



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

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

Hearing Date: December 3, 2020

To: Humboldt County Planning Commission

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

Subject: **Canyon Farms, LLC Conditional Use Permit**  
Record Number PLN-12232-CUP  
Case Number: CUP-16-575  
Assessor's Parcel Number (APN) 214-114-010

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Please contact Liza Welsh, Planner II, at 707-268-3718 or by email at [lwelsh@co.humboldt.ca.us](mailto:lwelsh@co.humboldt.ca.us), if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

<b>Hearing Date</b> December 3, 2020	<b>Subject</b> Conditional Use Permit	<b>Contact</b> Liza Welsh
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**Project Description:** Canyon Farms, LLC seeks a Conditional Use Permit (CUP-16-575) for 20,120 square feet of existing mixed light cannabis cultivation to occur in greenhouses in two distinct cultivation areas, supported by a 1,640-square-foot ancillary nursery. Irrigation water is sourced from rainwater catchment in a series of hard tanks totaling 168,000 gallons. It is delivered to the cannabis plants via a metered drip irrigation system. The applicant's estimated annual water usage is 120,000 gallons (2.98 gal/SF/cycle). Drying and storage will occur onsite in a proposed 1,800-square-foot structure, and further processing will occur off site at a licensed processing or manufacturing facility. Up to three (3) employees may be utilized during peak operations. Power is provided by an existing solar array with a backup generator.

**Project Location:** The project is located in Humboldt County, in the Phillipsville area, on the North and South side of Hodges Road, approximately 0.33 miles West from the intersection of Dyerville Loop Road and Hodges Road, on the property known to be in Section 6 of Township 03 South, Range 04 East, Humboldt Base & Meridian. (APN: 214-114-010).

**Present Plan Land Use Designations:** Agricultural General (AG); 2017 General Plan; Density 20-160 acres per unit; Slope Stability: Low Instability (2)

**Present Zoning:** Agricultural Exclusive (AE); Special Building Site B-5(160)

**Record Number:** PLN-12232-CUP

**Case Numbers:** CUP-16-575

**Assessor's Parcel Number:** 214-114-010

**Applicant**

Canyon Farms, LLC  
Peter Genolio  
PO Box 2285  
Redway, CA 95560

**Owner**

Kyle Preciado  
PO Box 2461  
Redway, CA 95560

**Agents**

Same as Applicant

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

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

**Major Issues:** None

**Canyon Farms, LLC**  
Record Number: PLN-12232-CUP  
Assessor's Parcel Number: 214-114-010

**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 Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Canyon Farms, LLC Conditional Use Permit as recommended by staff subject to the recommended conditions*

**Executive Summary:** Canyon Farms, LLC seeks a Conditional Use Permit to allow the continued operation of an existing 21,080 square foot (SF) mixed light cannabis cultivation operation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The site is designated as Agricultural General (AG) in the Humboldt County 2017 General Plan Update and zoned Agricultural Exclusive (AE); Special Building Site B-5(160). Cultivation takes place in two (2) separate areas: Cultivation Area A (upper area) contains 10,100 SF of mixed light cultivation within nine (9) greenhouses, and Cultivation Area B (lower area) contains 10,020 SF of mixed-light cultivation within eleven (11) greenhouses. Ancillary propagation also occurs in Area B within a 1,640 SF greenhouse. Two harvests are anticipated annually, and the growing season extends from April through October. Low wattage supplemental lighting will be used in the early spring in the cultivation areas for approximately 2 weeks per year. When supplemental lighting is used in the propagation area or cultivation areas, the greenhouses will be shielded between 30 minutes prior to sundown until 30 minutes after sunrise such that no light escapes at a level visible from neighboring properties.

Up to four (4) employees may be utilized during peak operations. Power is provided by an existing solar array with a backup propane generator. The solar array supplies over 90% of the power required. The generator produces less than 50 dB at 50 feet.

Drying and storage will occur onsite in an existing 30' X 60' (1,800-square-foot) structure in Area B, which is located on a 50' X 145' (7,250-square-foot) graded flat. Additional processing will occur offsite at a licensed processing or manufacturing facility. Cultivation Site B also includes a 20' X 20' (400-square-foot) composting area, a 12' X 44' (528-square-foot) structure used as an administrative hold area and as a fertilizer and agricultural chemical storage area. Conditions of approval require the applicant to obtain permits or ag-exempt clearances for all 22 greenhouses used for cultivation, for the propagation greenhouse, for the 1,800-square-foot structure used for drying and processing and for all other structures described above.

The project was reviewed by the Department of Environmental Health, which recommended conditional approval. No processing can be approved until an acceptable site suitability report can establish the potential for an Onsite Waste Treatment System (OWTS) adequate to support proposed staffing. This is included as a condition of project approval. Until the processing building receives commercial permits and the OWTS system is approved by the DEH, processing may occur offsite at a licensed third-party facility, and the applicant may use portable toilets to meet employee needs, provided that an invoice or equivalent documentation is provided to the DEH to confirm the continual use of portable toilets to serve the needs of cultivation staff.

The operation will be secured behind a gated road and monitored by a camera surveillance system.

### **Timber Conversion**

A review of aerial imagery indicated that timber conversion occurred on the parcel. The applicant subsequently provided a Timber Conversion Evaluation Report (Attachment 3), prepared by Hohman & Associates Forestry Consultants which indicated that the last commercial timber harvest occurred in 1997 and that large diameter old growth trees were removed on the site around the 1970s by tractor skidding. The TCER assessed six areas, totaling 3.71 acres and concluded that 1.75 acres were converted on the subject parcel. Most timber removal occurred between 2010 and 2012 and does not qualify as an illegal conversion. However illegal timber conversion at one location, Area B occurred between 2016 and 2018, totaling one half of an acre. The total conversion is below the three-acre conversion exemption maximum. The Report recommend remediation activities. Some have been completed. Still remaining are the excavation and replacement of several ditch relief culverts, and culverts, and rolling rock dips at RP-09, RP-18, RP-19, RP-21, and RP 21.5. A Streambed Alteration Agreement has been issued covering the culverts at RP-18, RP-19, and RP-21 (Notification No. 1600-2019-0023-R1). Completion of this remediation work is required in the Conditions of Approval. The Timber Conversion Evaluation Report was sent to CalFire for review, and CalFire responded that the report appears to adequately address and mitigate the unpermitted conversions on the property.

However, conversion of one half of an acre in Area B occurred after January 1, 2016, the established CEQA baseline for CMMLUO. The applicant and the property owner (who is the previous applicant) are responsible for mitigating the environmental impacts not analyzed in the environmental document prepared for CMMLUO. Therefore, approximately 0.50 acres on the subject parcel will be re-stocked. The applicant Shall provide a Restocking Plan, to be approved by the Planning and Building Department, and shall implement the Restocking Plan upon approval.

### **Water Resources**

Domestic water comes from an existing well. Water for cannabis irrigation is provided by rainwater catchment in tanks and from roofs in a series of water tanks and is delivered to the cannabis plants via a metered drip irrigation system with buried water lines. Cultivation Area A contains 19 existing HDPE 5,000-gallon water tanks, for a total of 95,000 gallons. Cultivation Area B contains 8 existing HDPE 4,750-gallon water tanks and 7 proposed HDPE 5,000-gallon water tanks for a total of 73,000 gallons. The total existing and proposed combined water storage capacity is 168,000 gallons. The applicant anticipates two cultivation cycles per year and their estimated annual water use is 120,000 gallons, or 2.98 gal/SF/cycle.

In addition to the water tanks for cannabis irrigation, a separate 2,500-gallon tank in Area B is reserved for fire suppression. The tank has a fire identification label and appropriate 1 ½" NH fittings for emergency use.

The subject parcel is in the South Fork Eel Planning Watershed, the Butte Creek South Fork Eel River HUC 12 Watershed, and the Ohman Creek Super Planning Watershed. It is not within a cannabis impacted HUC-12 watershed. The parcel contains two existing ponds, which are not used for cannabis irrigation, and it contains three unnamed class III streams, which are tributaries to Fish Creek, a tributary to the South Fork Eel River. The Site Plan provided by the applicant demonstrates that all project-related components are outside of the Streamside Management Areas of these watercourses. However, the Site Management Plan and the Timber Conversion Evaluation Report prescribe improvement to three stream crossings and culverts on the parcel. This work will occur pursuant to an issued Streambed Alteration Agreement (1600-2019-0023-R1), but it will not require a Special Permit from the County as culvert maintenance and replacement is exempt from the SWMAO.

### **Biological Resources**

The subject parcel is within a Douglas fir/ oak forest. The surrounding forest composition consists primarily of even-age second growth Douglas-fir, black oak, live oak, tanoak, and pacific madrone. Elevation ranges from roughly 1,000 feet to roughly 2,000 feet above mean sea level, with cultivation occurring in areas of around 1,640 feet above sea level on graded flats. A golden eagle nest was mapped adjacent



to the property boundary in 2007. It is over 500' feet from the active cannabis sites but conditions have been added to the project requiring raptor surveys and pre-construction surveys for nesting birds.

Although the nearest NSO activity center is located approximately .67 miles from Cultivation Area A and .9 miles from Cultivation Area B, lands surrounding the site are heavily forested thus there is high potential for NSO habitat.

Per the applicant, the propane generator used as an emergency backup power source, is stored in a small fire-resistant building and has decibel levels at 50' from the building of less than 30 dB. Therefore, it meets the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) which requires noise levels be at or below 50 dB at 100 feet or edge of habitat whichever is closer. The project is conditioned to ensure the combination of background, generator and greenhouse fan or other operational equipment created noise meets the noise level threshold. Conformance will be evaluated using current auditory disturbance guidance prepared by the United States Fish and Wildlife Service.

Furthermore, the Conditions of Approval also require ensuring that supplemental lighting associated with mixed-light cultivation is fully contained with black out tarps and ensuring that all outside lighting be on timers or motion sensors to reduce light exposure to wildlife and their potential habitat, and require avoiding heavy equipment operations during NSO critical period (February 1 – July 31) or performing protocol level surveys prior to initiating that work.

Although the project was referred to the California Department of Fish & Wildlife (CDFW), no comments were received. The project is conditioned to meet the reporting requirements of the issued Final LSAA#1600-2019-0023-R1 or any future LSA issued for the parcel, ensure generators are located at least 200 feet from the onsite Class II and Class III streams, assume presence of NSO and ensure noise attenuation (as discussed above), and remediation of the timber converted area post-12/31/2015 which will occur through implementation of the Restocking Plan. Furthermore, the project is conditioned to adhere to Dark Sky Standards for greenhouse lighting and security lighting, refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage and refrain from using anticoagulant rodenticides to further protect wildlife. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively impact NSO or other sensitive species.

### **Tribal Cultural Resource Coordination**

The project is located in the Bear River and Sinkyone Ancestral Territories. The project was referred to the Northwest Information Center, Bear River Band of the Rohnerville Rancheria, and Sinkyone Intertribal Wilderness Council. No comments were received from the Sinkyone Intertribal Wilderness Council from the referral notification. The Tribal Historic Preservation Officer (THPO) of the Bear River Band requested that a Cultural Resources Study be prepared for the project.

A Cultural Resources Investigation was prepared in October 2019 by Nick Angeloff, M.A., RPA, Principal Investigator, Archaeological Research and Supply Company, Rio Dell, CA. Per the Report, outreach letters were sent to the Sinkyone Intertribal Wilderness Council, which declined to comment, and to the Bear River Band of the Rohnerville Rancheria, which responded that there were no known archaeological or cultural sites on the subject properties, but that, "There is a positive Timber-Harvesting Plan (THP) survey within a mile of the project parcel that may be a sensitive area". The THPO recommended proceeding with the survey. 100 acres of APN 214-114-010 was subject to survey, including the entire area of potential effect (APE) of this project. No historic resources were identified as a result of the investigation. The report concluded that the proposed project will not result in any adverse changes to historical or archaeological resources and recommended Inadvertent Discoveries Protocol. If buried archaeological resources are discovered during project implementation, all work should be halted within 100 feet of the find and County officials, a professional archaeologist and tribal representatives should be contacted immediately to evaluate the find. Ongoing conditions of approval are incorporated regarding the Inadvertent Discoveries Protocol to protect cultural resources.

## **Access**

Access to the site is via Hodges Road off of Dyerville Loop Road. Dyerville Loop Road is a Category 4 County maintained roadway. A Road Evaluation report for Hodges Road was prepared by the applicant, which indicates it is a privately maintained road and concludes that the entire road segment is developed to Category 4 road standards (20 feet wide or better). Public Works, Land Use Division requests that the intersection between Hodges Road and Dyerville Loop Road be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). This is included as an ongoing condition of approval for the project. Public Works further requested that Hodges Road be paved for a minimum width of 20 feet and a length of 50 feet where it intersects with Dyerville Loop Road. This is included as a condition of approval for the project.

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted Mitigated Negative Declaration that was adopted for the Commercial Medical Marijuana Land Use Ordinance and has prepared an addendum to this document for consideration by the Planning Commission (See Attachment 2 for more information).

**RECCOMENDATION:** 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 approval of the Conditional Use Permit (CUP).

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

The Planning Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As the lead agency, the Department has determined that the project is consistent with the MND for the CMMLUO as stated above. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT

Resolution Number 20-  
Record Number PLN-12232-CUP  
Assessor's Parcel Number: 214-114-010

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Canyon Farms, LLC, Conditional Use Permit.

**WHEREAS, Canyon Farms, LLC**, submitted an application and evidence in support of approving a Conditional Use Permit for the continued operation of an existing 20,120-square-foot mixed light cannabis cultivation site, with appurtenant propagation, drying and storage activities;

**WHEREAS**, the County Planning Division, the lead agency, prepared an Addendum to the Final Mitigated Negative Declaration (MND) 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**, the Humboldt County Planning Commission held a duly-noticed public hearing on December 3, 2020, and reviewed, considered, and discussed the application for a Conditional Use Permit and reviewed and considered all evidence and testimony presented at the hearing.

**Now, THEREFORE BE IT RESOLVED**, that the Planning Commission makes all the following findings:

- 1. FINDING:**                    **Project Description:** The application is a Conditional Use Permit to allow a 20,120-square-foot mixed light cannabis cultivation site, with appurtenant propagation and drying and processing activities. Power is provided by an existing solar array with a backup propane generator. Water for irrigation is provided by a permitted groundwater well.

**EVIDENCE:**    a) Project File: PLN-12232-CUP

- 2. FINDING:**                    **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has considered the Addendum to and the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016.

**EVIDENCE:**    a) Cultivation and Operations Plan prepared for the proposed project.

- b) The proposed project does not present substantial changes that would require major revisions to the previous MND. 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

- c) A Site Management Plan was prepared by Compliant Farms Certified to show compliance with the North Coast Regional Water Quality Control Board Order No. 2015-0023.
- d) A Timber Conversion Report, prepared by Hohman & Associates Forestry Consultants, demonstrates how previously unauthorized timber conversion is consistent with the Forest Practices Act and how the project can be implemented with no net loss of timberland after the environmental baseline of December 31, 2015.
- e) A Cultural Resources Investigation Report, carried out by Archaeological Research and Supply Company in October 2019, concluded that the proposed project will not result in any adverse changes to historical or archaeological resources and recommended Inadvertent Discoveries Protocol.
- f) A Road Evaluation Report was prepared for Hodges Road by the applicant, which identified that the road is suitable for safe access to and from the project site.

#### **FINDINGS FOR CONDITIONAL USE PERMIT**

### **3. FINDING**

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

#### **EVIDENCE**

- a) General agriculture is a use type permitted in the Agricultural General (AG) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

### **4. FINDING**

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

#### **EVIDENCE**

- a) The Agricultural Exclusive or AE zone is intended to be applied to areas of the County in which general agriculture residential uses are the desirable predominant uses.
- b) All general agricultural uses are principally permitted in the AE zone.
- c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis and up to 22,000 square feet of existing mixed-light cannabis on a parcel over 1 acres subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 20,120 square feet of mixed-light cultivation on a 195-acre parcel is consistent with this and with the cultivation area verification prepared by

the County.

**5. FINDING**

The proposed development is consistent with the requirements of the CMMLUO Provisions of the Zoning Ordinance.

**EVIDENCE**

- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned AE (HCC 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration (Parcel M1) through Notice of Lot Line Adjustment and Certificate of Subdivision Compliance, Record #1996-15367-6, signed on June 27, 1996.
- c) The project will obtain water from a non-diversionary water source.
- d) A Road Evaluation Report was completed by the applicant for Hodges Road (Received 5/19/2020). The Evaluation addressed Hodges Road, a privately maintained road from Dyerville Loop Road (a County maintained road) to the subject parcel. All road segments evaluated were found to be functionally appropriate for the expected traffic.
- e) The slope of the land where cannabis will be cultivated is less than 15%. Cannabis will be cultivated on graded flats, which will require permits or clearances from the Building Division.
- f) The cultivation of cannabis will not result in the net conversion of timberland. A Timber Conversion Report was completed by Hohman & Associates Forestry Consultants. The Report found the site had been converted primarily before the environmental baseline established in the CMMLUO but that approximately 0.50 acres of timberland was converted post-baseline. A Restocking Plan shall be prepared to ensure that an equivalent area will be restocked with timber and that there will therefore be no net loss of timberland as a result of the cultivation operation.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, church, public park or Tribal Cultural Resource.

**6. FINDING**

The cultivation of 20,120 square feet of cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

**EVIDENCE**

- a) The site is located on road that has been certified by the applicant to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized

in the area.

- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
- d) Irrigation water will come from a rainwater catchment system. Water will be stored in hard tanks totaling 170,000 gallons of water storage capacity.
- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

## 7. FINDING

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.

### EVIDENCE

- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

## DECISION

**NOW, THEREFORE,** based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit for Canyon Farms, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on December 3, 2020

The motion was made by COMMISSIONER \_\_\_\_\_ and second by COMMISSIONER \_\_\_\_\_ and the following ROLL CALL vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

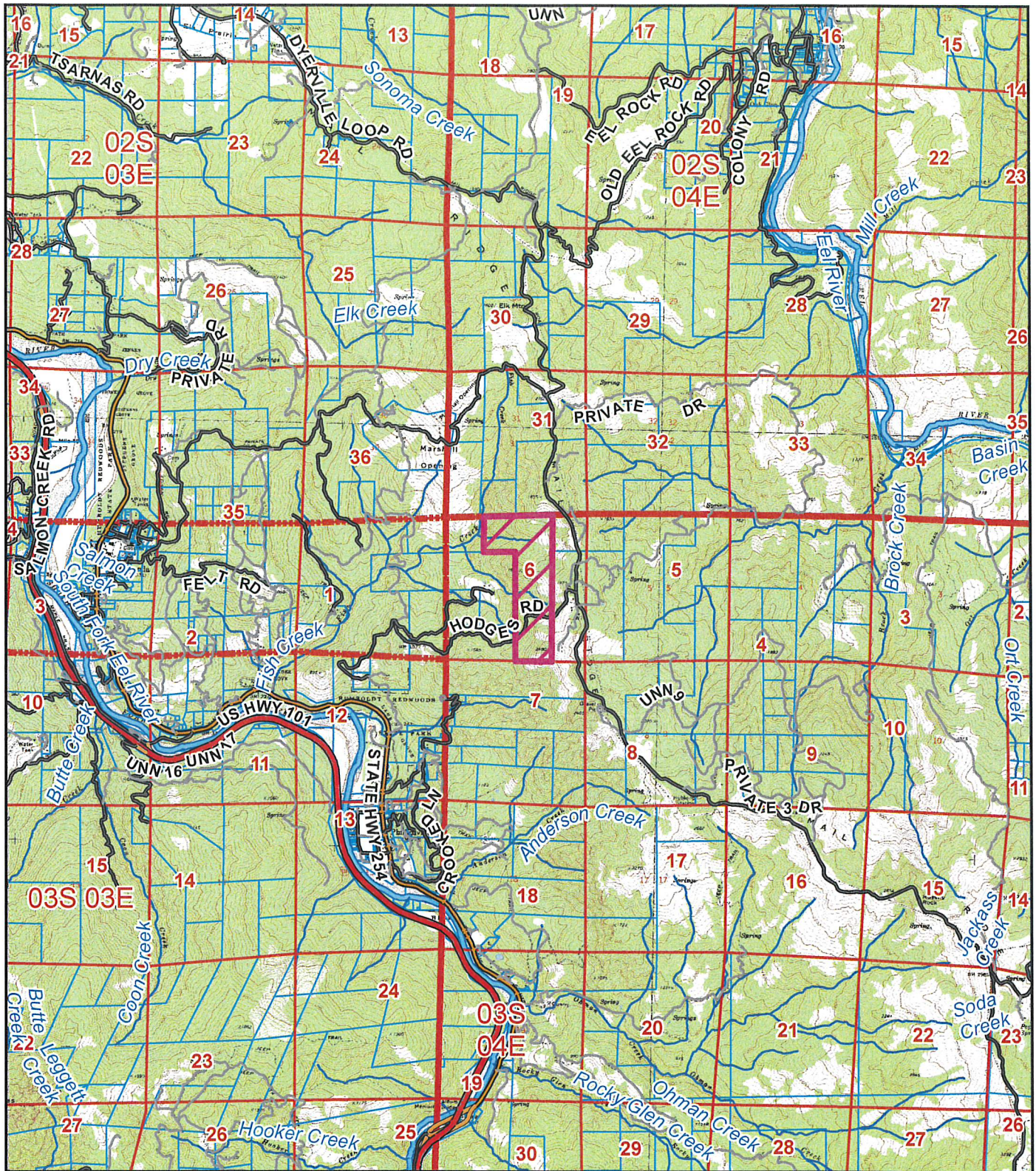
DECISION:

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 Ford, Director

Planning and Building Department





**TOPO MAP**  
**PROPOSED CANYON FARMS LLC**  
**PHILLIPSVILLE AREA**  
**CUP-16-575**  
**APN: 214-114-010**  
**T03S R04E S6 HB&M (MIRANDA)**

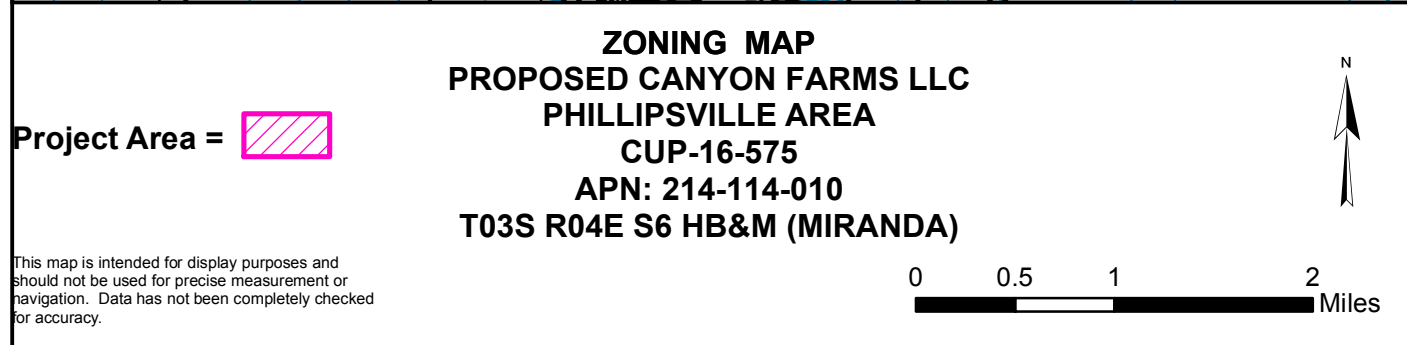
Project Area = 

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

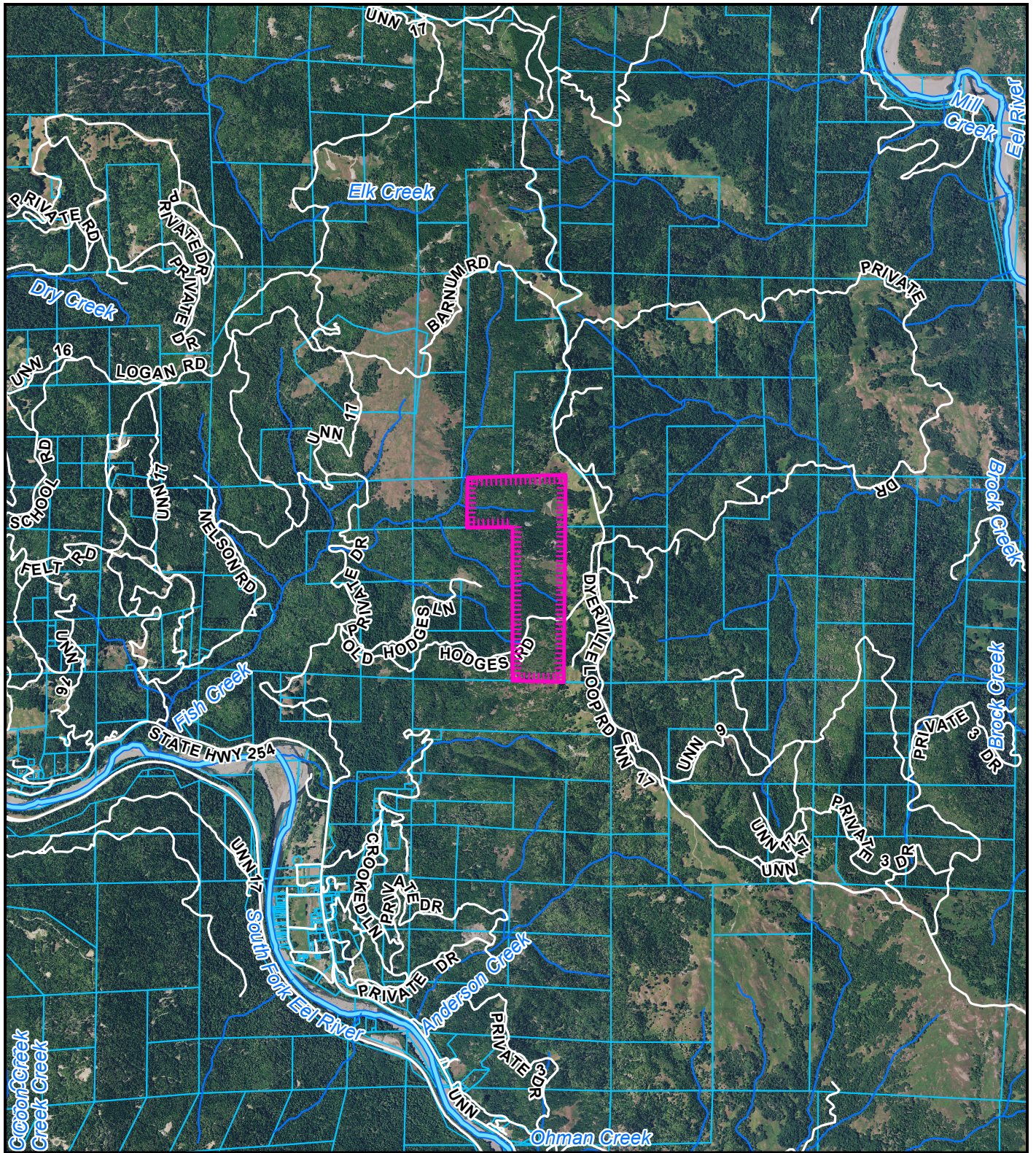
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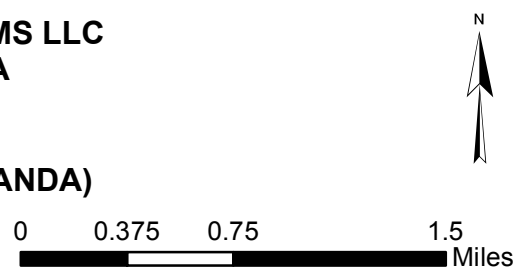




**AERIAL MAP**  
**PROPOSED CANYON FARMS LLC**  
**PHILLIPSVILLE AREA**  
**CUP-16-575**  
**APN: 214-114-010**  
**T03S R04E S6 HB&M (MIRANDA)**

Project Area = 

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





PROJECT INFORMATION:

PERMIT APPLICATION#: CUP16-575

APN#: 214-114-010

PARCEL SIZE: 195.20

ZONING: AE-B-5(160)

SITE ADDRESS:  
17600 DYERVILLE LOOP ROAD  
MYERS FLAT, CA. 95554

APPLICANT:  
CANYON FARMS LLC.  
PO BOX 2285  
REDWAY, CA. 95560

PROPERTY OWNER:  
KYLE PRECIADO  
PO BOX 945  
REDWAY, CA. 95560

APPLICANT'S AGENT:  
CLEARWATER AG SERVICES  
clearwateragservices@gmail.com  
(707) 923-2767

WDID#: 1\_12CC405497

RESIDENTIAL BUILDINGS:  
- WOOD FRAMED CABIN  
20 X 20' = 400 SQ'

CULTIVATION BUILDINGS:  
- ADMINISTRATIVE HOLD AREA,  
FERTILIZER AND AGRICULTURAL CHEMICAL STORAGE.  
MOBILE OFFICE TRAILER: 12' X 44' = 528 SQ'  
WITH 18' X 52' = 936 SQ' RAINWATER CATCHMENT ROOF

PROPOSED:  
- HARVEST STORAGE AREA AND CANNABIS DRYING BUILDING  
"IDEAL" STEEL BUILDING, 30' X 60' = 1,800 SQ'  
- 7 @ 5000 HDPE WATER STORAGE TANKS FOR RAINWATER CATCHMENT

IMMATURE PLANT AREA: 20' X 82' = 1,640 SQ'

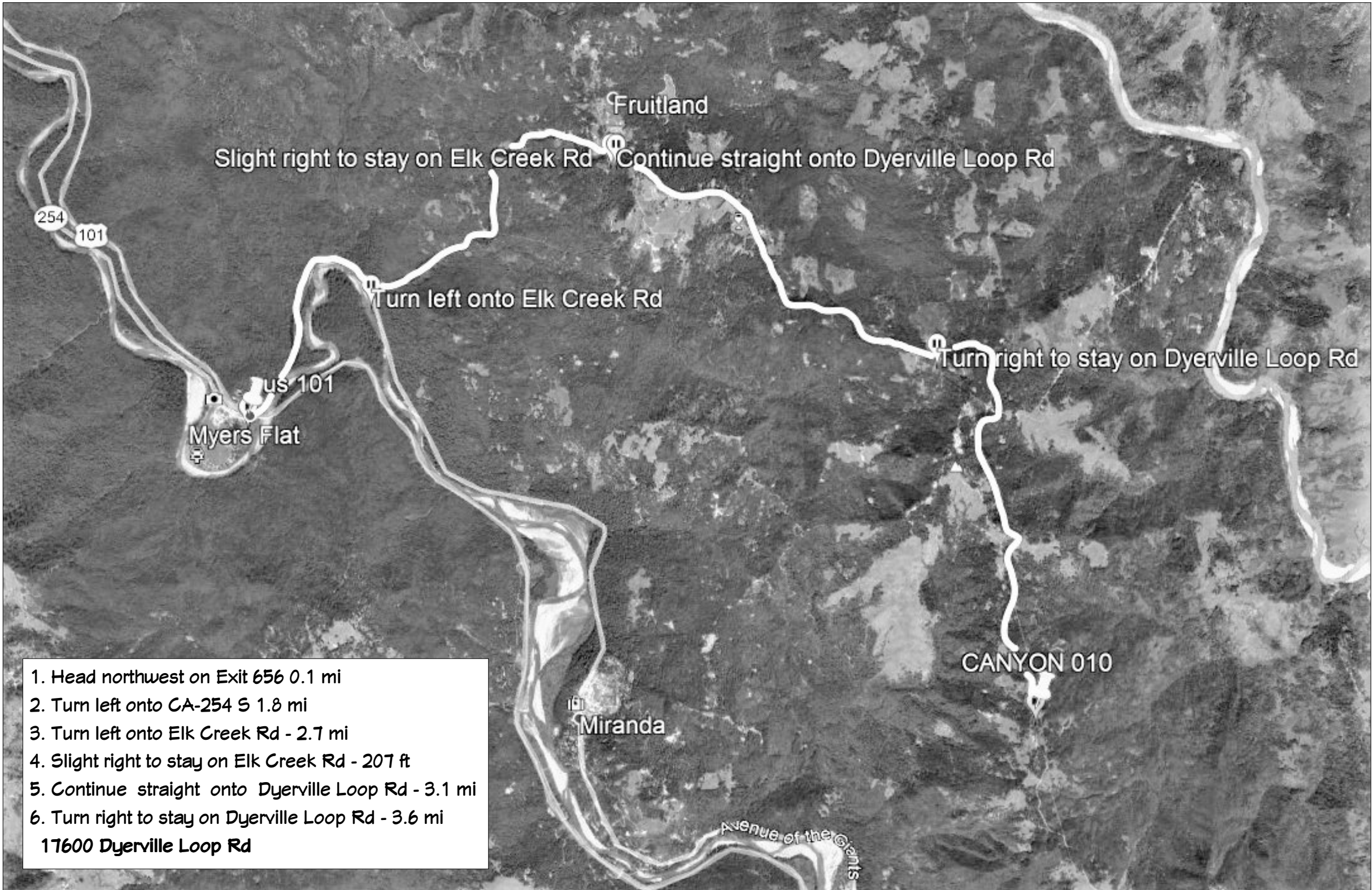
CULTIVATION AREA:  
CULTIVATION SITE A: 10,100 SQ'  
CULTIVATION SITE B: 10,020 SQ'

TOTAL AGGREGATE CULTIVATION AREA: 20,120 SQ'

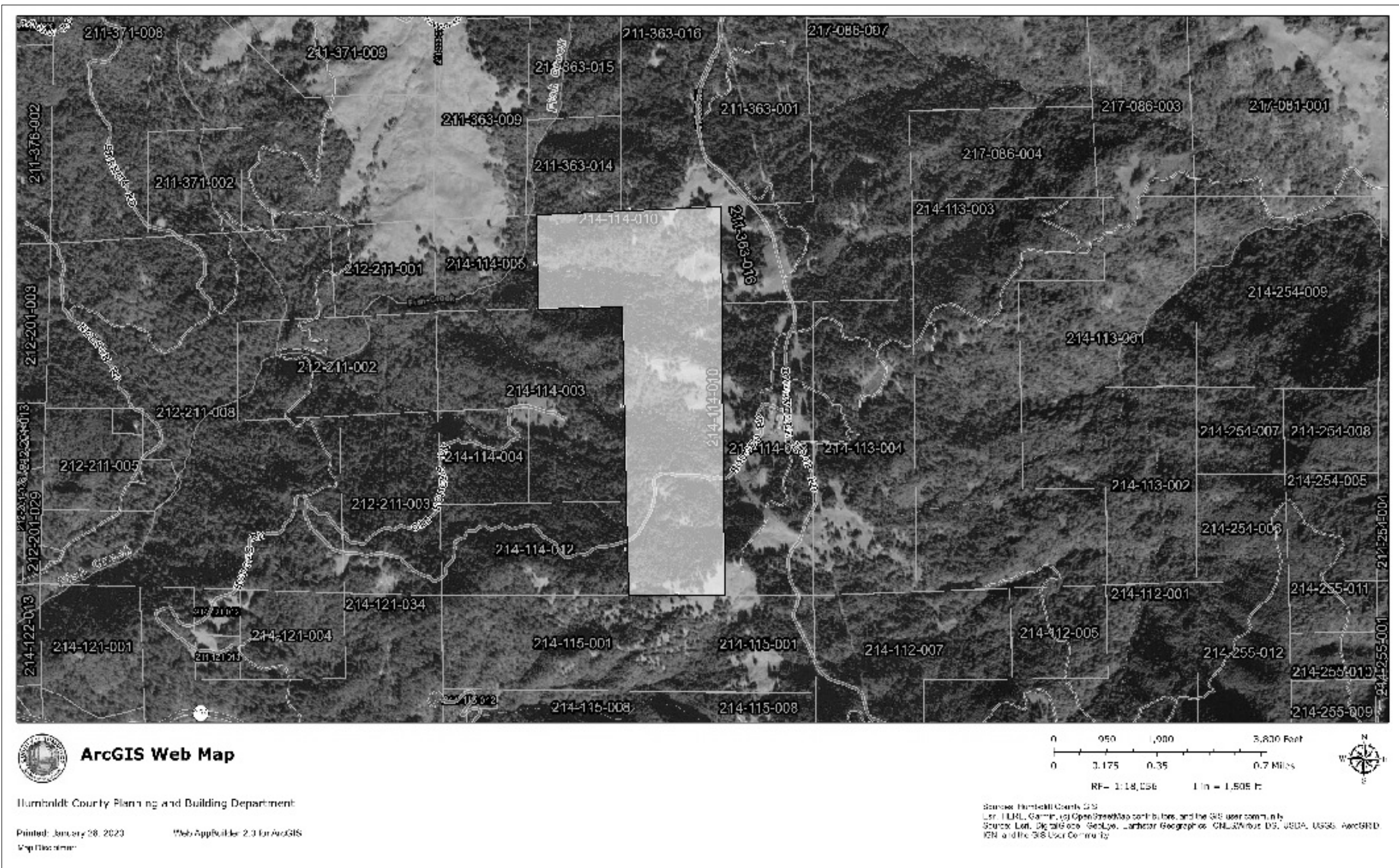
While every care has been taken to prepare this map, HUBER C&D and applicant make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and cannot accept liability and responsibility of any kind (whether in contract, tort or otherwise) for any expenses, losses, damages and/or costs (including indirect or consequential damage) which are or may be incurred by any party as a result of the map being inaccurate, incomplete or unsuitable in any way and for any reason.

PLN-12232-CUP Canyon Farms, LLC

VICINITY MAP



PROXIMITY MAP



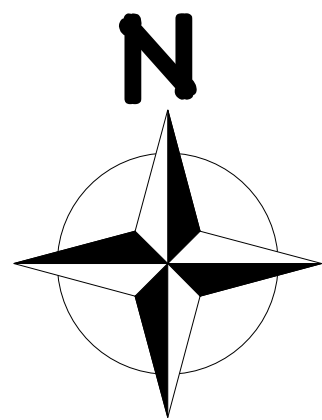
NOTES:

- 1) The property lines and features in this document have not been surveyed or verified, and are per Humboldt County GIS and property owner knowledge. HCD makes no claims as to the accuracy of these maps.
- 2) There are no nearby schools, school bus stops, places of worship or tribal resources within 600 feet of the existing cultivation area.
- 3) There are no residences on adjoining parcels within 300 ft of the existing cultivation.

December 03, 2020

LAYOUT PAGE TABLE

Label	Title
p-1	PROJECT OVERVIEW
p-2	PROPERTY DIAGRAM
p-3	PREMISES DIAGRAM
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CANYON FARMS LLC.

APN#: 214-114-010  
P.O. BOX 2285  
REDWAY CA. 95560

PROJECT OVERVIEW

HUBER C&D

www.hubercad.com  
email: info@hubercad.com  
DESIGN BY: TANNER SPEAS

DATE:

10/23/2020

SCALE:

SHEET:

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REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION
VER. 1	4/8/20	T5	COUNTY DIAGRAMS
VER. 2	10/22/20	T5	UPDATES

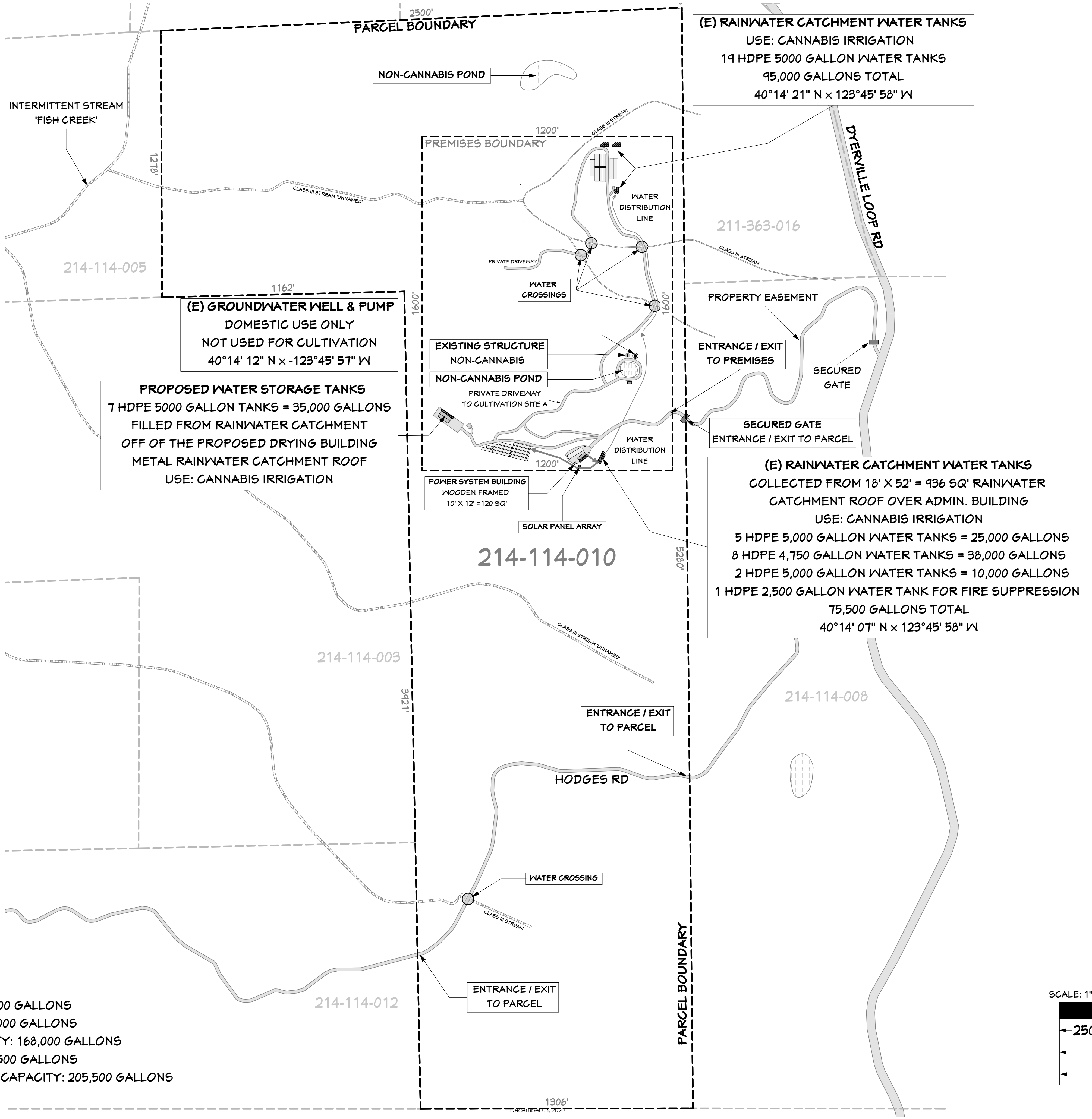


PROPERTY DIAGRAM NOTES:

- NO TREES TO BE REMOVED.
- NO GRADING REQUIRED.
- ALL CANNABIS CULTIVATION TO BE DONE WITH RAINWATER CATCHMENT.

WATER SYSTEM NOTES:

TOTAL EXISTING WATER STORAGE CAPACITY: 170,500 GALLONS  
TOTAL PROPOSED WATER STORAGE CAPACITY: 35,000 GALLONS  
EXISTING CANNABIS IRRIGATION STORAGE CAPACITY: 168,000 GALLONS  
FIRE SUPPRESSION WATER STORAGE CAPACITY: 2,500 GALLONS  
TOTAL EXISTING AND PROPOSED WATER STORAGE CAPACITY: 205,500 GALLONS



REVISION TABLE		DESCRIPTION
NUMBER	DATE	REVISED BY
VER. 1	4/9/20	T5
VER. 2	10/22/20	T5
		COUNTY DIAGRAMS
		UPDATES

CANYON FARMS LLC.  
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PROPERTY DIAGRAM

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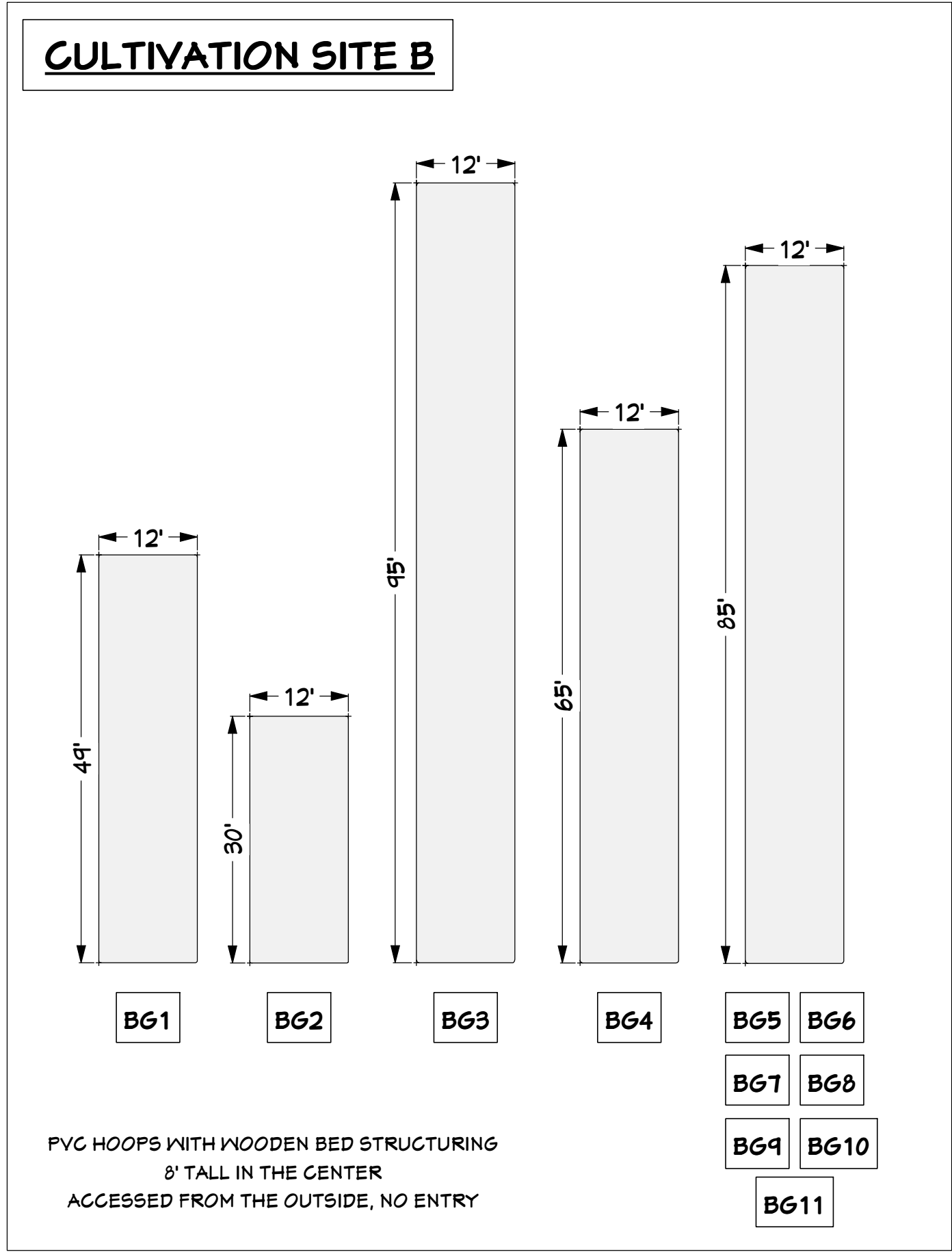
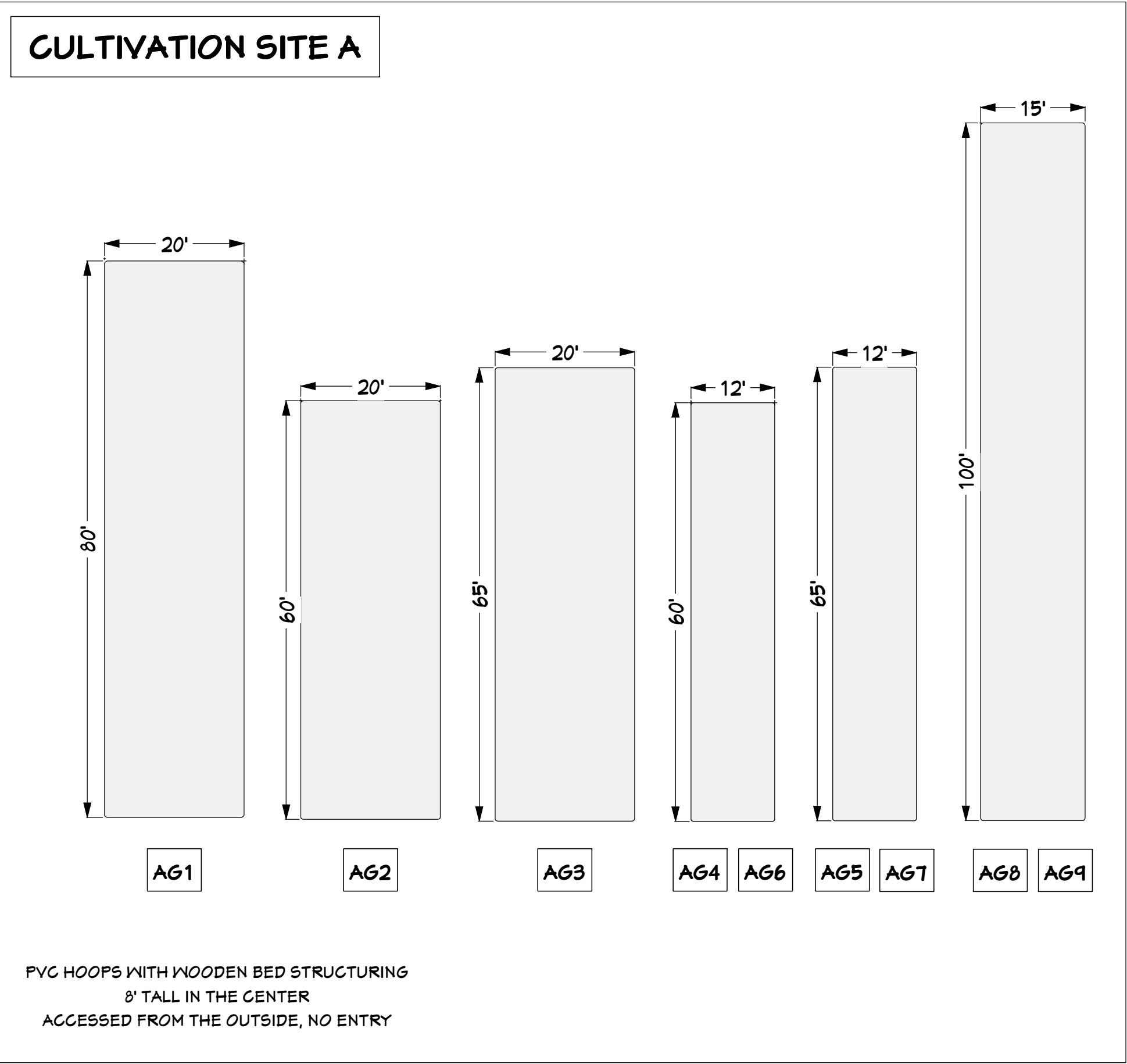
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10/23/2020

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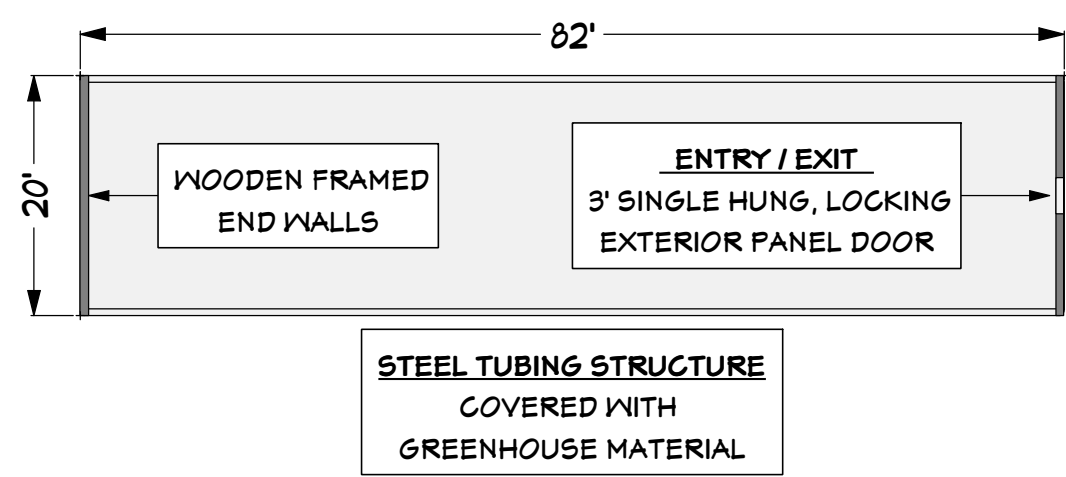
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**AG-EXEMPT GREENHOUSE**  
**STRUCTURE DETAILS:**  
- PVC HOOPS WITH WOODEN BED STRUCTURING  
- 4" VERTICAL PVC RISER WITH 45° FITTING ATTACHED TO A BENT 20' PVC CROSS MEMBER.  
- 8' TALL IN THE CENTER  
- ACCESSED FROM THE OUTSIDE, NO ENTRY.  
- LABELED:  
SITE A GREENHOUSE #1 = AG1  
SITE B GREENHOUSE #8 = BG8 ETC...  
- DIMENSIONS AS SHOWN  
- MULTIPLE LABELS = SAME EXACT STRUCTURE DETAILS  
- SCALE = 1" = 12' WHEN PRINTED ON 22" X 34" ANSI D PAPER

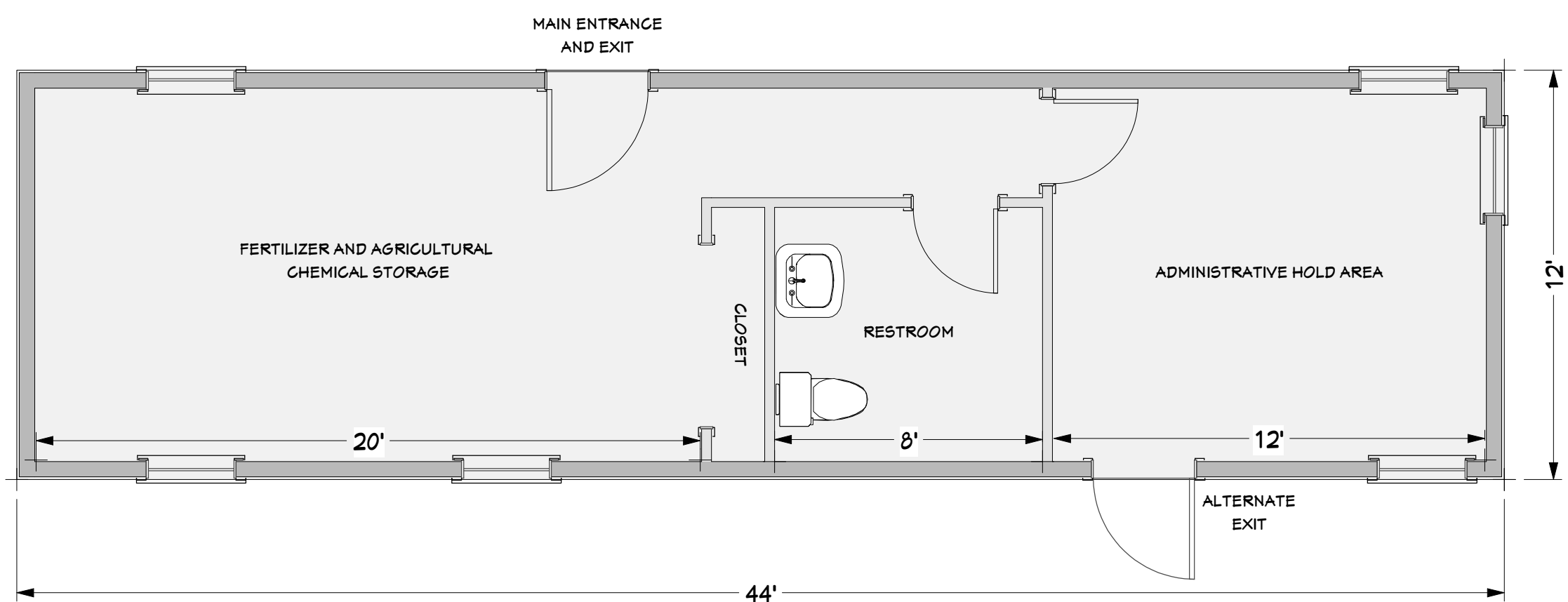


**IMMATURE PLANT AREA**  
**STEEL TUBING GREENHOUSE FRAME**  
**WOODEN FRAMED END WALLS**  
**16' IN HEIGHT, 20' X 82' = 1640 SQ'**



**MULTI-USE BUILDING DIAGRAM:**

- MOBILE OFFICE TRAILER: 12' X 44' = 528 SQ'
- WITH 18' X 52' = 936 SQ' RAINWATER CATCHMENT ROOF
- USE: ADMINISTRATIVE HOLD AREA, FERTILIZER AND AGRICULTURAL CHEMICAL STORAGE.
- SCALE: 1" = 4' WHEN PRINTED ON 22" X 34" PAPER



NUMBER	DATE	REVISION TABLE	DESCRIPTION
VER.1	4/9/20	T5	COUNTY DIAGRAMS
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**CANYON FARMS LLC.**  
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**AG-EXEMPT  
GREENHOUSE  
STRUCTURE DETAILS**

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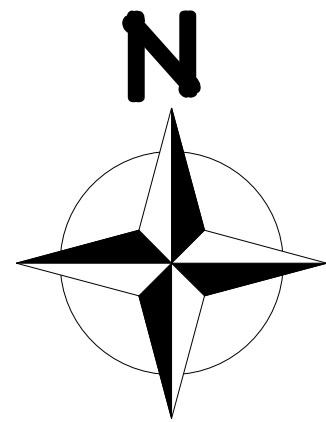
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10/23/2020

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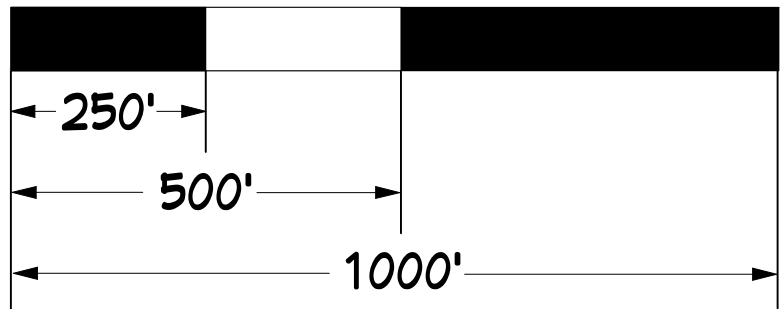
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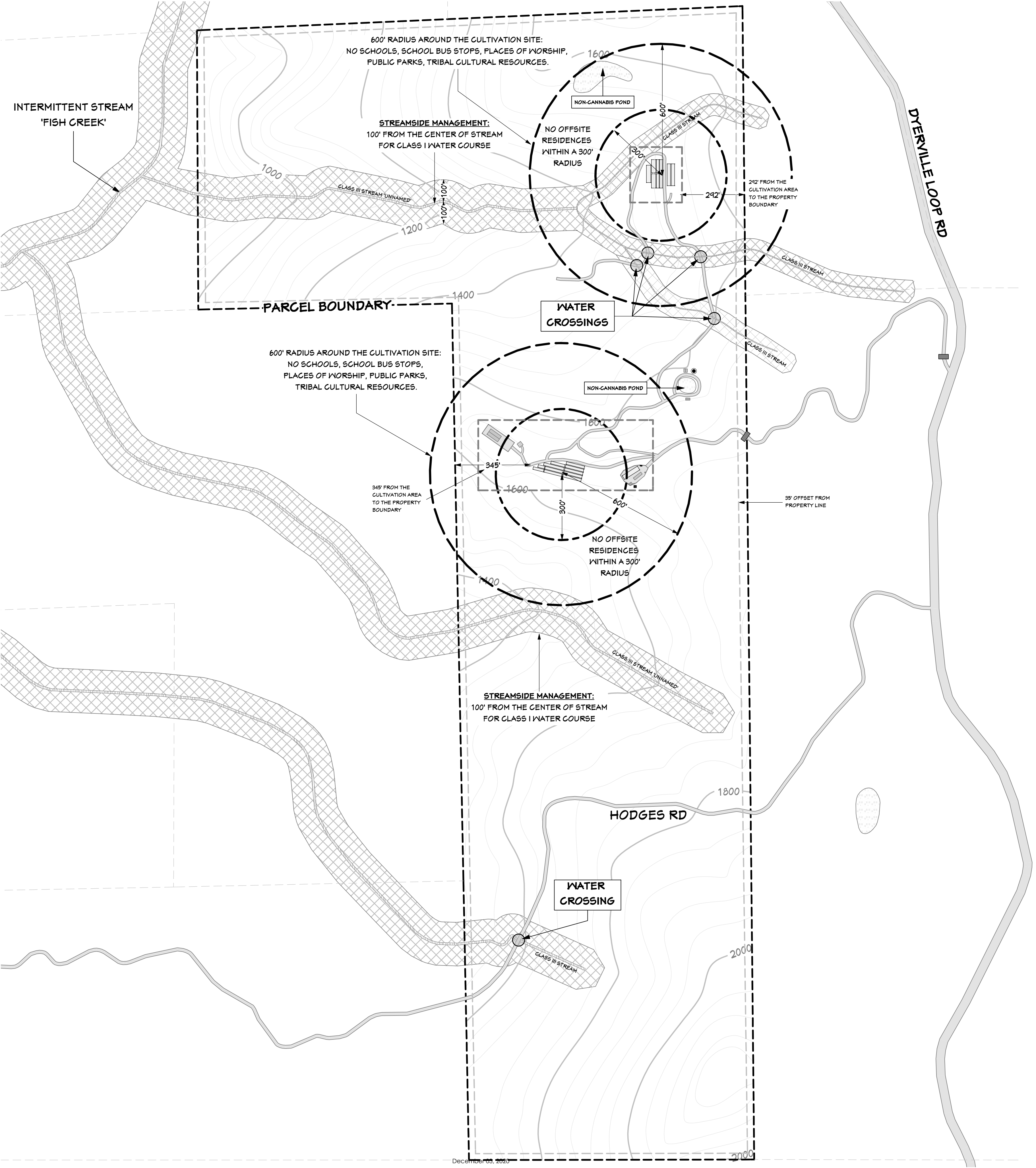


SCALE: 1" = 250' WHEN PRINTED ON 22" x 34" PAPER



**TOPO AND OFFSET NOTES:**

- NO OFFSITE RESIDENCES WITHIN A 300' RADIUS.
- NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, TRIBAL CULTURAL RESOURCES WITHIN A 600' RADIUS AROUND THE CULTIVATION SITE.
- ALL CULTIVATION AREA IS FURTHER THAN 35' FROM THE PROPERTY LINE.
- NO NEW GRADING REQUIRED.
- NO TREE REMOVAL REQUIRED.



REVISION TABLE		DESCRIPTION
NUMBER	DATE	REVISOR
VER. 1	4/9/20	T5
VER. 2	10/22/20	T5

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P.O. BOX 2285  
REDWAY CA. 95560

**TOPOGRAPHY AND  
OFFSETS**

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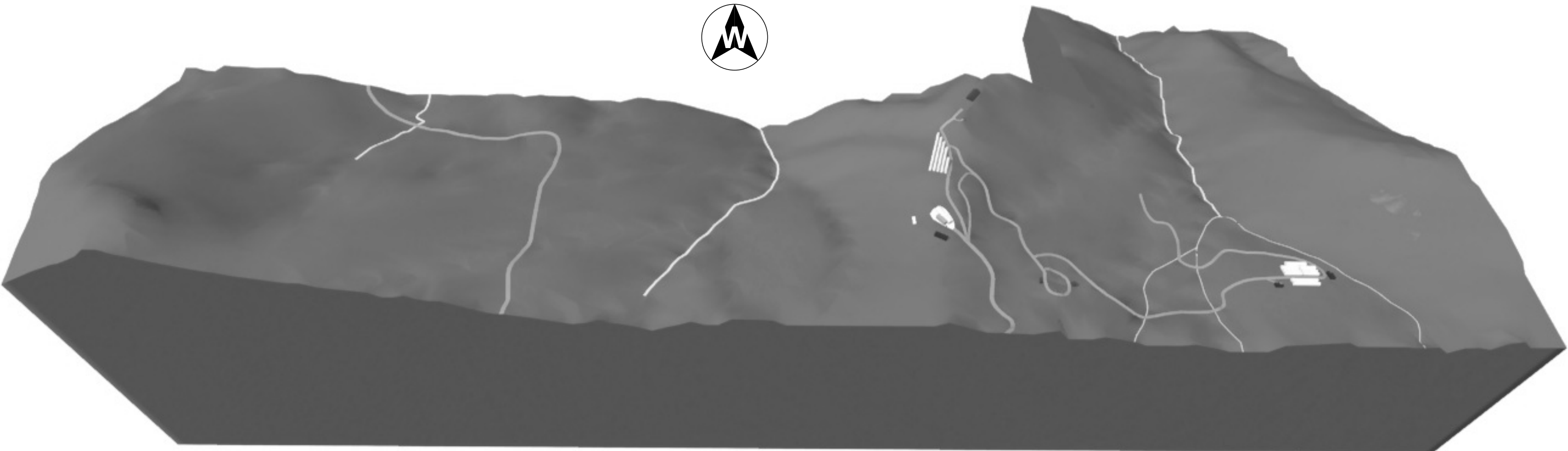
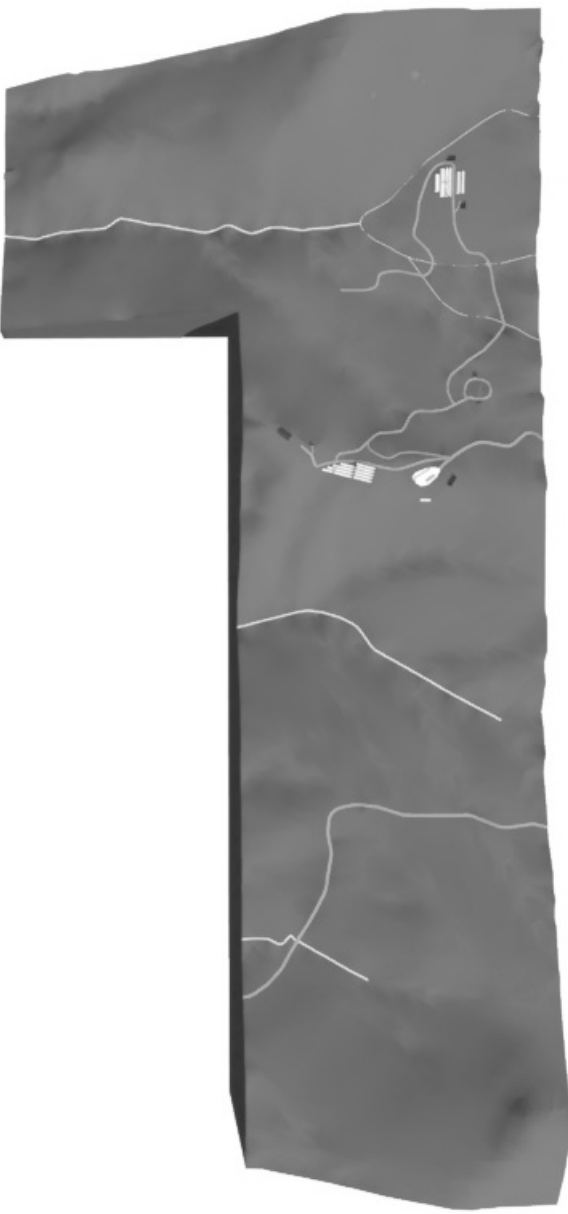
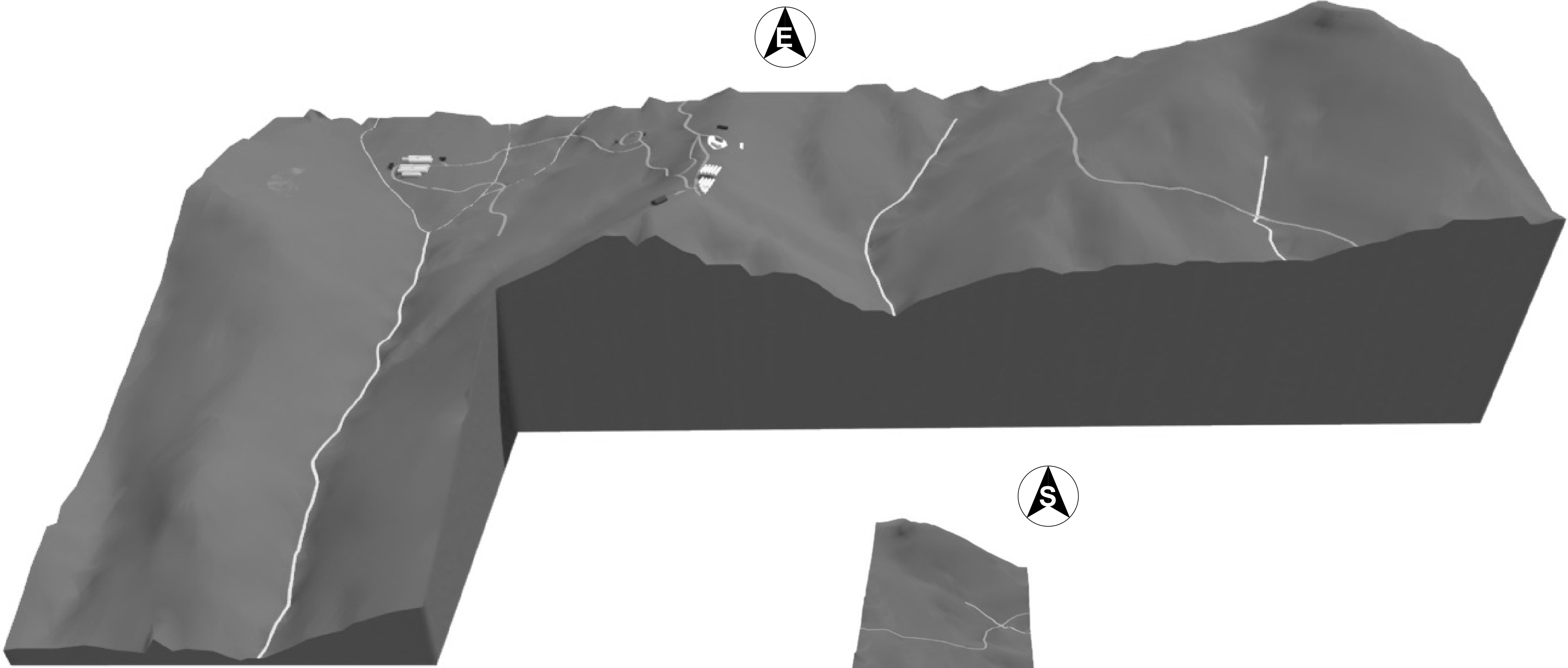
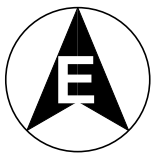
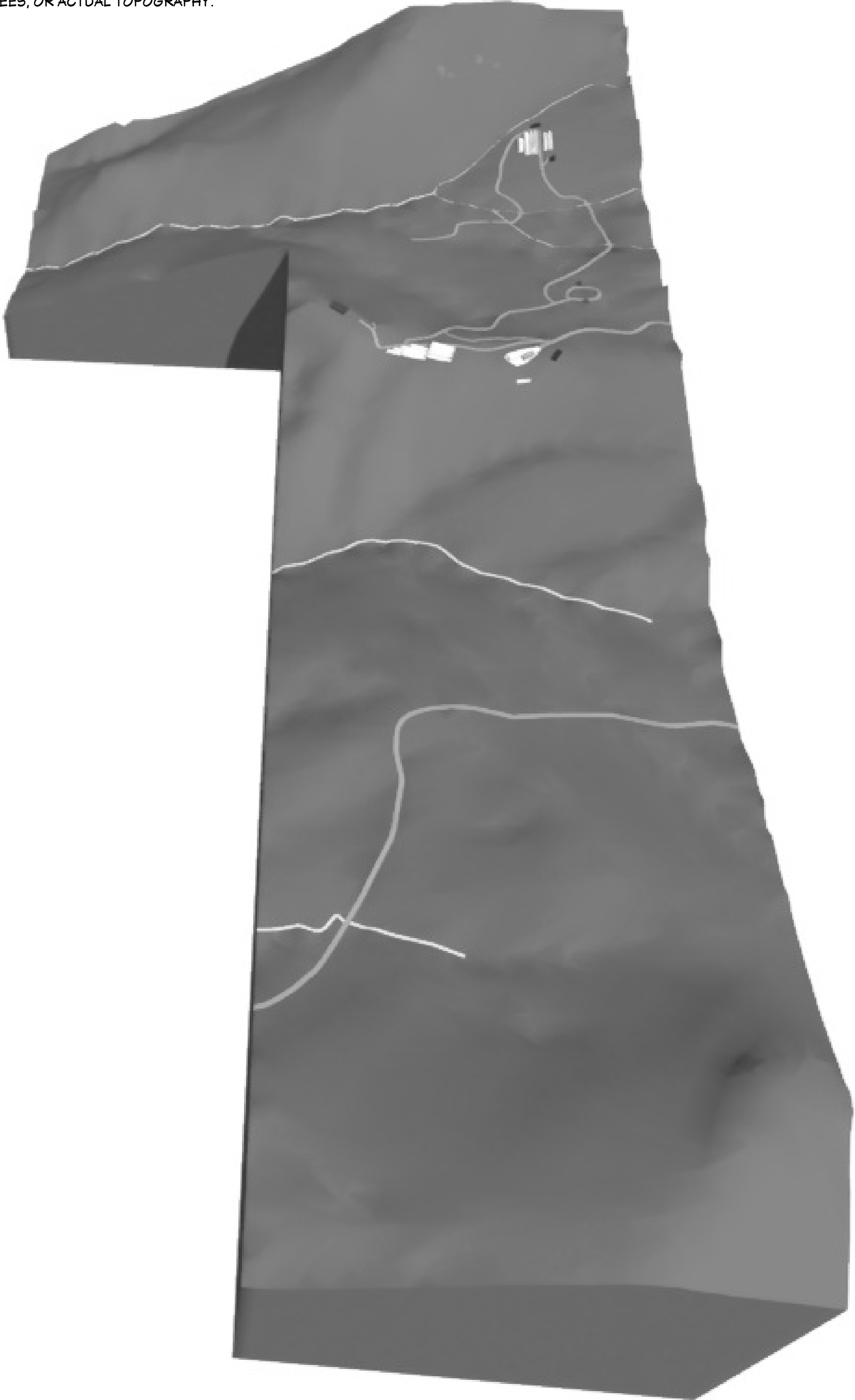
DATE:  
10/23/2020

SCALE:  
1" = 250'

SHEET:



**ELEVATION VIEWS:**  
THESE COMPUTER GENERATED VIEWS ARE INTENDED TO ALLOW VISUALIZATION OF THE TOPOGRAPHY OF THE PROPERTY AND ARE BASED ON USGS TOPO MAPS AND ELEVATION DATA FROM RECENT SURVEYS. NO ASSUMPTIONS SHOULD BE MADE ABOUT THE ACCURACY OF THE FEATURES IN TERMS OF CULTIVATION AREA, BUILDING DESIGN, LAYOUT, PLANTS, TREES, OR ACTUAL TOPOGRAPHY.



REVISION TABLE				DESCRIPTION
NUMBER	DATE	REVISED BY	TS	COUNTY DIAGRAMS
VER. 1	4/9/20	TS		UPDATES
VER. 2	10/22/20	TS		

**CANYON FARMS LLC.**  
APN#: 214-114-010  
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REDWAY CA. 95560

**3D ELEVATION VIEWS**

**HUBER C&D**  
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email: info@hubercad.com  
DESIGN BY: TANNER SPEAS

DATE:
10/23/2020
SCALE:
SHEET:
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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.**

#### **A. General Conditions**

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. 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 Planning and Building 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.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A 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) shall be paid 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.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #18. 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.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing greenhouses, existing graded flats, the proposed 1,800-square-foot harvest storage and drying structure, the solar array, and all other structures with a nexus to cannabis. The plans submitted for building permit approval shall be consistent with the project description and the 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.
7. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.

8. Due to the historic presence of a golden eagle nest approximately 500-feet from the cultivation areas on the subject parcel, three-hour surveys for raptors shall occur during the early/peak breeding season from March – June. Surveys will occur prior to any additional construction or clearing of native vegetation between Feb 1 and Aug 31. The area shall be surveyed for nesting/roosting raptors by a qualified biologist scanning the property and surrounding area from a prominent location.
9. Pre-construction surveys for nesting birds are required prior to any construction or clearing of native vegetation during the breeding season from Feb 1 – Aug 31. Surveys shall cover areas within at least 50 feet of the planned footprint. Surveys for nesting birds are also recommended prior to any activities that may increase disturbance to potential nesting areas between Feb 1 and Aug 31 by >25dHB (to~75dB). Construction may also occur during dry conditions outside of the breeding season without nesting bird surveys.
10. Obtain a permit to operate the backup propane generator from the North Coast Unified Air Quality Management District (NCUAQMD) and obtain an electric permit from the County's Building Department for the solar array and generator.
11. The applicant shall submit 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 completed, and any proposed. A letter or similar communication from the Building Division verifying that all grading related to the cannabis cultivation operation are permitted, or not needed, will satisfy this condition.
12. The applicant shall install water monitoring device on the well and storage tanks to monitor water used for cannabis irrigation separate from domestic use.
13. The applicant shall implement all corrective actions detailed in the Site Management Plan developed for the parcel, prepared pursuant to Tier 1 enrollment under the State Water Resource Control Board (State Water Board) Cannabis Cultivation Policy (Cannabis Policy), in congruence with Order WQ 2017-0023-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order). A letter or similar communication from the State Water Board verifying that all their requirements have been met will satisfy this condition.
14. The applicant shall implement recommendations in the Timber Conversion Evaluation Report prepared by Hohman & Associates Forestry Consultants. A monitoring report prepared by a licensed professional forester shall be submitted annually to the Planning and Building Department.
15. The applicant shall submit a Restocking Plan for restocking of the .5 acres of timber converted for cannabis cultivation after 2016. The Plan shall be approved by the Planning & Building Department prior to implementation.
16. The applicant shall contact the local fire service provider [Phillipsville VFC] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
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. 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.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall 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.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., 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, and noise levels have been repaired, inspected, and corrected as necessary.
4. 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.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
9. 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. If offsite processing is chosen

to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.

10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
12. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
13. 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.
14. 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).
15. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) 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.
16. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
17. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
18. 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 through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
19. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
20. Pay all applicable application, review for conformance with conditions and annual inspection fees.
21. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.

22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

24. Pursuant to the MCRSA, 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."
25. 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, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
26. Cultivators engaged in processing shall comply with the following Processing Practices:
  - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
  - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
  - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
  - d. Employees must wash hands sufficiently when handling cannabis or use gloves.
27. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
  - a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
    - (1) Emergency action response planning as necessary;
    - (2) Employee accident reporting and investigation policies;
    - (3) Fire prevention;
    - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
    - (5) Materials handling policies;
    - (6) Job hazard analyses; and
    - (7) Personal protective equipment policies, including respiratory protection.
  - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
    - (1) Operation manager contacts;
    - (2) Emergency responder contacts; and
    - (3) Poison control contacts.
  - c. 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.
  - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
28. All cultivators shall comply with the approved processing plan as to the following:

- a. Processing practices
  - b. Location where processing will occur
  - c. Number of employees, if any
  - d. Employee Safety Practices
  - e. Toilet and handwashing facilities
  - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
  - g. Drinking water for employees
  - h. Plan to minimize impact from increased road use resulting from processing
  - i. On-site housing, if any
29. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP 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 permittees and the permitted site have been found to comply with all conditions of approval.
30. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, 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 noncompliance. Failure to request reinspection or to cure any items of noncompliance 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.
31. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal 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.
32. 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.
33. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- a. Identifying information for the new owner(s) and management as required in an initial permit application;
  - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
  - c. The specific date on which the transfer is to occur;
  - d. Acknowledgement of full responsibility for complying with the existing permit; and
  - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
34. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to



assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

**Informational Notes:**

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after 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 #6 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 #26 and 27 of the Ongoing 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 and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the 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 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 (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

4. The applicant shall be aware that the Federal Government considers the cultivation of cannabis to be an illegal activity. This project is accessed by using roads that pass-through lands owned by the Federal Government. The Federal Government may not allow the applicant to use these roads to transport cannabis. In such case, Humboldt County will not provide relief to the applicant. Approval of this permit does not authorize transportation of cannabis across Federal lands.

**ATTACHMENT 2**

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

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

**APN 214-114-010  
County of Humboldt**

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

**December 2020**

## Background

### **Modified Project Description and Project History –**

The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. These regulations were developed in concert with the Mitigated Negative Declaration (MND) that was adopted for the ordinance in order to implement the mitigation measures of the MND. The MND 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. Commercial cannabis cultivation in existence as of December 31, 2015 was included in the environmental baseline for the MND and 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 current project was contemplated by the MND and compliance with the provisions of the CMMLUO will fully mitigate all environmental impacts of the project to a less than significant level.

**Project Description:** Canyon Farms, LLC seeks a Conditional Use Permit (CUP-16-575) for 20,120 square feet of existing mixed light cannabis cultivation to occur in greenhouses in two distinct cultivation areas, supported by a 1,640-square-foot ancillary nursery. Irrigation water is sourced from rainwater catchment in a series of hard tanks totaling 168,000 gallons. It is delivered to the cannabis plants via a metered drip irrigation system. The applicant's estimated annual water usage is 120,000 gallons (2.98 gal/SF/cycle). Drying and storage will occur onsite in a proposed 1,800-square-foot structure, and further processing will occur off site at a licensed processing or manufacturing facility. Up to three (3) employees may be utilized during peak operations. Power is provided by an existing solar array with a backup generator.

A Cultural Resources Investigation was prepared in October 2019 by Nick Angeloff, M.A., RPA, Principal Investigator, Archaeological Research and Supply Company, Rio Dell, CA. Per the Report, outreach letters were sent to the Sinkyone Intertribal Wilderness Council, which declined to comment, and to the Bear River Band of the Rohnerville Rancheria, which responded that there were no known archaeological or cultural sites on the subject properties, but that, "There is a positive Timber-Harvesting Plan (THP) survey within a mile of the project parcel that may be a sensitive area". The THPO recommended proceeding with the survey. 100 acres of APN 214-114-010 was subject to survey, including the entire area of potential effect (APE) of this project. No historic resources were identified as a result of the investigation. The report concluded that the proposed project will not result in any adverse changes to historical or archaeological resources and recommended Inadvertent Discoveries Protocol. If buried archaeological resources are discovered during project implementation, all work should be halted within 100 feet of the find and County officials, a professional archaeologist and tribal representatives should be contacted immediately to evaluate the find. Ongoing conditions of approval are incorporated regarding the Inadvertent Discoveries Protocol to protect cultural resources.

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 impacts of existing cultivation. These include restocking 0.50 acres with timber that was converted after the CEQA baseline was established to remediate for loss of wildlife habitat, ensuring supplemental lighting and security lighting adheres to Dark Sky Association standards and ensuring project related noise does not harass nearby wildlife which will limit impacts to biological resources as a result of light and noise.

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

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

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 20,120 square feet of cultivation with ancillary propagation, drying, and processing activities 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:

- Plot Plans prepared by Huber C&D dated and received 10/23/2020.
- Cultivation and Operations Plan prepared by Clearwater Ag, dated and received 10/23/2020.
- Site Management Plan prepared by Compliant Farms Certified, dated June 2020 and received 10/20/2020 for the State Water Resource Control Board (State Water Board) Cannabis Cultivation Policy (Cannabis Policy) and Order WQ 2017-0023-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order).
- Timber Conversion Evaluation Report prepared by Hohman & Associates Forestry Consultants.
- Road Evaluation Report for Hodges Road prepared by the applicant, received 5/19/2020.
- Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits.
- Cultural Resources Investigation for the Canyon Farms Commercial Cannabis Cultivation, Humboldt County California, County Application #12232 prepared by Archaeological Research and Supply Company, received 5/19/2020.

### **Other CEQA Considerations**

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the 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 3

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

Attachment 3 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 one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Plot Plans prepared by Huber C&D received 10/23/2020 – Attached with project Maps)
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; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan prepared by Clearwater Ag Services, dated and received 10/23/2020 - 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. (Included in Cultivation Operations Plan (item 4. above) and Site Management Plan prepared for State Water Board Cannabis General Order (item 7. below)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Notice of Applicability: Waste Discharge Requirements Water Quality Order WQ 2019-0001-DWQ (Attached) and Site Management Plan prepared by Compliant Farms Certified, received 10/20/2020 (Attached separately as Attachment 3.A))
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 California Department of Fish and Wildlife. (Notification No. 1600-2019-0023-R1 executed 5/14/2020 – Attached separately as Attachment 3.B)
9. If the source of water is a well, a copy of the County well permit, if available. (Not applicable. Well is for domestic use only)

10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Timber Conversion Report prepared by Hohman & Associates Forestry Consultants – Attached as Attachment 3.C)
11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
14. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe “government to government” consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
15. Cultural Resources Investigation for the Canyon Farms Commercial Cannabis Cultivation, Humboldt County California, County Application #12232 prepared by Archaeological Research and Supply Company, received 5/19/2020 (On-file and confidential).
16. Road Evaluation Report for Hodges Road prepared by the applicant and received 5/19/2020. (Attached)
17. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)



## **Canyon Farms, LLC**

### **Project Description**

Canyon Farms, LLC is seeking a CUP under the Humboldt County CMMLUO for 20,120 sq ft of Existing Mixed Light Commercial Cannabis Cultivation with an additional greenhouse for immature plants with 1,640 sq ft. This parcel is located in the Dyerville Loop area of Southern Humboldt County. The parcel is 195.5 acres with zoning of AE-B-5(160).

Cultivation will take place in a series of greenhouses with a total square footage of 20,120 sq ft and an additional immature plant greenhouse of 1,640 sq ft.. The greenhouses utilize wood frame garden beds and natural dirt floors. Drying of cannabis will take place in a proposed ag exempt metal framed 1,800 sq ft. building.

A metered drip irrigation system supplies the irrigation water to the plants.

The parcel is timber and oak woodland with approx. 40% natural meadows on a western aspect with gentle slopes up to 15%. Applicant proposes to have the cultivation in two distinct areas of the parcel within natural meadows and slopes of less than 5%.

There are no Sensitive Receptors within setback requirements of the existing Cultivation. This includes being at least 600 ft. from a School Bus Stop, School, Place of Worship or Cultural Resources or Public Parks. No cultivation will take place within 300 ft. of a neighboring residence. This includes no cultivation infrastructure 30 ft. from property lines. The cultivation site is over 490' from the SMA with a natural vegetation buffer.

Water source for cultivation is from 100% rain water catchment.

No new grading is being proposed.

Solar power with a back-up propane generator supplies the electrical power needs for this project.

### ***Employees***

Three part time employees are anticipated for this project. All employees live off site and car pool to the project site. This reduces the traffic to minimal for this road and driveway. Hand washing station is available as well as clean drinking water and appropriate PPE for use on the cultivation project. All Local, State and Federal Employment laws and regulations are followed. Additionally OSHA training and guidelines are adhered to.

### **Operation Plan**

Canyon Farms, LLC will utilize natural sunlight and low wattage supplemental lighting for their cultivation. Two growing cycles of mixed light cultivation will be done each year.

Operations will consist of utilizing natural soils in which organic and natural amendments have been added for optimum plant health. The soil will be fully contained in beds and if needed amendments will be added if needed for continued use, which will eliminate the need to purchase additional commercial soil.

Cultivation irrigation water comes from rain catchment. The water is gravity fed, to a series of 34-5,000 gallon rigid water tanks for a storage of 168,000 gallons. These tanks are specially designed with a rain catchment top as well as the use of the roof of the administrative office trailer give ample catchment surface to fill the water tanks on a normal yearly rainfall. The water storage is above the cultivation area providing sufficient gravity flow to the cultivation site. Projected water use will be approx.120,000 gallons per season.

Sanitary facilities will be a porta-potti on site that is maintained by a local vendor.

Drying and storage of cannabis will be in an ag exempt proposed metal building. If further processing of the cannabis is needed it will be done at a permitted offsite processing facility.

Applicant will adhere to the International Dark Sky Guidelines.

No noise from any cultivation activity will exceed 50 db at 50' from the noise source.

## **Cultivation Plan**

Canyon Farms, LLC will utilize natural sunlight for their commercial mixed light cannabis cultivation along with low wattage supplemental lighting in the early spring for approx. 2 weeks for plants to get healthy start. The cultivation will be in a high-quality commercial soil which has been amended as needed for plant health. This soil will be recycled each growing cycle by adding appropriate amendments and nutrients if needed. These amendments and nutrients will be natural and organic and will be handled and stored as required by manufacturer.

A series of greenhouses totaling 20,120 Sq Ft., with wood framed garden beds will used for cultivation. Applicant will use light deprivation techniques in the greenhouses by pulling black out tarps to reduce the sunlight available to the plants. This will allow two growing cycles per season of cultivation. Low wattage supplemental lighting will be needed during the early mornings in the spring giving the plants a health start. The greenhouses will have natural soil floors.

Canyon Farms, LLC anticipates to start cultivation in April each season. By using light deprivation techniques, they will harvest a cannabis crop during June. At that time the greenhouses will be replanted and this second cultivation cycle will be harvested in October. No light deprivation will be needed for the second crop.

Cannabis plants for starts will be provided by a licensed nursery.

No synthetic netting or ties will be used on this site.

Slopes at the existing cultivation sites are less than 15% and the sites are in a natural meadow.

Irrigation water comes exclusively from rain water catchment. The water is stored in a series of 5,000 gallon rigid plastic water tanks. The water tanks provide gravity flow to the garden area. Each water tank is plumbed separately which will eliminate the loss of stored water in case of a leak or plumbing failure. Water meters will be installed to monitor water use. Watering will be on timers and drip irrigation again limiting the amount of labor involved. Owner will expect to use 120,000 gallons of water for irrigation each year.

Low wattage supplemental lighting will be necessary and applicant will always adhere to the International Dark Sky Guidelines and not allow any light to escape any cultivation area between sunset and sunrise.

Only natural pesticides will be used if needed for plant health. Integrated Pest Management will greatly reduce or eliminate the need for pesticides. Storage for pesticides and nutrients is in a lockable metal shipping container and kept in secondary containment. SDS are available in the storage area. No regulated pesticides or fertilizers are used on this site. Applicant will also provide companion planting as part of their integrated pest management plan.

Up to three part time employees will be needed for this project. Owners will provide proper PPE and training on its use while engaged in cultivation activities. If needed this will include safety glasses, dust masks, gloves and other safety equipment. First aid kit and fire extinguishers will be appropriately placed in case of emergency.

## **Security**

Canyon Farms, LLC has a security plan in place which consists of No Trespassing Signs and a locked gate leading to the cultivation site. Also security cameras are in place at strategic locations. Cultivation area is not visible from a public road. We use this to our advantage as well very few vendors will be needed which reduces the visibility of the cultivation site.

The driveway is a private road with no public access.

No public visitation is allowed as part of the operations of this site.

## **Processing**

Canyon Farms, LLC is planning to use an ag exempt proposed metal barn of 1800 sq ft. for drying and storage of the cannabis. The use of small dehumidifiers and fans will help dry the cannabis and not produce any noise. Any additional processing will be done at an off-site permitted processing facility. The electrical power will be from existing solar panels and battery storage and if needed an existing propane generator.

## **Materials Management Plan**

Canyon Farms, LLC will not use any Hazardous Materials as part of the cannabis cultivation project. Any plastics such as tarps, waterlines, plastic pots or propagation trays or any unusable greenhouse materials will be disposed of appropriately at a licensed disposal site such as the Redway Transfer Station in Redway or the Humboldt Waste Management Facility in Eureka.

Proper storage of trash in trash cans with containment will be utilized for other trash including household type trash. This also will be transported weekly to the appropriate Facility.

No fuel or storage of any hazardous material in reportable quantities will be on site.

As shown on the Site Management Plan for this parcel, minimal fertilizers or pesticides will be used.

A list of the ag chemicals and their use and storage is included as attachment.

A contained 20'x20' compost area is shown on site plan for cannabis waste and other organic compost.

## **Parking and Roads**

This cultivation site is located off the County maintained, Dyerville Loop Road, then a privately maintained gravel road for the driveway. The gravel road is well maintained for erosion control by owners. There are sufficient pull-outs in several areas along the driveway for traffic to pass safely. Slopes of the road are up to 12%. There is access for any type emergency vehicle with ample parking up to 10 vehicles including any type of emergency vehicle such as a Type 3 fire apparatus. This road is also used for an active timber harvest plan and is maintained for commercial truck use. See Site Plan for Parking areas.

## **Light Pollution Control**

Canyon Farms, LLC will utilize natural sunlight for their cultivation as well as low wattage supplemental lighting in the early spring. By utilizing high quality commercial black out tarps, no light will escape any cultivation area between sunset and sunrise. Applicant adheres to the International Dark Sky Guidelines.

## **Soils Management**

Canyon Farms, LLC will utilize the existing high-quality commercial soil for cultivation in wood framed garden beds inside the greenhouses. This soil will be tested each season and will be reused each growing cycle by adding appropriate organic amendments if needed. Soil will be contained within the wood framed garden beds, eliminating the possibility of runoff or exposure to cause contamination of surrounding areas or water courses. The soil will be tilled and cannabis plants will be planted directly into the soil.



## **Hazardous Material Waste Statement**

No Hazardous Waste will be generated in the cultivation of cannabis or on the parcel.

## **Energy Plan**

All electrical needs for this cultivation project are served by the use of an existing solar power system. If needed an existing ultra-quiet propane generator will be used for back-up power. Applicant expects to use minimal electrical power for this cultivation site. The probable electrical equipment needed will be for supplemental lighting, water pump for irrigation needs and a small dehumidifier and fans for drying of the cannabis. Additionally, an office trailer is in place for cultivation administration use as well as break room for employees.

## **Storm Water Management Plan**

Canyon Farms, LLC will maintain driveways and access roads to eliminate erosion or runoff during storms. The driveway is well maintained and is shaped with rolling dips at appropriate intervals to eliminate erosion. At the outlet of each rolling dip is a rocked or natural vegetation dissipation area. No culverts or water crossings are on the parcel of the cultivation site. During storm events operator will monitor roads and cultivation site to ensure that runoff from cultivation site as well as access roads will be corrected for minimal impact or erosion. This will include proper ditching and vegetation buffers to prevent erosion. If needed straw, seed, wattles, jute cloth or other industry standards of erosion control will be placed to eliminate runoff. Roads and cultivation site will be shaped with rolling dips, bioswales and vegetation buffers which and help absorb potential runoff. Site Management Plan will contain additional information to ensure proper measures will be taken for appropriate storm water management.

## **Water Source and Water Rights**

Cannabis irrigation water will be supplied by 100% rain water catchment. The water storage has a capacity of 168,000 gallons in a total of 34- 5,000 gallon specially designed rain catchment water tanks. Rain water is also captured from the roof over the administrative office trailer equal to 936 sq ft. which will deliver approx. 600 gallons of water for storage for every inch of rainfall.

Domestic water comes from an existing well.

## **Irrigation Plan**

Canyon Farms, LLC will utilize metered automatic drip irrigation for consistent and appropriate quantity of water for cultivation. A water use plan is enclosed to show monthly water usage as well as annual use. All water lines to cultivation area are buried.

## **Water Storage**

Canyon Farms, LLC has existing storage of 168,000 gallons of irrigation water to be used for cultivation. The storage is in 5,000-gallon rigid plastic water tanks, filled in the winter from rainwater catchment. A separate 2,500 gallon water tank is used for exclusively for fire. This tank has a fire identification label as well as appropriate 1 1/2 " NH fittings for emergency use. See Site Plan for location of the water storage areas.

## **Sewage Disposal**

Applicant will use a porta potti which will be serviced by a local vendor.

## **Noise Source and Mitigation**

This project produces no noise from cultivation activities. The electrical power source is silent solar power with battery storage and if needed a back-up generator is used. This cultivation site produces minimal noise which is less than 50 db at 100 ft and inaudible at property lines. Greenhouses have a passive air flow and no exhaust fans. The back up generator uses propane which eliminates potential fuel spills and is ultra-quiet. It is stored in a small fire-resistant building and decibel levels at 50' from building are less than 30db.

<b>Table 1: Canyon Farms, LLC.</b>				
<b>Month</b>	<b>Non-Commercial Propagation Activities</b>	<b>Cultivation Schedule</b>	<b>Processing Activities</b>	<b>Water Usage from Storage</b>
<b>January</b>	N/A	N/A	N/A	0 gallons
<b>February</b>	N/A	N/A	N/A	0 gallons
<b>March</b>	N/A	N/A	N/A	0 gallons
<b>April</b>	Plants from licensed nursery	Seasonally dependent.	N/A	5,000 gallons
<b>May</b>	N/A	Plant. Seasonally dependent. Cultivation.	N/A	10,000 gallons
<b>June</b>	Purchase Clones	Cultivation.	N/A	25,000 gallons
<b>July</b>	N/A	Cultivation. Harvest.	N/A	25,000 gallons
<b>August</b>	N/A	Cultivation.	N/A	25,000 gallons
<b>September</b>	N/A	Cultivation.	Curing. Trim. Variable	20,000 gallons
<b>October</b>	N/A	Cultivation. Harvest	Curing. Trim. Variable	10,000 gallons
<b>November</b>	N/A	N/A	N/A	0 gallons
<b>December</b>	N/A	N/A	N/A	0 gallons
			<b>Total Water Use (up to)</b>	<b>120,000 gallons</b>

July 15, 2020

WDID:1\_12CC427716

CANYON FARMS, LLC  
ATTN: PETER GENOLIO  
PO BOX 2285  
REDWAY, CA 95560

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

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

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

Sincerely,

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

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**NOTICE OF APPLICABILITY – WASTE DISCHARGE REQUIREMENTS, WATER QUALITY ORDER WQ 2019-0001-DWQ, CANYON FARMS, LLC, HUMBOLDT COUNTY APN(s) 214-114-010-000**

Canyon Farms, LLC (hereafter “Discharger”) submitted information through the State Water Resources Control Board’s (State Water Board’s) online portal on June 06, 2020, for discharges of waste associated with cannabis cultivation related activities. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the Policy and General Order. This letter provides notice that the Policy and General Order are applicable to the site as described below. You are hereby assigned waste discharge identification (WDID) number **1\_12CC427716**.

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

**1. FACILITY AND DISCHARGE DESCRIPTION**

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

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

**2. SITE-SPECIFIC REQUIREMENTS**

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

[https://www.waterboards.ca.gov/water\\_issues/programs/cannabis/cannabis\\_water\\_quality.html](https://www.waterboards.ca.gov/water_issues/programs/cannabis/cannabis_water_quality.html)

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

The application requires the Discharger to self-certify that all applicable Best Practicable Treatment or Control (BPTC) measures are being implemented, or will be implemented by the onset of the winter period (November 15 - April 1), following the enrollment date. Landowners of the cultivation site in the North Coast Region are required to submit and

implement Site Management Plans that describes how BPTC measures are implemented property-wide, including BPTC measures implemented to address discharges from legacy activities (e.g. former timber harvest, road building, mining, etc.) at the site per Provision C.1.a. of the General Order. Dischargers that cannot implement all applicable BPTC measures by the onset of the winter period, following their enrollment date, shall submit to the appropriate Regional Water Board a *Site Management Plan* that includes a time schedule and scope of work for use by the Regional Water Board in developing a compliance schedule as described in Attachment A of the General Order.

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

[https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/cannabis/](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/)

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

[https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/cannabis/pdf/200204/RB1\\_Cannabis\\_WQC\\_401\\_App.pdf](https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/200204/RB1_Cannabis_WQC_401_App.pdf)

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

[https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/water\\_quality\\_certification/#401\\_calc](https://www.waterboards.ca.gov/northcoast/water_issues/programs/water_quality_certification/#401_calc)

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

- i. enter premises and facilities where cannabis is cultivated; where water is diverted, stored, or used; where wastes are treated, stored, or disposed; or in which any records are kept;
- i. access and copy, any records required to be kept under the terms and conditions of the Policy and General Order;
- ii. inspect, photograph, and record audio and video, any cannabis cultivation sites, and associated premises, facilities, monitoring equipment or device, practices, or operations regulated or required by the Policy and General Order; and



- iii. sample, monitor, photograph, and record audio and video of site conditions, any discharge, waste material substances, or water quality parameters at any location for the purpose of assuring compliance with the Policy and General Order.

### **3. TECHNICAL REPORT REQUIREMENTS**

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

A Site Management Plan, by September 03, 2020, consistent with the requirements of General Order Provision C.1.a., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the Site Management Plan.

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

### **4. MONITORING AND REPORTING PROGRAM**

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

A copy of Attachment B to the General Order can be obtained online at the following location, or by contacting staff at the phone number and email address listed below.  
[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2019/wq2019\\_0001\\_dwq.pdf#page=32](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wq2019_0001_dwq.pdf#page=32).

A copy of the Regional Supplement can be obtained online at the following location, or by contacting staff at the phone number and email address listed below.  
[https://www.waterboards.ca.gov/northcoast/board\\_decisions/adopted\\_orders/pdf/2019/19\\_0023\\_Regional%20Supplement%2013267%20Order.pdf](https://www.waterboards.ca.gov/northcoast/board_decisions/adopted_orders/pdf/2019/19_0023_Regional%20Supplement%2013267%20Order.pdf).

### **5. ANNUAL FEE**

According to the information submitted, the discharge is classified as Tier 1 Low Risk. The 2018-2019 annual fee for that tier and risk level was set at \$600, but please note

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

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

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

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

Cc: Kevin Porzio, State Water Resources Control Board,  
[dwq.cannabis@waterboards.ca.gov](mailto:dwq.cannabis@waterboards.ca.gov)  
Cheri Sanville, California Department of Fish and Wildlife,  
[cheri.sanville@wildlife.ca.gov](mailto:cheri.sanville@wildlife.ca.gov)  
Cliff Johnson, Humboldt County Planning and Building,  
[cjohnson@co.humboldt.ca.us](mailto:cjohnson@co.humboldt.ca.us)  
Kyle Preciado, PO Box 945 Redway, CA 95560



12232

# HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS ROAD EVALUATION REPORT

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

Applicant Name: Canyon Farms, LLC APN: 214-114-010

Planning & Building Department Case/File No.: 12232

Road Name: Hodges Road (complete a separate form for each road)

From Road (Cross street): Dyerville Loop Road

To Road (Cross street): site

Length of road segment: .4 miles Date Inspected 05-10-2020

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.*

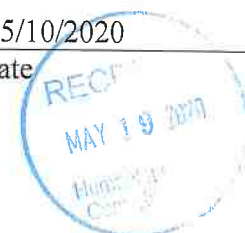
**Box 3** ☐ The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

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

Signature

05/10/2020  
Date

Diana Totten  
Name Printed



If you have questions regarding this form, or need assistance in filling it out, please call the Department of Public Works Land Use Division at 707.445.7205.



## ROAD EVALUATION PHOTOS



16700 Dyerville Loop Road



.4 mile to cultivation site

## ATTACHMENT 4

### 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		No Response	
Division Environmental Health	✓	Conditional Approval	Attached
Public Works, Land Use Division	✓	Conditional Approval	Attached
CalFire	✓	Comments	Attached
Northwest Information Center	✓	Further Study	On file and confidential
Bear River Band	✓	Comments	On file and confidential
California Department of Fish & Wildlife		No response	
Southern Humboldt Joint Unified School District		No response	
County Counsel		No Response	
Humboldt County Sheriff		No Response	
Humboldt County Agricultural Commissioner		No response	
Humboldt County District Attorney		No response	
North Coast Regional Water Quality Control Board		No response	
Sinkyone Intertribal Wilderness Council		No response	
State Water Resources Control Board – Division of Water Rights		No response	



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

PROJECT REFERRAL TO: Health and Human Services Environmental  
Health Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health 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, Intertribal Sinkyone Wilderness Council, Humboldt County Sheriff, SWRCB- Division of Water Rights, Southern Humboldt JT Unified School District School District

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Applicant Name Humboldt Homegrown Key Parcel Number 214-114-010-000

Application (APPS#) 12232 Assigned Planner Cannabis Planner (CPOD) (707) 445-7541 Case Number(s) CUP16-575

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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

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 (OWTS) adequate to support proposed staffing.
2. The approval of an unpermitted OWTS described in the provided Cultivation and Operations Plan is **dependent upon demonstration of site suitability** from a Qualified Professional.
3. **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.
4. One well is shown on the provided site plan. **Legalize or destroy the well:** Provide documentation to verify legal non-conforming status, retroactively permit the well or complete a well destruction permit for the well.

\*Please provide a copy of the written Approved Compliance Agreement to DEH per HCC §313-55.4.11

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\*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.

Response Date: 6/15/2018 Recommendation By: Joey Whittlesey



DEPARTMENT OF PUBLIC WORKS  
**COUNTY OF HUMBOLDT**

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
AREA CODE 707

ARGATA-EUREKA AIRPORT TERMINAL  
MCKINLEYVILLE  
FAX 839-3596

AVIATION

839-5401

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

ADMINISTRATION

445-7491

BUSINESS

445-7652

ENGINEERING

445-7377

FACILITY MAINTENANCE

445-7493

NATURAL RESOURCES

NATURAL RESOURCES PLANNING

PARKS

ROADS & EQUIPMENT MAINTENANCE

445-7741

267-9940

445-7651

445-7421

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

LAND USE

445-7205

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

TO: Michelle Nielsen, Senior Planner, Planning & Building Department

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

DATE: 4-26-2018

RE:

Applicant Name	Humboldt Homegrown
APN	214-114-010
APPS#	12232 <span style="float: right;">CUP16-575</span>

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

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

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

// END //

## Exhibit "A"

### Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 12232

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

// END //



## Exhibit "D"

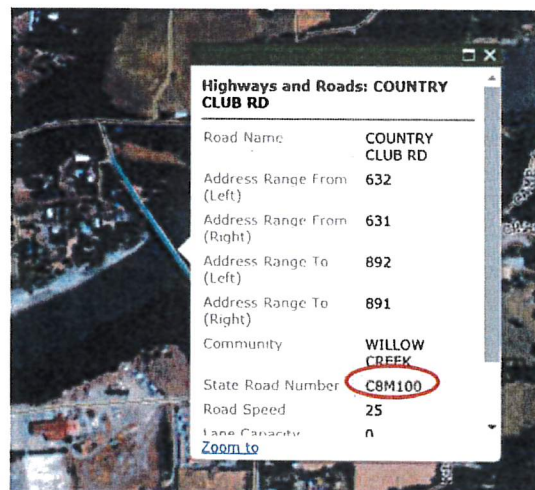
### Road Evaluation Reports

1. **ROADS – Road Evaluation Reports.** Planning and Building Department staff shall request that the applicant provide Road Evaluation Reports for the project. The particular roads that require a Road Evaluation Report is to be determined by following the guidance shown below.

The Department has developed a *Road Evaluation Report* form so that an applicant can address the adequacy of the various roads used by their project. Most projects will require that a *Road Evaluation Report* form be completed.

When viewing the project site on google earth, if the County maintained road (or other publicly maintained road) has a centerline stripe, the road is adequate. If there is no centerline stripe, then the roads leading from the nearest publicly maintained road with a paved centerline stripe (or a known category 4 road) must be evaluated. A separate Road Evaluation Report form is needed for each road. This applies to all roads regardless if they are publicly or privately maintained. The Department has prepared a "approved list" of known County maintained roads that are category 4 (or are equivalent to category 4) standards for cannabis projects. The Department has also prepared a list of roads that are known to not meet road category 4 of equivalent. Both of these lists will be updated as the County information regarding the County maintained roads becomes available.

The *Road Evaluation Report* form needs to be provided to applicants to complete. It is important that Planning and Building Department staff provide the applicant with a map that has the roads to be evaluated highlighted. This will most likely include a combination of County maintained roads and non-County maintained roads. This will give the applicant clear direction on which roads need to be evaluated.



Above: screenshot from the WebGIS showing County Road Number circled in RED.

A County maintained road will have a 5 or 6 character identifier. The general format is ABCDDD where:

- A is an optional identifier for the functionality of the road (A=Arterial, C=Collector, F=Federal Aid)
- B is a grid identifier number for the X-axis of a "battleship" style grid that was drawn on a county map to divide the county into a series of squares.
- C is a grid identifier letter for the Y-axis for the grid.
- DDD is a three digit road identification number within a particular grid. Each grid can have up to 999 roads in them

Examples:

ABCDDD

A 3 M 0 2 0 Murray Road

F 6 B 1 6 5 Alderpoint Road

6 C 0 4 0 Thomas Road

## Exhibit "D"

### Road Evaluation Reports

The Department is working towards identifying which County maintained roads meet (or are equivalent to) Road Category 4 standards for cannabis projects. Two lists are being prepared: the first list with the **green** heading shows which roads (or portions thereof) meet or are equivalent to Road Category 4 standard (AKA "Approved List"); and the second list with the **red** heading shows which roads (or portions thereof) that do not meet or are not equivalent to Road Category 4 standards. These lists will be updated as information becomes available. **This list will be updated frequently. Make sure you are using the most up to date list.**

On occasion there may be more than one road that has the same name; in these instances check the road number to ensure that you are referencing the correct road. Until such time as the GIS roads layer has been proofed by the Department, the GIS is not to be used for this task. Use the paper road maps to check road numbers.

If the subject property takes direct access from a road on the "approved list", no further road evaluation needs to be done.

<b>"APPROVED LIST"</b> <b>List of County Maintained Roads that meet (or are equivalent to)</b> <b>Road Category 4 standards for Cannabis Projects</b>		
<b>Road Name</b>	<b>Road Number</b>	<b>Range meeting (or equivalent to) Road Category 4 standard</b>
Alderpoint Road	F6B165	All
Bair Road	C6L300	All
Bair Road	6L300	All
Bald Hills Road	F4R300	All
Benbow Drive	6B180	Oakcrest Drive to State Hwy 101
Blue Slide Road	F2G100	All [Grizzley Bluff Rd to City limits of Rio Dell]
Brannon Mountain Road	7M100	State Hwy 96 to Creekside Lane
Briceland Thorne Road	F5A010	All
Burrell Road	3D030	From Mattole Rod to P.M. 067
Cathey Road	6D050	State Park to P.M. 0.87 [End of County maintained]
Chemise Mountain Road	C4A030	Shelter Cove Road to P.M. 3.0
Eel Rock Road	7D010	All
Eighth Avenue	4N080	All
Ettersburg Honeydew Road	F5A010	All
Fickle Hill Road	C5J040	PM 1.55 [end of centerline stripe] to P.M. 8.00
Fieldbrook Road	C4L760	All
Freshwater Road	F6F060	All
Friday Ridge Road	8L100	State Hwy 299 to PM 3.37[End of County maintained] then becomes USFS Road
Greenwood Heights Drive	C4K160	All
Grizzley Bluff Road	F2G100	All [City limits of Ferndale to Blue Slide Rd]
Jacoby Creek Road	C4K230	Old Arcata Road to P.M. 2.50
Jacoby Creek Road	4K230	From P.M. 2.5 to P.M. 2.69
Kneeland Road	F6F060	Freshwater Road to Mountain View Road
Maple Creek Road	5L100	All
Mattole Road	F3D010	All
Mattole Road	F3C010	All
McCann Road	6D090	Dyerville Loop Road to P.M. 1.0
McCellan Mtn Road	7F010	State Hwy 36 to P.M. 3.57[End of County maintained]
Mountain View Road	6H010	All
Murray Road	C3M020	All
Old Three Creeks Road	6L250	State Hwy 299 to P.M. 2.8 [End of County maintained]
Panther Gap Road	4D010	Mattole Road to P.M. 1.83[End of County maintained] continues as a non- County maintained road
Patterson Road	C3M130	All
Salmon Creek Road	6C030	Hwy 101 to P.M. 5.39 [Gate]
Shelter Cove Road	C4A010	All
Sprowel Creek Road	C6B095	PM 0.0 to PM 2.11
Sprowel Creek Road	6B095	PM 2.11 to PM 4.00
Thomas Road	6C040	Salmon Creek Road to P.M. 4.03 [End of County maintained] continues as a non- County maintained rd
Titlow Hill Road	7K100	Hwy 299 to PM 4.7[End of County maintained] then becomes USFS Road
West End Road	5L010	PM 0.0 at Arcata City Limits to Warren Creek Road
Wilder Ridge Road	C5B010	All

**Exhibit "D"****Road Evaluation Reports**

List of County Maintained Roads that do not meet (or are not equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range not meeting (or not equivalent to) Road Category 4 standard
Bark Shanty Road	9R105	All
Benbow Drive	6B180	Oakcrest Dr to end of County maintained
Brannon Mountain Road	7M100	Creekside Lane to PM 5.0 [End of County maintained] then becomes USFS Road
Burrell Road	3D030	P.M. 067 to P.M. 2.22 [End of County maintained]
Butte Creek Road	6H020	All
Chemise Mountain Road	C4A030	P.M. 3.0 to P.M. 4.09 [Mendocino County Line]
Essex Lane	C4L780	P.M. 0.2 to P.M. 0.9 [End of County maintained]
Fickle Hill Road	C5J040	P.M. 8.0 to P.M. 11.72
Kings Peak Road	C4A020	P.M. 1.0 to P.M. 12.20
McCann Road	6D090	P.M.1.0 to P.M.2.6 [End of County maintained]
Mill Street	3G305	Country Club Estates to P.M. 0.49[End]
Old Eel Rock Road	7D025	All
River Bar Road	4G010	Hwy 36 to P.M. 1.76 [End of County maintained]
Salmon Creek Road	6C030	P.M. 5.39 to P.M. 5.88[End of County maintained]
Sprowel Creek Road	6B095	P.M 4.00 to PM 7.22 [End of County maintained]
Stapp Road	7H010	P.M 0.00 to 3.25[End of County maintained]
Warren Creek Road	5L740	P.M 0.0 to PM 0.95 [End of County maintained]
Williams Creek Road	2G045	All

// END //

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

The Department has no comment at this time.

Suggested conditions attached.

Applicant needs to submit additional information. List of Items attached.

Recommend denial.

Other comments.

Date:

Name:

**Forester Comments:**

Date:

Name:

**Battalion Chief Comments:**

**Summary:**



**Laney, Megan**

---

**From:** HUU CEQA@CALFIRE <HUUCEQA@fire.ca.gov>  
**Sent:** Monday, October 02, 2017 3:34 PM  
**To:** Planning Clerk  
**Subject:** FW: APN# 214-114-010 Humboldt Homegrown



Chris Ramey  
Battalion Chief, Fire Planning

**CAL FIRE**

Humboldt-Del Norte Unit  
C: 707-599-6442  
Duty Days: Tues-Fri

**From:** Titus, Lucas@CALFIRE  
**Sent:** Monday, October 2, 2017 8:35 AM  
**To:** HUU CEQA@CALFIRE <HUUCEQA@fire.ca.gov>  
**Cc:** hhgrown@gmail.com  
**Subject:** APN# 214-114-010 Humboldt Homegrown

It may be necessary for a CALFIRE harvest permit to be obtained prior to expanding this cultivation and new development sites. A Registered Professional Forester may be required to advise the landowner of necessary permits from CALFIRE. Previous land use activities may have resulted in harvest without an permit and harvesting without a plan or a license. More information is required for a proper evaluation.

Lucas Titus

Forester I, Bridgeville Resource Management

Department of Forestry and Fire Protection

**CAL FIRE**

Humboldt-Del Norte Unit

Office (707)777-1720

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**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

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



Ref: 7100 Planning  
Date: October 5, 2017

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

**Attention:** Cannabis Planner (CPOD)  
**Applicant:** Humboldt Homegrown  
**APN:** 214-114-010-000  
**Area:** Phillipsville  
**Case Numbers:** CUP16-575

**Humboldt County Application #:** 12232  
**Type of Application:** Conditional Use Permit  
**Date Received:** 9/28/2017  
**Due Date:** 10/11/2017

**Project Description:** An application for a Conditional Use Permit for an existing 11,640 square feet of mixed-light and 12,300 square feet of outdoor medical cannabis cultivation is requested. The Applicant proposes to move the existing cultivation to an environmentally superior area within the parcel. Water source is a rainwater catchment pond on-site. Water storage capacity on-site is a 1,000,000 gallon rain catchment pond. Processing, including drying and trimming, would be performed on-site in a pre-existing 2,400 square foot facility. Ten (10) employees are expected for operations. Power source is solar with a generator backup.

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 eave 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 PROJECTS**

### **Local Responsibility Areas:**

CAL FIRE is the primary command and control dispatch center for many local agency fire districts and departments. Potential life hazard threats associated with a project must be identified and documented for the protection of the public and first responders. Projects which include timber harvesting or conversion of timberland are subject to the Forest Practices Act and Rules, regardless of wildland fire responsibility area.

### **State Responsibility Areas:**

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

Conversion of timberland to a non-timber producing use is subject to permit from CAL FIRE. Commercial timber harvesting operations to facilitate cannabis cultivation and processing are subject to permitting and regulation under the Forest Practice Act and Rules. Please refer to the RESOURCE MANAGEMENT comments.

### **General Recommendations:**

The following recommendations are made by CAL FIRE with the understanding that most areas of Humboldt County do not have a paid fire department providing fire prevention services.

1. Cannabis growing operations shall have easily accessible safety data sheets (SDS) for all chemicals and hazardous materials on site. Commercial operations must have a current Hazardous Materials Business Plan on file with Humboldt County Environmental Health, where applicable.
2. California Health and Safety Code (HSC 11362.769.) Requires that 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.
3. Cannabis growing and extraction shall be in accordance with Chapter N101.1 of the International Fire Code, the International Building Code, and the International Mechanical Code. Hazardous materials shall comply with Chapter 50. Compressed gases shall comply with Chapter 53. Cryogenic fluids shall comply with Chapter 55. Flammable and combustible liquids shall comply with Chapter 57. 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 and processing of cannabis is generally an agricultural operation. However, manufacture of marijuana extracts and concentrates are commercial or industrial activities, and may be subject to the county's SRA Fire Safe Ordinance. Any new residential units associated with cannabis cultivation and processing may also be subject to the SRA Fire Safe Ordinance. All materials hazardous and non-hazardous associated with the extraction process shall be utilized in conformance of the law and fire safe codes.