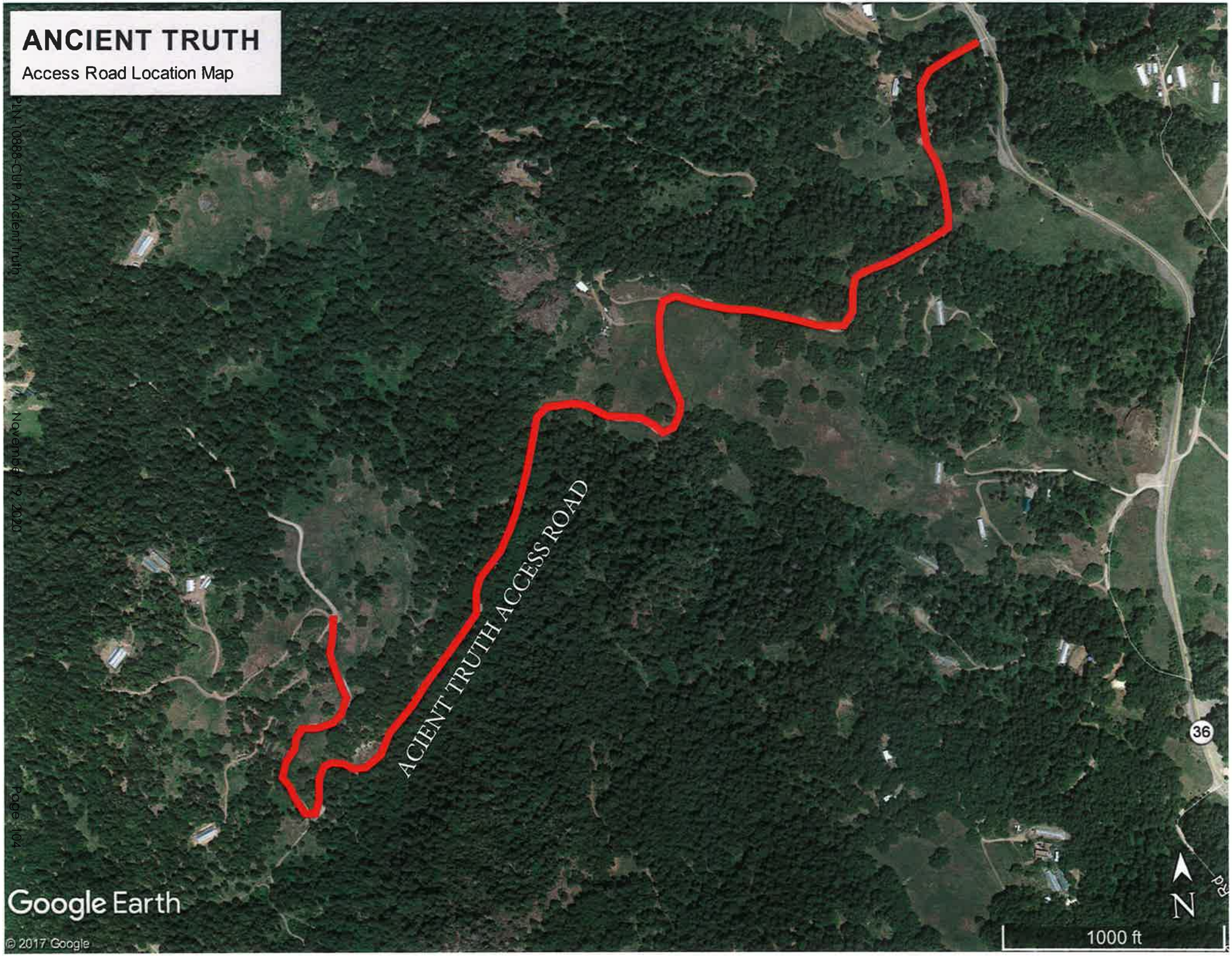
☐ The submitted Airspace Clearance Form is inadequate. See below for comments.

☐ (4) The subject property has deferred subdivision improvements that must be completed. Prior to the project being presented to the Planning Commission or the Zoning Administrator for approval or prior to the issuance of any building permits, whichever occurs first.

\\cty-clark-fs\landuse\pwrk_landdevprojects\referrals\forms\cannabis response (9-01-17).docx

ANCIENT TRUTH

Access Road Location Map



To: Humboldt County
Planning and Building Department
Cannabis Services Department

From: Green Road Consulting
1650 Central Ave
McKinleyville, CA 95519

Subject: **Permit Application No. 10888, Key APN: 210-042-003**

This document has been prepared by Green Road Consulting to constitute a work completion report to resolve expansion violations received by Ancient Truth Inc.

Humboldt County staff's review of aerial imagery shows what appears to be a violation of County Code. An Interim Permit was issued on January 11, 2018 which authorized 20,768 square feet of outdoor cultivation and 16,810 square feet of mixed light cultivation. However, outdoor cultivation areas totaling 27,700 square feet were observed in 2018. Planning Department policy is to levy a fee of twice the Measure S excise tax for the expanded cultivation area. The penalty fee for expansion of 6,900 square feet of outdoor is therefore $13,800. The expanded cultivation must be removed, and the areas remediated and restored.

Remediation

The area which was expanded upon was within the proximity of the permitted cultivation area. The expansion areas had fabric pots placed on the grounds natural slope. The expansion resulted in bare area approximately 3-foot in diameter. The expansion didn't result in any grading or alterations to the natural slope. Figure 1 shows the evidence of expansion which was submitted by Humboldt County in the expansion violation letter. Cultivation areas A, B and D have been removed and remediated since they were unauthorized expansions. Figure 2 is drone imagery from October 18, 2019 which shows the outdoor cultivation area equal to 17,831-feet^2 which is less than the permitted amount of 20,768-feet^2.

The decommissioned areas have been laid with weed free straw to promote stability to the bear areas below the pots while the area revegetates. The spent soil which was in the pots has been consolidated to piles which have straw wattles installed along the base along with a tarp applied to the surface to prevent transport during the wet seasons (Figure 4 & 5).

Monitoring

The spent soil locations shall be monitored after the rain to prevent failure and sediment transport. Upon reopening the site after winter, the soils shall be amended and used, or end hauled off the site to prevent contamination.

Figure 1: Evidence of expanded outdoor cultivation in violation of the Interim Permit.

Figure 2: Cultivation Area imagery 10/18/2019

Figure 3: Cultivation Area D which has been remediated by removing the cultivation containers and appling straw to the bare ground. Plant cages are laid on the flat because of the subtle slope and tree boundary which prevents wind migration.

Figure 4: Spent soil storage located on cultivation area D.

Figure 5: Spent soil pile located at cultivation area B.

Galvanized Box Fans—Direct Drive
Instruction Manual

Model Numbers Covered:

116192, 115237, 116189

Please read and save these instructions. Read carefully before attempting to assemble, install, operate or maintain the equipment described within this manual. Carefully follow all safety information.

Save this manual for future reference.

Model # _____

Purchase Date: _____

Date: 04/27/18
Form: HV0022 Version 3

Getting Started

Tools/Materials Needed:

- Drill/drill bits
- 5/16" nut driver
- Construction screws
- Caulk or sealant

Contents:

- Galvanized box fan(1)
- Instruction manual(1)

Inspection:

After unpacking your fan, carefully inspect for any damage that may have occurred during transit. Inspect for loose, missing or damaged parts. If there is physical damage to any parts of the fan, a freight claim must be filed with the carrier. Check to assure that all bolts, screws and set screws are securely tightened and have not become loose during transit. Retighten as required. Rotate propeller by hand to assure it turns freely.

General Safety Instructions

Danger: ***Before installing or servicing, always lock out and tag power source. Do not rely on a switch as the only means of disconnecting power. Failure to disconnect power can result in fire, electrical shock or serious injury. Motor will restart without warning after thermal protector trips. Do not touch an operating motor as it may be hot enough to cause injury. Do not place any body parts or objects in fan or drive components while fan is connected to a power source.***

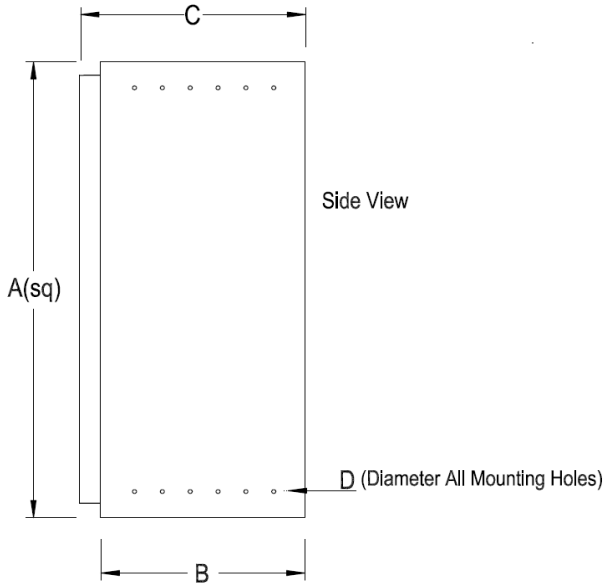
Warning:

1. Read and follow all instructions, cautions, dangers and warnings. Failure to do so could result in personal injury, death or property damage.
2. Make sure the electrical power source conforms to the requirement of the fan(s) as well as local codes.
3. Electrical connections, installation and maintenance must be done by qualified electrical personnel in accordance with all applicable codes and ordinances.
4. Unit must be adequately grounded.
5. To reduce the risk of fire or electrical shock, do not expose this fan to water.
6. Do not touch electrically live components.
7. Free rotation of the propeller is critical. It must not touch any part of the venturi, framework or drive components.
8. Assure that all power cords do not come in contact with any sharp edges, hot surfaces or chemicals. Immediately replace any damaged cords.

Caution: ***OSHA requires OSHA compliant guards when fan is installed within 7ft of the floor or working level.***

Specifications

		Dimension (In.)				Rough-in Opening			
Model	**Prop Dia.**	**A**	**B**	**C**	**D**	**Height**	**Width**	**Ship. Wt**	**Ship. Dims.**
116192	36"	40 1/8	14	-	3/8	40 3/4	40 3/4	118	44x18x47
116189	36"	40 1/8	14	17	3/8	40 3/4	40 3/4	138	48x18x47
115237	48"	52 1/8	17	-	3/8	52 7/8	52 7/8	165	56x20x58



Performance

Model	HP	F.L.A.	Volt.	Ph	Hz	Motor RPM	CFM(115/230v) 0.00" SP	0.05" SP	0.10" SP	0.15" SP	CFM/Watt(115/230v) 0.00" SP	0.05" SP	0.10" SP	0.15" SP	Db 0.00" SP
116192	1/2	5.2/2.8-2.6	115/208-230	1	60	825	11,077	10,217	9,381	8,557	21.1	18.6	16.4	14.5	76
116189	1/2	5.2/2.8-2.6	115/208-230	1	60	825	10,525	9,698	8,910	8,130	20.6	18.2	15.9	14	77
115237	1	11.0/5.5	115/230	1	60	850	18,926	17,481	15,973	14,256	19.9	17.8	15.8	13.7	80

Fan Installation

For framing dimensions, refer to rough-in opening height and width shown in the specifications above.

Position the fan for desired airflow. Air will discharge on the side of the fan facing the propeller.

Assure the fan is fastened securely in the opening to avoid excess “rattling” or vibration using proper fasteners. Fasteners not included.

Refer to motor nameplate for wiring diagram.

Caution: ***Before operating your new fan, check blade for proper torque, check all fasteners for tightness and assure screens and/or shutters are securely in place.***

Maintenance

Periodic maintenance schedules should be set to assure reliability and performance of the fan. This maintenance should included inspection of all fasteners, propeller torque and proper cleaning of the complete fan assembly.

Check for excessive vibration while fan is running.

Periodically inspect and tighten all set screws and hardware.

Assure all mounting hardware, chains, etc. are properly secured.

Motors feature permanently sealed ball bearings and require no further lubrication.

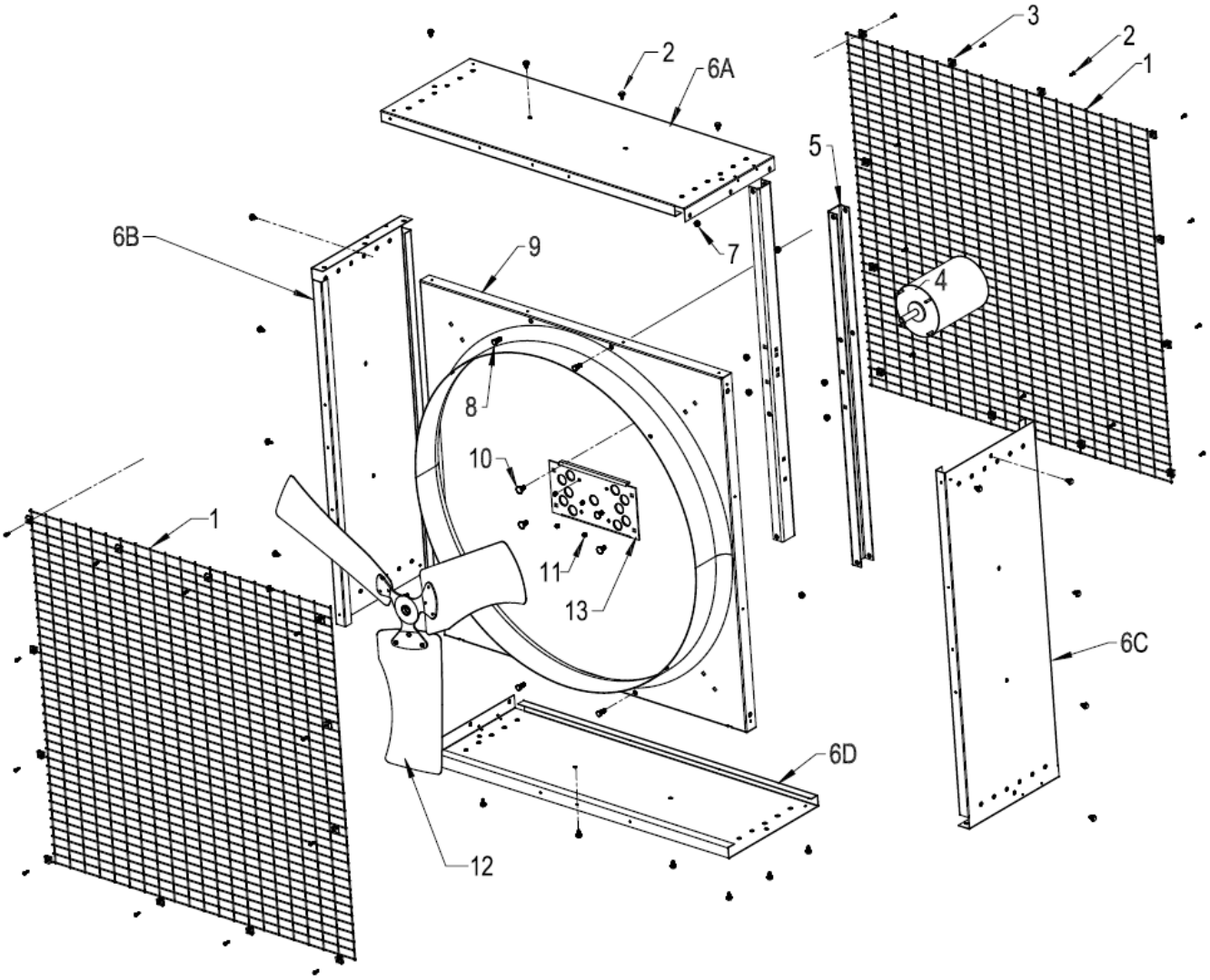
The fan propeller should be periodically cleaned to assure proper balance and performance.

Troubleshooting Guide

Symptom	Possible Cause(s)	Corrective Action
Fan will not start	1. Tripped circuit breaker 2. Defective motor 3. Incorrectly wired 4. Electricity turned off	1. Reset circuit breaker 2. Repair or replace 3. Shut off power, check for proper connections 4. Contact local power company
Excessive noise or vibration	1. Blade is hitting housing 2. Blade is bent 3. Fan not securely anchored 4. Bad/noisy bearings	1. Free blade of obstruction 2. Replace blade 3. Secure properly 4. Replace motor
Insufficient airflow	1. Incorrect voltage applied 2. Defective motor 3. Propeller is damaged 4. Blocked Airflow 5. Not enough intake air 6. Fan is dirty	1. Wire properly 2. Replace motor 3. Replace propeller 4. Remove obstructions 5. Add additional air intake openings 6. Clean fan guards/screens, motor and propeller
Motor overheats or trips out	1. Over/under line voltage 2. Defective motor 3. Fan is dirty. 4. Not enough intake air	1. Contact local power company 2. Replace motor 3. Clean fan guards/screens, motor and propeller 4. Add additional air intake openings

Repair Parts Illustration

Note: Aluminum discharge shutter not shown.



Ref No	Description	116192	116189	115237	Qty
1	Intake & discharge screen	36SCREEN-N	36SCREEN-N	48SCREEN-N	2,1
3	Clip for screen	CLIP-SC	CLIP-SC	CLIP-SC	24
4	Motor	B370-8E	B370-8E	A750-8VE	1
5	Upright frame piece	N/A	N/A	N/A	2
6(A,B,C,D)	Side panel piece	N/A	N/A	N/A	4
9	Venturi panel	N/A	N/A	N/A	1
12	Propeller	9001481	9001481	9001567	1
13	Motor mounting plate	N/A	N/A	N/A	1
-	Alum discharge shutter	N/A	SA36DX	N/A	1

Estimating Sound Levels With the Inverse Square Law

In the real world, the inverse square law is always an idealization because it assumes exactly equal sound propagation in all directions. If there are reflective surfaces in the sound field, then reflected sounds will add to the directed sound and you will get more sound at a field location than the inverse square law predicts. If there are barriers between the source and the point of measurement, you may get less than the inverse square law predicts. Nevertheless, the inverse square law is the logical first estimate of the sound you would get at a distant point in a reasonably open area.

$$\frac{I_2}{I_1} = \left[\frac{d_1}{d_2}\right]^2$$

If you measure a sound level $I_1 =$ 80 dB

at distance

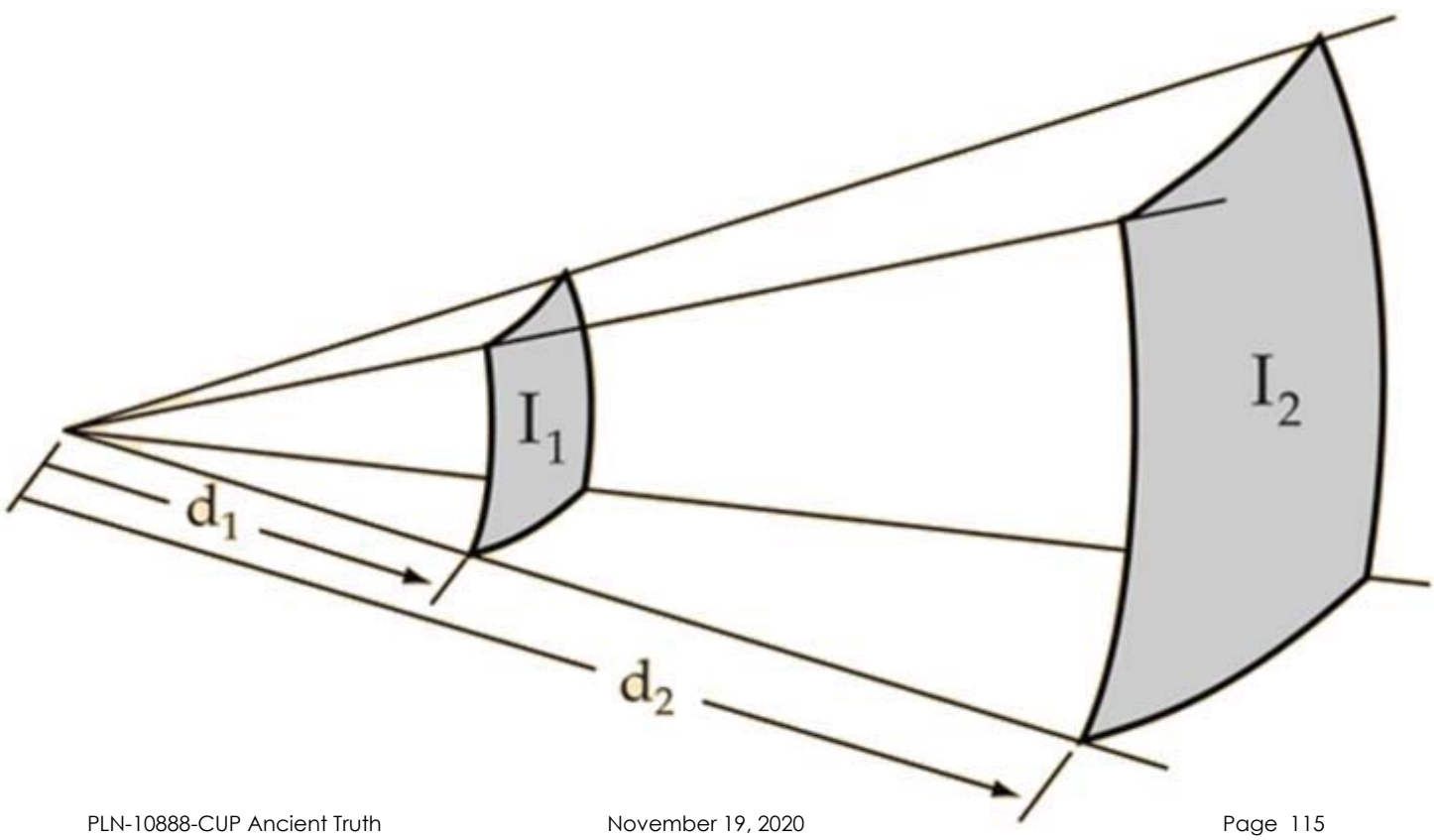
$d_1 =$ 0.3048 m = 1 ft

then at distance

$d_2 =$ 30.48 m = 100 ft

the inverse square law predicts a sound level

$I_2 =$ 40.00000 dB



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
Building Inspection Division	✓	Conditional Approval	Attached
CalFire	✓	Approval	Attached
Department of Fish & Wildlife	✓	Conditional Approval	Attached
Caltrans District #1		No response	
Division Environmental Health	✓	Conditional Approval	Attached
Humboldt County Agricultural Commissioner		No response	
Humboldt County District Attorney		No response	
PW Land Use Division	✓	Conditional Approval	Attached
RWQCB		No response	
Bridgeville Fire Protection District		No response	
Bridgeville School District		No response	
Bear River Band of the Rohnerville Rancheria	✓	Conditional Approval	On file with Planning (confidential)
NWIC	✓	Conditional Approval	On file with Planning (confidential)

HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

TU

RECEIVED
SEP 06 2017
Humboldt County
Planning Division

8/8/2017

PROJECT REFERRAL TO: Building Inspection Division

Project Referred To The Following Agencies:
Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, Supervising Planner, Current Planning Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Bridgeville School District School District, Bridgeville Fire Protection District Fire Protection District

---

Applicant Name Ancient Truth Inc **Key Parcel Number** 210-042-003-000

Application (APPS#) 10888 **Assigned Planner** () - **Case Number(s)** CUP16-099

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 8/23/2017

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: 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: _____

DATE: 8/29/17 PRINT NAME: Ian Mion

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.: 44316
Parcel No.: 210-042-003
Case No.: 10888

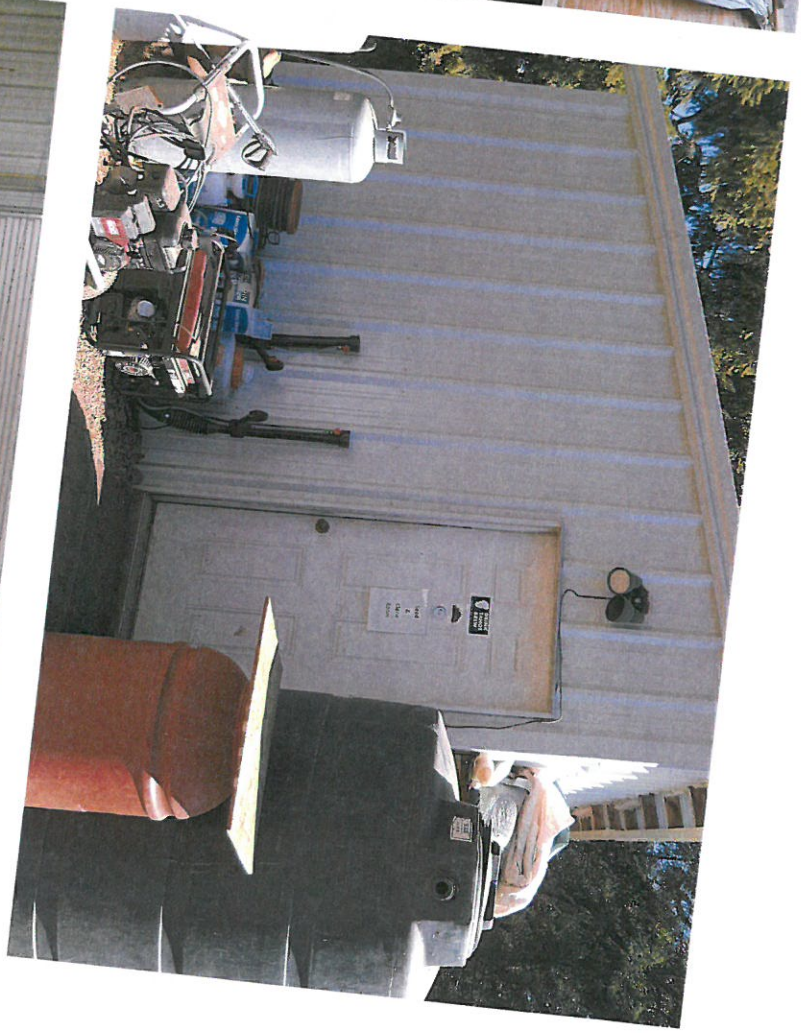
The following comments apply to the proposed project, (check all that apply).

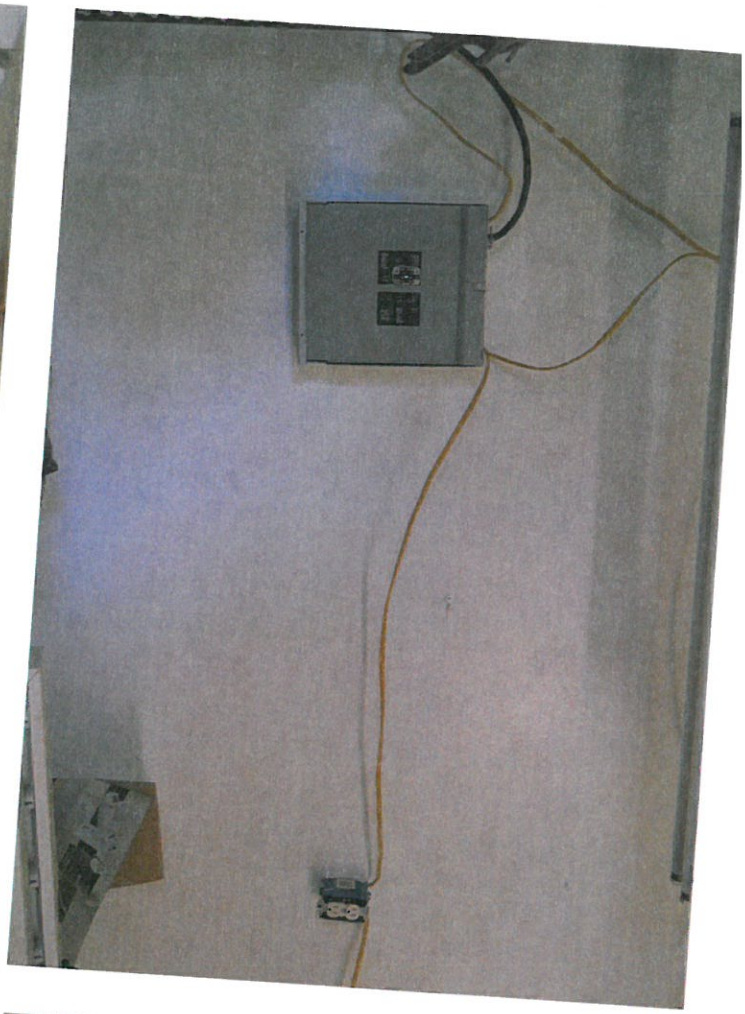
- ☒ Site/plot plan appears to be accurate.
- ☐ Submit revised site/plot plan showing all of the following items: all grading including ponds and roads, location of any water course including springs, all structure including size and use and all setbacks from the above stated to each other and property 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.
- ☒ Recommend approval based on the condition that all required grading, building, plumbing electrical and mechanical permits and or Agricultural Exemption are obtained.
- ☐ Other Comments:_____

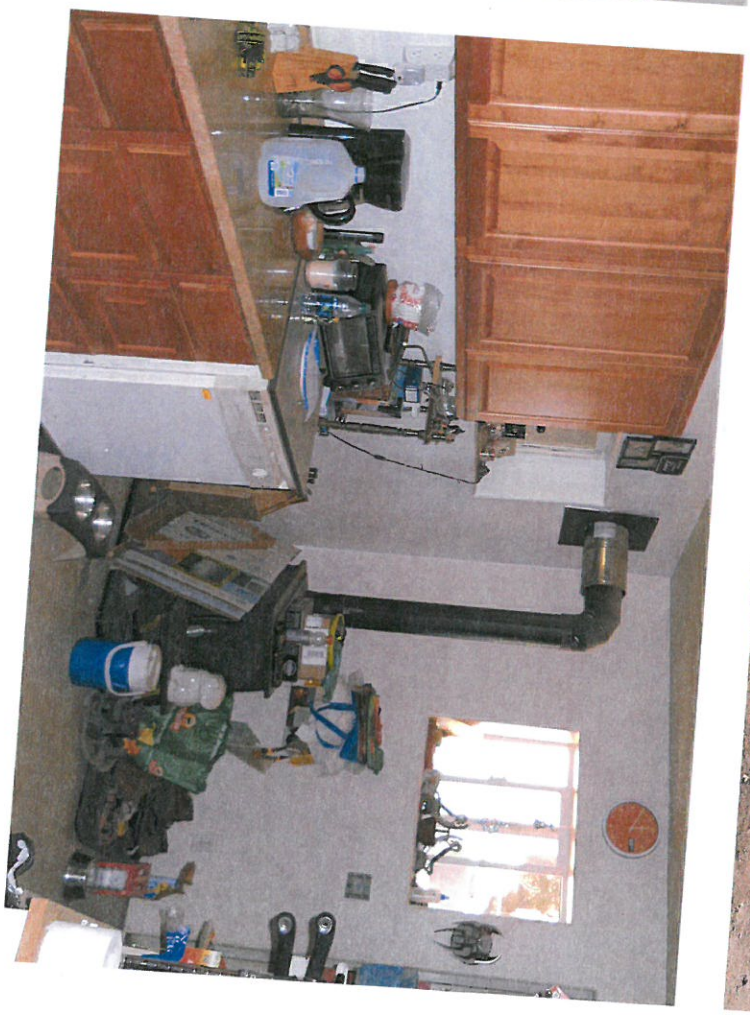
Name: Ian Mich Date: 8/29/17

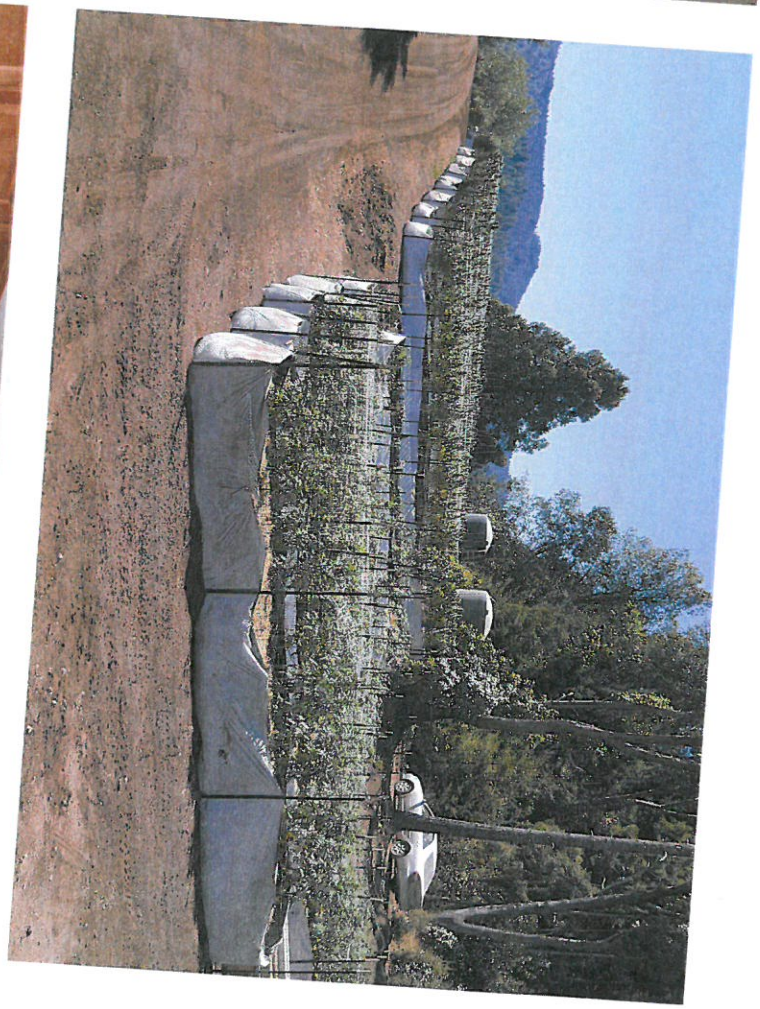
Note: Remember to take photographs and then save them to the Planning's case number. File location J, Current Planning, Projects,(CUP, SP, ZCC) Case number.

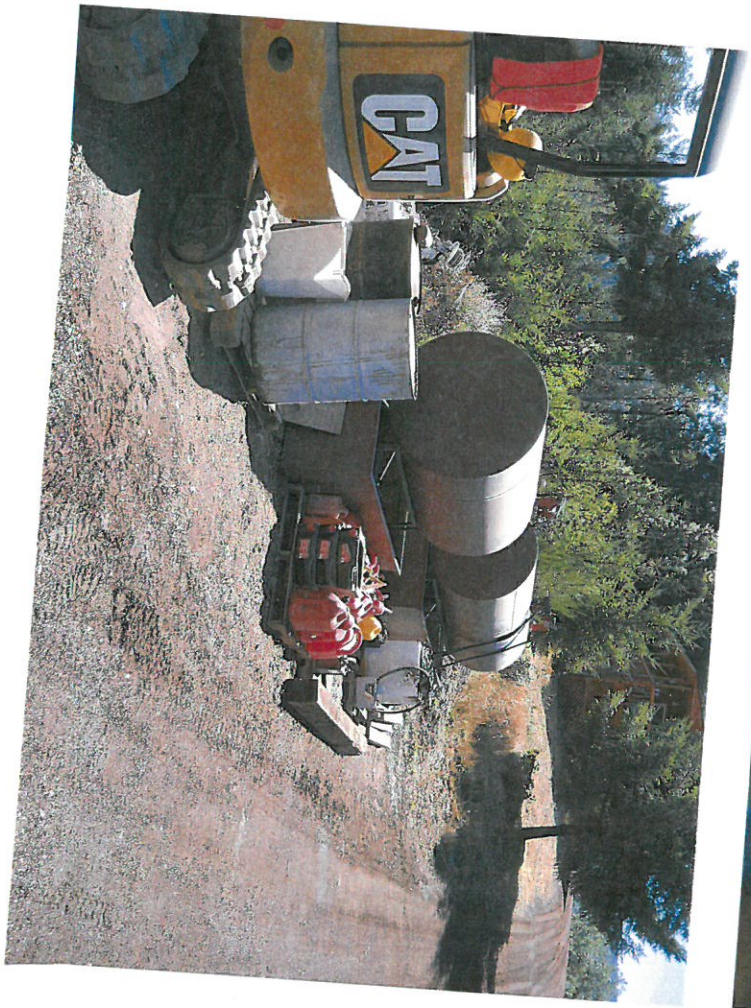
HUGHES







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HANGAR
HOUSE
WELL PUMP

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Humboldt – Del Norte Unit
118 Fortuna Blvd.
Fortuna, CA 95540
Website: www.fire.ca.gov
(707) 726-1272

RECEIVED
AUG 10 2017
Humboldt County
Planning Division

Ref: 7100 Planning
Date: August 10, 2017

John Ford, Director
Humboldt County Planning and Building Department – Planning Division
3015 H Street
Eureka, CA 95501

Attention: Cannabis Planner (CPOD)
Applicant: Ancient Truth, Inc.
APN: 210-042-003-000
Area: Dinsmore
Case Numbers: CUP16-099

Humboldt County Application #: 10888
Type of Application: Conditional Use Permit
Date Received: 8/9/2017
Due Date: 8/23/2017

Project Description: A Conditional Use Permit for 22,000 square feet of mixed-light, 43,560 square feet of outdoor, and 5,000 square feet of indoor commercial medical cannabis cultivation. Irrigation is provided by an existing water well, and 175,300 gallons of water are used annually. Processing occurs within an existing shop building on-site, and includes drying, machine and hand trimming, curing and storing. An estimated six (6) to twenty (20) (max) employees are required for the operation. Power is currently provided by four (4) generators, and the Applicant proposes future electricity to be provided by Pacific Gas and Electric.

Mr. Ford,

The California Department of Forestry and Fire Protection (CALFIRE) provides these standard project review comments on the above noted project for the following subject matter:

-Fire Safe
-Resource Management
-Cannabis

The following pages address these concerns directly.

If CALFIRE staff develops additional comment on this project, it will be forwarded in an additional response letter.

By: Planning Battalion
CALFIRE Humboldt – Del Norte Unit

For ***Hugh Scanlon***, Unit Chief

FIRE SAFE

General:
CALFIRE has responsibility for enforcement of Fire Safe Standards as required by Public Resources Code (PRC) 4290 and 4291. However CALFIRE is not the lead agency in planning development and project permitting. CALFIRE provides input as a contributing agency, generally limited to plan review, and is not the approving agency for these projects.

Local Responsibility Areas:
Should this project include Local Responsibility Area (LRA) lands, CALFIRE has no direct fire safe input on those parcels. However, in those areas with LRA parcels adjacent to State Responsibility Area (SRA) land, CALFIRE recommends that local standards be applied that are consistent with those CALFIRE makes for SRA lands.

State Responsibility Areas:
Should this project include State Responsibility Area (SRA) lands, the following are CALFIRE's Fire Safe minimum input and recommendation for any and all development.

1. In Humboldt County, developments must meet minimum fire safe standards by constructing the project in conformance with County Fire Safe Ordinance 1952, which the California Board of Forestry and Fire Protection has accepted as functionally equivalent to PRC 4290. The County Fire Safe Ordinance provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space.

2. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas shall comply with the 2007 California Building Code (CBC) Section 701A.3.2. This requires roofing assemblies, attic and eve ventilation, exterior siding, decking and deck enclosure, windows and exterior doors, and exposed under floor areas that are approved "ignition resistive" in design.

3. All development, especially commercial or industrial development, should be designed to comply with the most current versions of the following standards:
   a) California Fire Code (CFC) — for overall design standards
   b) Public Utilities Commission (PUC) General Order 103 — for design of water systems
   c) National Fire Protection Association Standards (NFPA) for fire flow minimums and other design questions not specifically covered by CFC and PUC
   d) Housing and Community Development Codes and Standards —for mobile home parks and recreational camps

4. For Department of Real Estate reporting purposes, fire protection coverage in SRA is generally described as follows:
   During the declared fire season (usually June through October) CALFIRE responds to all types of fires and emergencies in SRA.
   During the remainder of the year (winter period), CALFIRE responds to emergency requests with the closest available fire engine, if a response can reasonably be expected to arrive in time to be effective. A fire engine is usually available somewhere in the Unit, but may have an extended response time.
   There are many hazards confronting fire protection agencies in most subdivisions on SRA lands. Steep terrain and heavy wildland fuels contribute to fire intensity and spread. The distances from fire stations and road grades encountered usually create an excessive response time for effective structure fire suppression purposes.
   Subdivisions increase fire risks from additional people and increase probable dollar losses in the event of fire due to added structures and improvements.

5. If the project expects to produce densities consistent with a major subdivision, the impacts on all infrastructures should be mitigated. Local government more appropriately provides the responsibility for high-density area protection and services. Annexation or inclusion into Local Responsibility Area should be studied as well.

6. CALFIRE does not support development in areas where there is no local agency fire service for structure fires and emergency medical response. Fire services should be extended into service gap areas as a condition of development. New development can adversely impact existing fire services. Careful consideration must be given where development may overload the local fire service's ability to respond.

RESOURCE MANAGEMENT

CALFIRE has enforcement responsibility for requirements of the Z'berg—Nejedly Forest Practice Act of 1973. CALFIRE is also the lead agency for those parts of projects involving the scope of the Forest Practice Act. The following basic input will cover the majority of projects. Each project will be reviewed with additional input sent at a later date, if needed.

The following comments reflect the basic Resource Management policies of the Board of Forestry and Fire Protection and CALFIRE on CEQA review requests. These policies apply to both Local and State Responsibility Areas.

1. If this project reduces the amount of timberland, by policy, the Board of Forestry and CALFIRE cannot support any project that will reduce the timberland base of California. "Timberland" means land which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees regardless of current zoning (PRC 4526). However, if the zoning and intended use are consistent with the county's general plan; and if no land other than timberland can be identified to site the project; then CALFIRE may choose not to oppose the project.

2. If **any** commercial timber operations are involved with a project, the timber operations cannot be conducted without a CAL FIRE permit. Commercial timber operations include the cutting or removal of trees offered for sale, barter, exchange, or trade or the conversion of timberlands to land uses other than the growing of timber (PRC 4527). Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.

3. If **any** timberlands are being converted to a non-timber growing use by this project, the conversion operations cannot be conducted without a CAL FIRE permit (PRC 4621). Conversion of timberland takes place when trees are removed and the land use changes, even without the sale, barter, exchange, or trade of the trees. Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.

4. If timberland is in the viewshed of a project, the current and future owners should be overtly notified that changes will occur to their views due to timber management activities. Further, no project should be allowed to negatively affect access to timberland for timber management purposes; neither on the project parcel(s) nor any other timberland parcels.

5. If timber harvesting has occurred and post-harvest restocking and prescribed erosion control maintenance obligations have not been met on a parcel, future owners should be overtly notified (14 CCR 1042). The current owner of a parcel is responsible for restocking requirements and maintenance of roads whether or not they were involved in the actual harvest plan.

6. If the project involves the development of parcels zoned as Timber Production Zone (TPZ), CALFIRE cannot support the project. Dividing TPZ land into parcels of less than 160 acres requires a Joint Timber Management plan prepared by a Registered Professional Forester (RPF), recorded as a deed restriction for a minimum of 10-years on all affected parcels, and approved by a four – fifths vote of the full board (Govt. Code 51119.5). TPZ may be rezoned using a "Ten Year Phase Out," which precludes the need for a Timberland Conversion Permit. CALFIRE opposes immediate rezoning of TPZ land.

Cannabis

General:
CALFIRE has responsibility for enforcement of Fire Safe Standards as required by Public Resources Code (PRC) 4290 and 4291.CALFIRE is not the lead agency in planning development and project permitting. However, CALFIRE provides comment as an emergency response expert agency, generally limited to plan review, and is not the approving agency for these projects.

Local Responsibility Areas:
Should this project include Local Responsibility Area (LRA) lands, CALFIRE has no direct fire safe input on those parcels. However, in those areas with LRA parcels adjacent to State Responsibility Area (SRA) land, CALFIRE recommends that local standards be applied that are consistent with those CALFIRE makes for SRA lands. Also CAL FIRE is the primary command and control dispatch, for most local agency fire districts and departments.

State Responsibility Areas:
Should this project include State Responsibility Area (SRA) lands, the following are CALFIRE's minimum input.

1. Agricultural cannabis growing operations medicinal or commercial shall have an easily accessible material safety data sheet (MSDS) or safety data sheet (SDS) for all chemicals and hazardous materials on site. Posted (NFPA 704) Placard clearly visible to emergency responders

2. California code of regulations Health and Safety (CCR 11362.769.) Indoor and outdoor medical marijuana cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters. State agencies, including, but not limited to, the State Board of Forestry and Fire Protection, the Department of fish and Wildlife, the State Water Resources Control Board, the California regional water quality control boards, and traditional state law enforcement agencies shall address environmental impacts of medical marijuana cultivation and shall coordinate, when appropriate, with cities and counties and their law enforcement agencies in enforcement efforts.

3. International Fire Code (N101.1 Scope) Marijuana growing and extraction shall be in accordance with this chapter, of the International Building Code, and the International Mechanical Code. Cryogenic fluids shall comply with Chapter 55. Compressed gases shall comply with Chapter 53. Flammable and combustible liquids shall comply with Chapter 57. Hazardous materials shall comply with Chapter 50. LP-gas shall comply with Chapter 61 and the International Fuel Gas Code. All applicable California State Fire Marshal standards and regulations for the designated occupancy must be met.

4. Growing marijuana and the extracting of oils
Extraction of marijuana oils; All materials hazardous and non-hazardous associated with the extraction process shall be utilized in conformance of the law and fire safe codes.

Laney, Megan

From: HUU CEQA@CALFIRE <HUUCEQA@fire.ca.gov>
Sent: Thursday, August 17, 2017 9:06 AM
To: Planning Clerk
Subject: FW: APN 210-042-003-000 Ancient Trust, Inc.

From: Janssen, David@CALFIRE
Sent: Thursday, August 10, 2017 3:23 PM
To: HUU CEQA@CALFIRE <HUUCEQA@fire.ca.gov>
Cc: Titus, Lucas@CALFIRE <Lucas.Titus@fire.ca.gov>; Meyers, Tim@CALFIRE <Tim.Meyers@fire.ca.gov>
Subject: APN 210-042-003-000 Ancient Trust, Inc.

It appears an illegal conversion has occurred on this property. CAL FIRE cannot support this CEQA project.

Please seek consultation from a Registered Professional Forester (RPF) or contact your nearest Resource Management office for guidance.

File passed to B1213 on 8-10-2017

RECEIVED
NOV 14 2017
Humboldt County
Planning Division

From: O"Neill, Christina
To: Planning Clerk
Subject: FW: APN# 210-042-003, App#10888
Date: Wednesday, November 08, 2017 1:22:14 PM

Please post this as a referral response. See "Cal Fire – Timber Conversion Report" in On Track.

Thank you ☺

Christina

From: Imperiale, Rhett@CALFIRE [mailto:Rhett.Imperiale@fire.ca.gov]
Sent: Wednesday, November 08, 2017 12:14 PM
To: O'Neill, Christina <coneill@co.humboldt.ca.us>; Schaeffer, Mara <Mara.Schaeffer@fire.ca.gov>
Subject: APN# 210-042-003, App#10888

Christina,
I have reviewed the comprehensive evaluation of mitigation and findings prepared for the landowner by RPF Thomas Blair regarding the small lees than one acre unpermitted conversion from several years ago. I have concluded that the mitigation of slash disposal and treatment is acceptable and appropriate based on the conditions and information provided. Cal Fire has no additional recommendations or comments. This email serves as official response within the ten day period of review.

Regards,

Rhett Imperiale
Division Chief
Forest Practice Bureau
Peace Officer #1864, RPF #2697
Department of Forestry and Fire Protection
CAL FIRE
Humboldt-Del Norte Unit
118 Fortuna Blvd
Fortuna, CA 95540
Cellular (707) 599-6552

California Department of Fish and Wildlife
CEQA Referral Checklist

Applicant: Ancient Truth Inc.		Date: 11/30/2018	
APPS No.: 10888	APN: 210-042-003	DFW CEQA No.: 2017-0433	Case No.: CUP16-099, SP17-129
☐ New ☒Existing	☒ Mixed-light (SF): 22,000	☒ Outdoor (SF): 43,560	☒ Indoor (SF): 5,000

Thank you for referring this application to the California Department of Fish and Wildlife (CDFW) for review and comment.

CDFW offers the following comments on the Project in our role as a Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code Section 21000 *et seq*.). These comments are intended to assist the Lead Agency in making informed decisions early in the planning process.

☐ Recommend Approval. The Department has no comment at this time.

☐ Recommend Conditional Approval. Suggested conditions below.

☒ Applicant needs to submit additional information. Please see the list of items below.

☐ Recommend Denial. See comments below.

Please note the following information and/or requested conditions of approval:

☒ The applicant submitted a Notification of Lake or Streambed Alteration (LSA#: EPIMS-01770-R1).

☒ Aerial imagery suggests that the cultivation area, prior to January 1, 2016, was approximately 17,000 square feet. CDFW requests, prior to Project approval, a copy of the County Cannabis Area Assessment (CAV) and that the applicant provide substantial evidence, of existing cannabis on the parcel, prior to the cutoff date, or that the application be reconsidered for Project approval

☒ The Project proposes to utilize mixed-light cultivation within Northern Spotted Owl (*Strix occidentalis caurina*, a State- and Federally-Threatened species) occupied habitat. CDFW requests that no mixed-light cultivation methods be permitted. CDFW requests, prior to consideration of Project approval, protocol level surveys (two-year) by an experienced wildlife biologist, to determine whether the area has NSO presence. Prior to survey completion, CDFW requests that the applicant assume presence and avoid impacts as determined by a qualified biologist, in consultation with CDFW. CDFW further requests that proof of mixed-light use prior to the CEQA baseline be provided.

☒ Water for this Project is sourced from a groundwater well. CDFW requests that the groundwater well be inspected annually to evaluate drawdown, and the potential for the well to go dry. This evaluation should include a standard pump test to be conducted during the dry season. Evaluation of the pump test results should be conducted by a licensed professional with expertise. Since the County is the lead agency on land use and associated groundwater well use and management, planning staff should evaluate the location and water use of other proximal wells to this Project

and require storage as necessary to avoid excessive aquifer drawdown. CDFW recommends additional water storage at this site in the event that the well does not produce in perpetuity.

☒ Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.

☒ 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.

☒ The environmental impacts of improper waste disposal are significant and well documented. CDFW requests, as a condition of Project approval, that all refuse be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.

☒ Human induced noise pollution may adversely affect wildlife species in several ways including abandonment of territory, loss of reproduction, auditory masking (inability to hear important cues and signals in the environment), hindrance to navigation, and physiological impacts such as stress, increased blood pressure, and respiration. To avoid disturbance, CDFW requests, as a condition of project approval, the construction of noise containment structures for all generators parcel; noise released shall be no more than 50 decibels measured from 100ft.

☒ If the project proposes future ground disturbing activities, include protocol level surveys, conducted by a qualified botanist, for any California Rare Plant Ranked Species that may be present within 200 feet of the proposed project site. See: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline=1

☒ This project has the potential to affect sensitive fish and wildlife resources such as Northern Spotted Owl (*Strix occidentalis caurina*), Foothill Yellow-legged Frog (*Rana boylii*), and amphibians, reptiles, aquatic invertebrates, mammals and birds.

Thank you for the opportunity to comment on this Project. Please send all inquiries regarding these comments to kalyn.bocast@wildlife.ca.gov .

Please confirm that you have received this email.

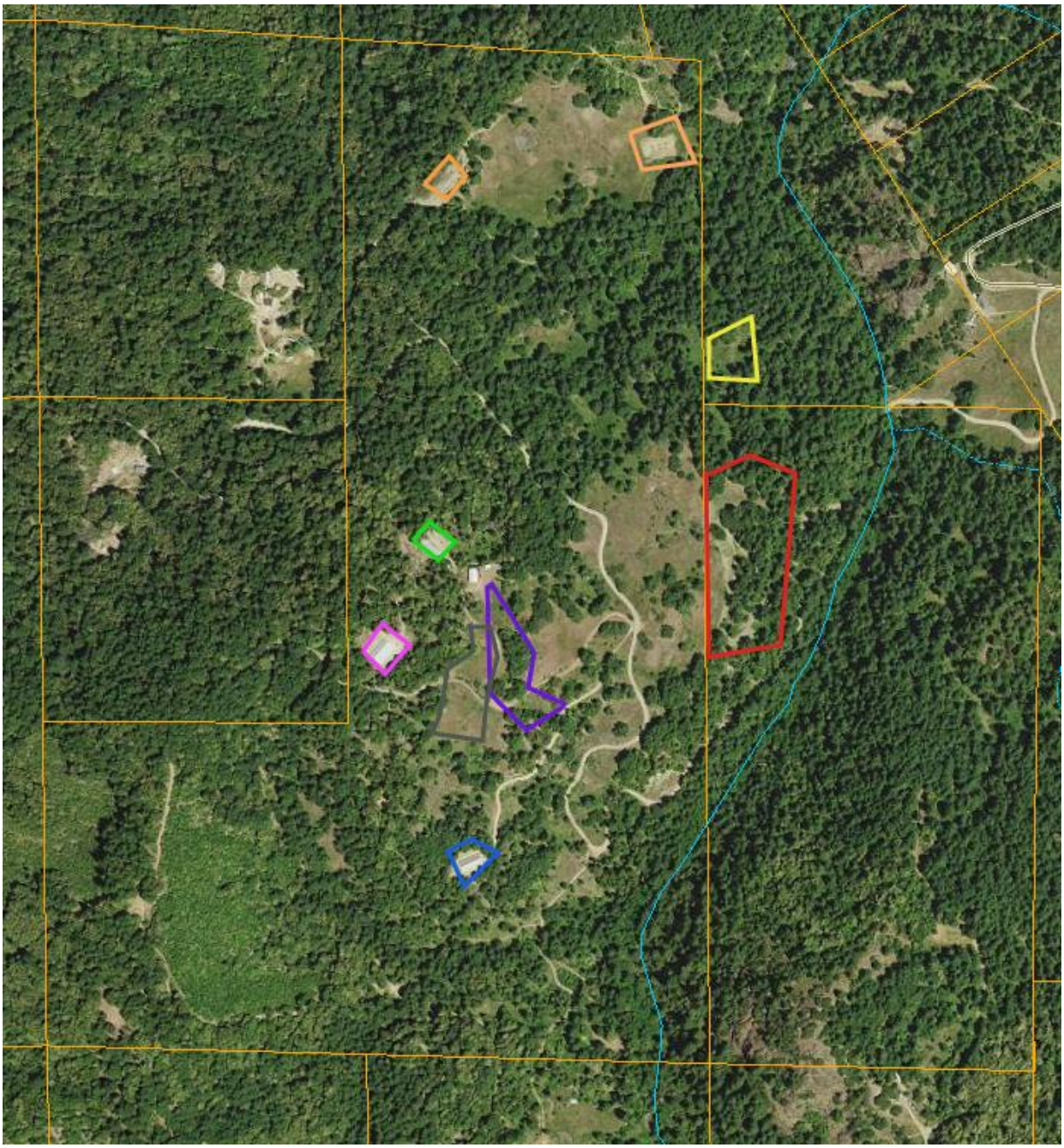
Sincerely,

California Department of Fish and Wildlife
619 2nd Street
Eureka, CA 95501

To Whom It May Concern:

This letter serves as additional comments for the proposed County cannabis cultivation application No. 10888 located on APN: 210-042-003 in the Little Larabee Creek watershed. Previous comments may be inconsistent with what is described in this letter in light of new information and recent onsite observations.

Figure 1. Screenshot of 2014 aerial imagery. See notes associated with colored polygons below.



Upon further review of aerial imagery, it appears that the largest cultivation year was 2013, not 2014 as indicated by the County Cultivation Area Verification (CAV). In addition, onsite measurements suggest that many numbers outlined in the CAV are in error and should be revisited. Above is a screenshot of the subject parcel with notes delineated by color that correspond to areas outlined in the CAV. Notes are based on a combination of aerial imagery analysis, onsite observations, and additional information provided by the County post site visit inspection.

Red: It appears cannabis was not cultivated at this location in 2014 (imagery from May, July, and August 2014) cultivation materials appear to be from prior cultivation activity in 2013. In addition, it looks like this area may be off parcel. If confirmed to be off parcel, it may indicate that Area 1, Site 2 may be off parcel.

Orange: It appears cannabis was not cultivated at this location in 2014 (imagery from May, July, and August 2014) cultivation materials appear to be from prior activity in 2013. Imagery from August of 2013 suggests that cannabis plants may not have been cultivated at this location. Invasive yellow star thistle (*Centaurea solstitialis L*.) and teasle (*Dipsacus laciniatus*), were documented at the upper of the two cultivation sites, Area 7, Site 1. These invasive plants appear to have been brought in by the use of untreated straw mulch. CDFW requests that the applicant immediately engage in efforts to remove these invasive species, and conduct on-going monitoring of the site to prevent further establishment of invasive species.

Yellow: CAV Area 7, Site A. It appears cannabis was not cultivated at this location in 2014 (imagery from May, July, and August 2014) cultivation materials appear to be from prior activity in 2013. Imagery from August of 2013 suggests that cannabis plants may not have been cultivated at this location.

Green: Onsite measurements of CAV Area 1, Sites 5 and 6 were slightly less than the area indicated in the CAV, however, only by approximately 100ft. Onsite observations indicate that the greenhouses are situated on a graded flat that consists largely of imported spent potting soil as fill material (see photo below). The fill material (potting soil) is failing and has the potential to discharge into downslope watercourses. Trash was also observed to be scattered in the woods nearby this cultivation location. CDFW requests that cultivation waste material, including imported soil fill material be addressed immediately and properly disposed of at a designated waste management facility.

Figure 2. Photo of imported soil as fill material for graded cultivation flat.

Blue: CAV Area 1 Site 1, consists of a greenhouse with an onsite measurement of 4,000SF (not 6,000SF as the CAV indicates). Upon site review, it was observed that the access road to Area 1 Site 1 (labeled in the CAV) is poorly maintained and is contributing sediment to downstream watercourses. This road should be brought up to standard or decommissioned in conjunction with relocation of cultivation to a more appropriate location off parcel. The cultivation site contained significant cultivation waste that was not properly disposed of along with additional outdoor cultivation not previously cultivated Prior to the CEQA baseline.

Purple: CAV Area 2 of the CAV consists of cultivation locations labeled letter A through D. It appears that the only site that was in existence previously was site B and consisted of approximately 13,000SF of cannabis cultivation. Sites A, C, and D show no evidence of cannabis cultivation at any point in time.

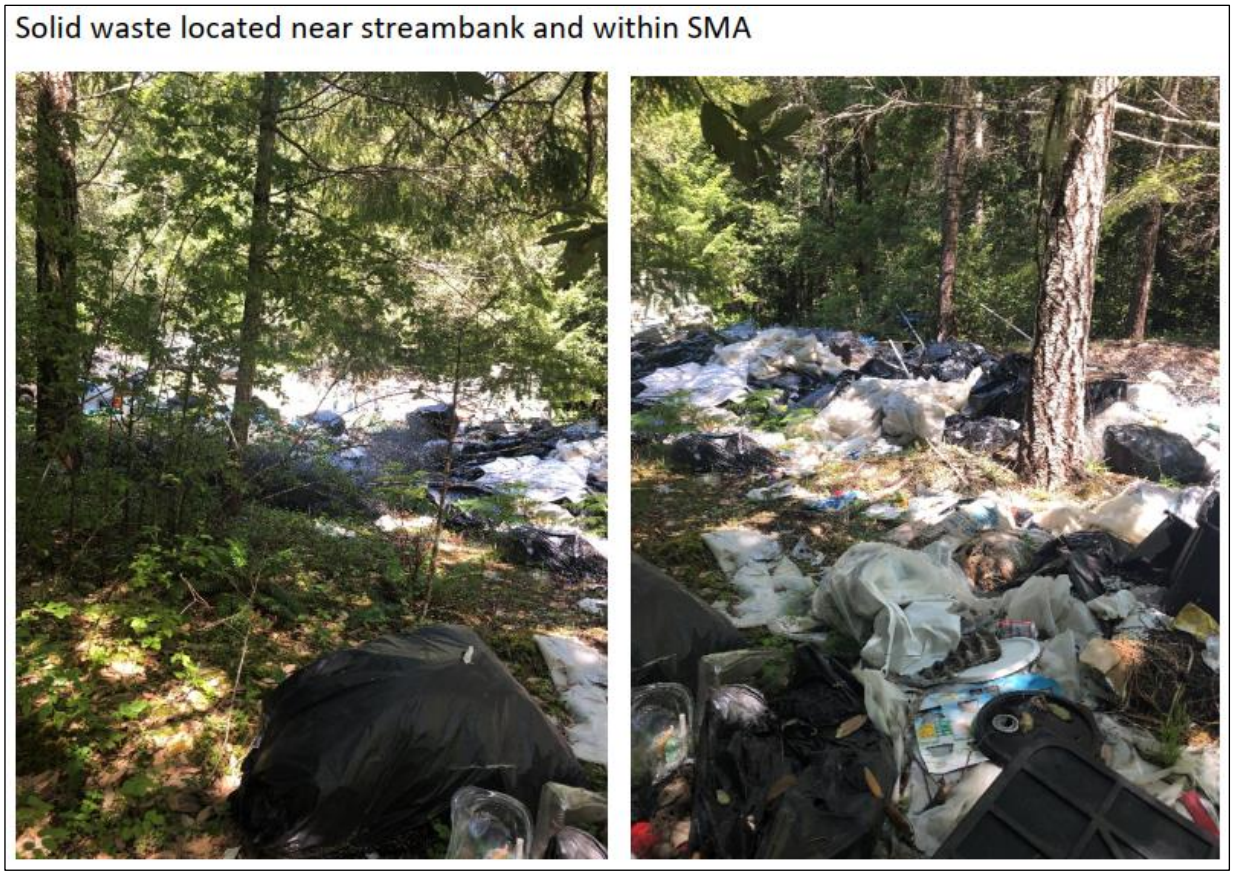
Pink: CAV Area 1, Site 2 consists of a greenhouse with an onsite measurement of 3,000SF (not 5,500SF as the CAV indicates). Substantial trash, cultivation waste, and spent potting soil were discarded in multiple areas downslope of the cultivation area. Waste appeared to be from multiple cultivation seasons including material from recent (2019) cultivation cycles.

Grey: This cultivation area, established post CEQA baseline (expansion), contains several delineated wetland features downslope of the current cultivation operations. Cultivation is situated on steep slopes and may contribute nutrients and sediment to downslope wetland features during wet weather events.

Cultivation waste (including plastic netting material) and spent soil was observed to be discarded into the woods on the perimeter of the cultivation sites and in close proximity to a Class III watercourse. Spent potting soil also appeared to be spread as a ground cover downslope of the active cultivation area. CDFW recommends that all cultivation and associated waste, including spent potting soil, be removed immediately and prior to consideration of project approval and that all disturbed slopes be managed with erosion control best management practices (BMP's). CDFW requests that all reseeding (if applicable) include grass seeds locally native to the area and that all straw or straw waddles be free of invasive weeds.

Onsite observations indicate that cultivators have a history of mismanaged waste, including disposal within the Streamside Management Area (see pictures below) and continue to cultivate in a manner inconsistent with the protection of water quality and wildlife habitat. In addition, generators used for cultivation appeared to be improperly contained, and may contribute substantial noise pollution to the surrounding environment. Provided the rural nature of the site, these items are of great concern and should be addressed immediately.

Figure 3. Photographs from Biological assessment Report indicating waste disposed in the SMA.



This parcel contains substantial nesting and roosting habitat for northern spotted owl (*Strix occidentalis caurina*; NSO). In addition, NSO critical habitat and NSO observations have been recorded within 1-mile of the site. Provided the circumstances, the proposed Project (existing) may have a potentially

significant adverse effect on biological resources, specifically Northern Spotted Owl (Strix occidentalis caurina; NSO). Consistent with CEQA Guidelines, Section 15380, Northern Spotted Owl (NSO) has been identified as a threatened species pursuant to the federal Endangered Species Act (16 U.S.C. § 1531 et seq.) and under the California Endangered Species Act (Fish & G. Code, § 2050 et seq.) qualifies it as an endangered, rare, or threatened species under CEQA. The Project proposes to utilize mixed-light (artificial light and fans in greenhouse structures) cultivation within NSO occupied habitat. Mixed-light cultivation methods allow for an extension of the growing season which increases the period of overlap between cultivation operations and the NSO breeding season. Components of mixed-light cultivation methods, such as artificial light, may disrupt nocturnal foraging and nesting of NSO through disorientation as well as decreased activity of prey species (Brown et al. 1988, Longcore and Rich 2004, 2016). Noise from road use, generators, fans, and other equipment may disrupt hunting of NSO, which primarily use hearing to hunt. Also, exposure to vehicle noise has been shown to increase stress hormone levels in NSO, which a recent study found was particularly evident in males during times when they were exclusively responsible for feeding their mates and nestlings (Hayward et al. 2011).

CDFW requests that the applicant assume presence and avoid impacts as determined by a qualified biologist, in consultation with CDFW. Avoidance measures include, but are not limited to, a decrease in the cultivation area to be consistent with what existed in 2013 and the prohibition of generators, project lighting and fans, including those used in ancillary structures (e.g. nurseries) during the breeding season (February 1 to July 9). Following the breeding season, CDFW requests the succeeding measures, as conditions of Project approval:

- A Noise Attenuation Plan be submitted, approved (in consultation with CDFW), and implemented prior to the use of generators and fans as applicable to the Project; noise released shall be no more than 50 decibels measured from 100ft or edge of NSO habitat whichever is closer.

- A Light Attenuation Plan be submitted, approved (in consultation with CDFW), and implemented prior to the use of lights as applicable to the Project; artificial light used for cannabis cultivation operations (including ancillary nurseries) shall be fully contained within structures such that no light escapes (e.g., through automated blackout curtains) between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular and nocturnal wildlife. CDFW further requests, that security lighting be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.

- That additional timber removal be prohibited within 150ft of the designated cultivation sites.

- CDFW seeks a response from Humboldt County Planning Department regarding the outcome of these requests.

If recommendations outlined in this letter cannot be implemented, prior to the onset of cannabis cultivation in 2020, CDFW recommends that this project as proposed be denied and alternatively be subject to the RRR program. If the County elects to move this project forward, CDFW requests that

CDFW standard recommended conditions of approval be incorporated as part of this project along with recommendations outlined above.

Thank you for the opportunity to comment on this Project. Please send all inquiries regarding these comments to kalyn.bocast@wildlife.ca.gov.

Sincerely,

California Department of Fish and Wildlife
619 2nd Street
Eureka, CA 95501

HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

RECEIVED
OCT 10 2017
Humboldt County
Planning Division

DEH received
8-8-17

PROJECT REFERRAL TO: Health and Human Services Environmental Health Division

17/18-0232

Project Referred To The Following Agencies:
Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, Supervising Planner, Current Planning Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Bridgeville School District School District, Bridgeville Fire Protection District Fire Protection District

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Applicant Name Ancient Truth Inc **Key Parcel Number** 210-042-003-000

Application (APPS#) 10888 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-099

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

We have reviewed the above application and recommend the following:

Conditional Approval

DISTRIBUTED

Comments:
DEH recommends approval with the following conditions:
(1)**No processing can be approved** until an acceptable site suitability report can establish potential for onsite waste treatment system.
(2)**An invoice, or equivalent documentation, is provided to DEH** to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to reissuance of annual permit.

*This review and recommendation is for the Land Use aspects of the planning project and does not include or imply compliance with all DEH programs. Although DEH recommends the approval of the Planning project, Solid Waste and HazMat Program requirements need to be addressed directly with staff from those programs.

2746

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596
AVIATION 839-5401

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

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

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

RECEIVED
OCT - 2 2017
Humboldt County
Planning Division

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Cannabis Planner, Planning & Building Department

FROM: Ken Freed, Assistant Engineer KF

DATE: 9/29/2017

RE: REQUEST FOR ADDITIONAL INFORMATION FOR PUBLIC WORKS REVIEW APPLICATION No. 10888 **; APN** 210-042-003

The Department has received a greater number of projects than can be processed in the time frame provided. The Department is providing the following abbreviated review of the project. **Once the requested information has been provided, please re-refer the project to the Department.**

All boxes that are checked apply.

☑ (1) Prior to the project being presented to the Planning Commission or the Zoning Administrator, it is recommended that the project should be referred to:

☑ Caltrans; ☐ Bureau of Land Mgmt.; ☐ US Forest Service; ☐ City of _____

Prior to the project being presented to the Planning Commission of the Zoning Administrator, the following must be done:

☑ (2) Applicant shall submit a completed Public Works Road Evaluation Report form for each road that is used to access the subject property. The applicant shall provide a "google earth" type map showing the locations of the road being evaluated that is indexed to each Road Evaluation Form. Road evaluations are needed for all roads that access off of STATE HWY 36.

☐ Including _____.

A Road Evaluation Report form is available from the Land Use Division. The Department recommends that the applicant make an appointment with staff to go over the road evaluation process.

☐ The submitted Road Evaluation Form(s) is(are) inadequate. See attached road evaluation report response for comments.

☐ (3) Applicant shall submit a completed Airspace Clearance Form. The subject property is located within the area covered by County Code section 333-1 et seq., the applicant shall submit evidence that the project complies or will comply with County Code.

☐ The submitted Airspace Clearance Form is inadequate. See below for comments.

☐ (4) The subject property has deferred subdivision improvements that must be completed. Prior to the project being presented to the Planning Commission or the Zoning Administrator for approval or prior to the issuance of any building permits, whichever occurs first.

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