



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Phone: (707) 445-7541 Fax: (707) 268-3792

Hearing Date: January 21, 2021

To: Humboldt County Planning Commission

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

Subject: **Savage Farms, LLC Conditional Use Permit**
Application Number 11994
Case Numbers CUP 16-488
Assessor's Parcel Number (APN) 220-171-005
655 Eubanks Road, Whitethorn area

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Please contact David J. R. Mack, AICP, Project Manager/Senior Planner (Harris & Associates) at 831-320-0413 or by email at david.mack@weareharris.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
January 21, 2021	Conditional Use Permit – Type I	David Mack, AICP

Project Description: Savage Farms, LLC, seeks Conditional Use CUP-16-488 to permit an existing 20,300 square foot (SF) outdoor (light deprivation) cultivation that is comprised of 12 greenhouses (GH) and a total of 2,400 SF of ancillary nursery/immature planting areas.

Drying would occur onsite in three existing buildings and further processing would occur at a licensed third party facility. There would be two to three employees active in the cultivation process throughout the year. Power is provided by two gas-powered Honda generators (200 kW and 300 kW).

Irrigation water is sourced from two surface water diversion points, as well as a rain catchment pond. Existing onsite water storage totals 233,000 gallons and includes 42 high-density polyethylene (HDPE) hard tanks that vary from 1,500-gallon to 5,000-gallon in size, as well as a 37,000-gallon rain catchment pond. Total water use annually is estimated at 252,250 gallons.

Project Location: The project is located at 655 Eubanks Road (APN: 220-171-005) in the unincorporated community of Whitethorn, located in western Humboldt County.

Present Plan Land Use Designations: Agricultural Grazing (AG) Density: 40 acres per dwelling unit; Slope Stability: High instability

Present Zoning: Unclassified (U)

Record Number: PLN-11994-CUP

Case Numbers: CUP-16-488

Assessor's Parcel Number: 220-171-005

Applicant

Savage Farms
C/O Nate Shepard
PO Box 1958
Redway, CA 95560

Owner

Jerry Savage
PO Box 112
Redway, CA 95560

Agents

Green Road Consulting, Inc.
C/O Georgia Yarborough and
Dante Haam
1650 Central Avenue, Suite C
McKinleyville, CA 95519

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: No major issues/concerns were identified for this project.

Savage Farms
Record Number: PLN-11994-CUP
Assessor's Parcel Number: 220-171-005

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:

Adopt the resolution to take the following actions:

- (a) Find 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;*
- (b) Make all required findings for approval of the Conditional Use Permit; and*
- (c) Approve the Savage Farms, LLC Conditional Use Permit as recommended by staff subject to the recommended conditions.*

Executive Summary: Savage Farms, seeks a Conditional Use Permit (CUP-16-488) to permit an existing 20,300 square foot (SF) outdoor cultivation comprised of 12 greenhouses and 2,400 SF of ancillary nurseries. The medical cannabis permit application is 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 (CCMLUO). The site has been issued a Zoning Clearance Certificate for Interim Permit (IP), based upon the Cultivation Area Verification (CAV) developed for the site. The cultivation area for this Conditional Use Permit is based upon the CAV prepared for the IP.

Cultivation is broken into two separate grow areas. The northern grow area consists of GH 1 (2,000 SF), GH 2 (2,000 SF), GH 3 (2,000 SF), GH 4 (2,000 SF), GH 5 (2,000 SF), and GH 6 (1,275 SF). The southern grow area consists of GH 7 (1,950 SF), GH 8 (2,025 SF), GH 9 (1,050 SF), GH 10 (1,200 SF), GH 11 (1,400 SF), and GH 12 (1,400 SF).

The nursery/immature plant areas are located in two separate areas. Immature plant area No. 1 (1,200 SF) is located in the north-western portion of the property. Immature plant area No. 2 (1,200 SF) is located adjacent to the southern grow area.

Three Multi-Use Buildings (MB), comprising 3,650 SF total, are used for drying and storage. MB 1 (600 SF) is located adjacent to immature plant area No.1 in the northwestern portion of the property. MB 2 (2,250 SF) is located in the northern grow area. MB 3 (800 SF) is located in the southern grow area. Drying would occur onsite, and further processing would occur at a licensed third party facility offsite. There would be two to three employees active in the cultivation process throughout the year. Power is provided by two gas-powered Honda generators (200 kW and 300 kW).

Water Resources

Irrigation water sources include two points of diversion from two different springs (Spring #1 and Spring #2), that have the Small Irrigation User Right (SUIR) (Certificate # H100274) from the State Water Control Board, as well as a rain catchment pond that has an area of 2,287 SF (37,000 gallons). The project area includes multiple watercourses, including: one Class I watercourse (Eubank Creek), two unnamed Class II watercourses, and five Class III drainages. Three of these watercourses require a buffer between existing cultivation areas. Eubank Creek and an unnamed Class II watercourse require a 100-foot buffer, and an unnamed class III drainage requires a 50-foot buffer.

Water quality within the project area will be protected through compliance with the requirements of the State Water Board. This will include annual site inspection, monitoring, and reporting of Tier 2 discharges to the North Coast Regional Water Quality Control Board (NCRWQC). The proposed project is within a Streamside Management Area (SMA) and therefore is required to be consistent with the Humboldt

County General Plan Policy BR-P6, which requires development within a SMA to comply with erosion control and required mitigation measures.

The Site Management Plan identified issues present within the project area, defined as, High Risk Treatment Priority Remediation Measures, in order to address issues (Site Management Plan, Remediation Summary Table). In order for the permit to be granted, the applicant must remediate the issues described below (**Conditions 16a through 16d**) and submit monitoring and reporting of Facility Status, as well as Site Maintenance and Stormwater Runoff observations annually to the State Water Resources Control Board.

- **Riparian and Wetland Protection and Management.** Two water storage tanks and a greenhouse in Cultivation Area #2 are located within the riparian setback of a Class II watercourse and must be relocated (**Condition 16a.i and 16a.ii**). Two spring diversions are not in compliance with California Department of Fish and Wildlife (CDFW), and must be remediated to CDFW standards (**Condition 16a.iii**).
- **Stream Crossing Maintenance.** A pipe inlet necessary for draining sheet flow from the adjacent roadway is clogged and must be cleared. A rocked sediment retention basin at the in-slope side of the steep roadway (MP16) must be installed to catch and manage stormwater runoff before storm water is released into the stream (STX5) located downslope of the roadway (**Condition 16b.i**).
- **Erosion Control and Drainage Features.** There are numerous erosion control issues along roadways, such as failing rolling dips/water bars, clogged drainage pipes, and generally inadequate road drainage features. To address erosion issues, drainages need to be rocked, and additional rolling dips need to be installed to reduce and properly drain sheet flow runoff from the roadways; and a French drain and rock outlet should be installed at MP12 to address draining along the walkway (**Condition 16c**).
- **Cultivation Related Waste.** Loose cultivation materials are currently within the riparian setback. Abandoned cultivation related material must be removed from map point 11 (MP11); and all bare soils must be covered with native seed and straw (**Condition 16d**).

A Lake and Streambed Alteration Agreement (LSAA) was granted by CDFW (Notification #1600-2016-0188-R1) on November 8, 2016. The LSAA allows for one encroachment of Eubank Creek to clear vegetation and debris within the creek and construct a 50-foot footbridge over the creek.

The Water Right (Certificate# H100274) for water usage allows up to 0.84 acre-feet per year (273,715 gallons per year) to be collected from November 1 through March 31, specified by the current 'State Water Board's Cannabis Policy'. The rate of diversion to storage is limited to 14,400 gallons per day (10 gallons per minute x 1,440 minutes/day), pursuant to the current State Water Board's Cannabis Policy 78, which the applicant is required to comply with. A condition has been included requiring a meter on the amount of water taken from the diversionary source into storage and how much water is being used for cultivation.

The diverted water will be stored in water storage tanks totaling 233,000 gallons and includes 42 HDPE hard tanks that vary in size from 1,500-gallons to 5,000-gallons, and a 37,000-gallon rain catchment pond. Total annual water use is estimated at 252,250 gallons. Between the onsite storage (233,000 gallons) and the rain catchment pond (37,000) the applicant possesses enough available water, in the form of storage, to allow for full compliance during the required forbearance period. The 252,250 gallons of water for 20,300 square feet of outdoor cultivation equates to 12.4 gallons of water per square foot of cultivation.

Biological Resources

A list of special status species that could potentially occur in the project area was generated in September 2018, using the following information systems (Savage Farms CNDDDB map (located last page Timber Conversion Evaluation): California Natural Diversity Database (CDFW 2019); Biogeographic Information and Observation system (BIOS), Northern Spotted Owl Viewer (CDFW 2019); and US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) database. A Northern Spotted Owl Activity Center (HUM0133) was identified approximately 0.82 miles from Conversion Area #1. Owl activity was last observed in 1983, making it reasonable to conclude that present-day cultivation activities would not affect this historical Activity Center. The CNDDDB search identified one occurrence of red-bellied newt habitat within the project area, which is a California Species of Special Concern. The project area is within the northern extent of the species range, and (if present) the species would occur in stream habitat, which are not adversely impacted by cultivation activities. Project activities are not expected to produce any adverse or cumulative effects to any special-species or habitat, due to the small size of the project area combined with the type of proposed activities. Therefore, impacts to biological resources are considered low and unlikely.

Tribal Cultural Resource Coordination

The project site is located within Shelter Cove Sinkyone tribe ethnographic territory within Humboldt County. A site field survey and a Cultural Resource Investigation was conducted in June 2019 by Nick Angeloff of Archaeological Research and Supply Company, in order to determine if any cultural resources exist within the project's 108-acre study area. The Cultural Resources Investigation included: sending emails to the Native American organizations identified on the Native American Heritage Commission (NAHC) list, contacting the Northwest Information Center (NWIC) for a records search, and conducting historical background research of existing maps and publications relevant to the study area. The NWIC responded by indicating there are no known resources present in the project area.

The lead investigator, Nick Angeloff, concluded that the proposed project would not result in any adverse changes to historical, archaeological, or tribal resources. Mr. Angeloff recommends the use of the Inadvertent Discoveries Protocol by a qualified professional archaeologist, if any previously unidentified cultural resources are encountered throughout project implementation.

Access

The site is located on both sides of Eubanks Road in the unincorporated community of Whitethorn, in western Humboldt County. The County Department of Public Works, who maintains Eubanks Road, reviewed the project referral and recommended standard conditions of approval related to maintenance of private driveway/road intersections [County Roads-Driveway & Private Road Intersection Paved Surface]. As discussed above, the Site Management Plan remediation assessment identified several repairs to address erosion control issues along roadways. These conditions have been applied to the project and no additional review is required.

The road accessing Conversion Area #1 does not intercept any watercourses, and the road surface is rocked, adequately drained and does not exhibit excessive scouring. The Timberland Conversion Evaluation Report recommend the installation of (at least) one water bar or rolling dip, that extends from the property entrance to the conversion site, to ensure proper soil stabilization and provide adequate erosion control.

The road accessing Conversion Area #2 crosses numerous watercourses and has various erosion control issues. Due to the road's proximity to Eubank Creek, a Class I watercourse, the watercourse crossings on the lower slope will require a hydrologic study (**Condition 15**) to ensure that water resources are not being adversely affected by the roadway, and road access is restricted to only 4-wheel drive during the dry season. The project is conditioned to winterize road crossings (as soon as possible) by clearing plugged culverts and installing water bars to minimize sedimentation into watercourses (**Condition 12**, see RPF recommendations Table 2 of Timberland Conversion Evaluation Report).

Timberland Conversion Evaluation

A Timberland Conversion Evaluation Report was developed in October 2018 to address the conversion of approximately 1.0 acres of unauthorized converted timberland within the project area. A field inspection of the conversion area was conducted in July 2018 and found that the total unauthorized acreage is less than 1.1 acre, which is below the 3-acre maximum Conversion Exemption. The date of the conversion occurred in approximately 2010, and so it is a conversion that can be retroactively approved to allow continued cannabis cultivation. Therefore, the historic timber harvesting and operations do not appear to have been inconsistent with CMMLUO, and no further recommendations are suggested. Additional analysis of the consequences of timberland conversion include roadway erosion control and effects on watercourses within the project area, and are addressed in the above analysis under Water Resources.

Generator Use:

The application is for outdoor cultivation, but the applicant does include that generators are used as the primary power source. Consistent with past actions of the Planning Commission a condition has been added that the power source of all cannabis related activities shall be converted to a renewable source by December 31, 2025. (**Condition 22**)

California Environmental Quality Act (CEQA)

Environmental review for this project was conducted in December 2020 by the County. Based on the results of that analysis, staff finds that all aspects of the project have been considered in the Mitigated Negative Declaration (MND) adopted for the Commercial Medical Marijuana Land Use Ordinance on January 26, 2016. Accordingly, staff has prepared an addendum to this document for consideration by the Planning Commission. See **Attachment 2** for more information.

RECOMMENDATION: Based on a review of Planning and Building Department 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 to 1) not approve the project, or 2) 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 which case, the Commission should continue the item to a future date at least two months later to provide staff adequate time to complete further environmental review.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 21-xx
Record Number PLN-11994-CUP
Assessor's Parcel Number: 220-171-005**

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

WHEREAS, Savage Farms applied for Conditional Use Permits (CUP-16-488) for the continued operation of an existing 20,300 square foot (SF) outdoor cannabis cultivation operation, with appurtenant propagation and drying activities;

WHEREAS, the County prepared an Addendum to the Final Mitigated Negative Declaration (MND) for the Commercial Medical Marijuana 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 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; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on **January 21 2021**, and reviewed, considered, and discussed the application for the requested Conditional Use Permits 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 Permits CUP-16-488 for the continued operation of an existing 20,300 square foot (SF) cannabis cultivation operation and associated 2,400 SF immature plant/nursery areas, with appurtenant propagation and drying activities. Power is provided by two (200 kW; 300 kW) onsite Honda generators. Irrigation water is sourced from two spring diversions and a rain catchment pond.

EVIDENCE: a) Project File: PLN-11994-CUP

- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been met. 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) Addendum to the MND prepared for the proposed project in compliance with CEQA.

 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 Biological Report was not prepared for the project, but a thorough analysis was conducted of the project area, and a list of species was generated using the following wildlife database systems: California Natural Diversity Database (CDFW 2019) and Biogeographic Information and

Observation system (BIOS), Northern Spotted Owl Viewer (CDFW 2019), US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) database.

Although the CNDDDB identified an occurrence of a Northern Spotted Owl activity center within the project area, owl activity was last observed in 1983, thus it is considered a historical activity area. The CNDDDB search also identified red-bellied newt habitat but because it is the northern extent of habitat and (if present) would only occur within streams, which are not adversely affected by cannabis activities undertaken in compliance with the permit. Proposed cultivation activities would not degrade or remove any suitable habitat, or result in noise or disturbance that would adversely impact any protected species. Therefore, impacts to biological resources are considered low/unlikely.

- d) A Site Management Plan, as well as a Water Resources Protection Plan, was prepared by Green Road Consultants to show compliance with the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. 2015-0023, in order to protect the water quality of waterways within the project area. Issues identified within the SMP include Riparian and Wetland Protection, Stream Crossing Maintenance, Erosion Control and Drainage Features, and Cultivation Related Waste. In order to bring the project up to environmental management standards, the applicant must comply with **Conditions 16a – 16d**.
- e) A Cultural Resources Investigation was prepared by Nick Angeloff of Archaeological Research and Supply Company in June 2019. The Archaeological Research investigation concluded that the proposed project would not result in any adverse changes to historical, archaeological, or tribal resources, and recommends the use of Inadvertent Discoveries Protocol in the event of unanticipated discoveries of resources and/or human remains.
- f) A Timberland Conversion Evaluation Report was developed in October 2018 to assess the conversion and remediation of less than 1.1 acres of unauthorized converted timberland into "flat area" on the project site. The report was developed in accordance with the California Forest Practice Rules (CFPRs), in order to comply with CMMLUO. A field inspection and satellite image review of the conversion area determined that timberland conversion of 1.1 acres is below the maximum 3 acres allowed and occurred around 2010 and, therefore can be authorized to support cannabis cultivation.

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 Grazing (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.

- b) The proposed project is within a Streamside Management Area (SMA) and therefore is required to be consistent with the Humboldt County General Plan Policy BR-P6, which requires development within a SMA to comply with Standards BR-S8 (Required Mitigation Measures) and BR-S9 (Erosion Control). The proposed project was designed with mitigating features, including: 1) Cultivation is sited to avoid activity within the stream channel; 2) All cultivation areas are proposed to be located off of slopes, and will not involve vegetation removal or land clearing; and 3) Prior unseeded exposed soils have been addressed with native seeding. Therefore the project is not considered 'High Risk' and is consistent with Policy BR-P6, and Standards BR-S8 and BR-S9.

4. FINDING

The proposed development is consistent with the purposes of the existing Unincorporated (U) in which the site is located.

EVIDENCE

- a) The Unclassified (or U 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 U zone.
- c) Humboldt County Code section 313-106.6 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 a total of 20,300 SF of outdoor cultivation and a total of 2,400 SF of immature plant/nursery areas on an 80-acre parcel is consistent with the Humboldt County Code 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 U (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 by deed recorded before the establishment of county and state subdivision regulations that would have applied to the creation of the parcel.
- c) The project will obtain water from two surface water diversions (Certificate #H100274), that are registered with the State Water Control Board, as well as a rain catchment pond. The applicant can divert up to 273,715 gallons per year and has 233,000 gallons of hard tank storage and will collect 37,000 gallons of rainwater in a pond. The total water usage is approved at 252,250 gallons per year.
- d) The slope of the land where cannabis will be cultivated is less than 15%.
- e) The cultivation of cannabis will not result in the net conversion of

timberland. The proposed cultivation area(s) are located within a historical cultivation area. Prior illegal grading has been conducted on the site, and was abated pursuant Timberland Resource Conversion assessment.

- f) 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, and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.

6. FINDING

The cultivation of 20,300 square feet of cannabis 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 accessed by a road that has been certified by a licensed engineer to safely accommodate the amount of traffic generated by the proposed cannabis cultivation. All roads on the property shall be maintained in compliance with the State Water Resources Control Board Order WQ 2019-0001-DWQ, which states that all access roads are hydrologically disconnected to receiving waters. To ensure that roads meet this condition, the applicant shall consult with a registered hydrologist to have a hydrologic study/report prepared to assess potential impacts resulting from the roadway and used to access Conversion Area 2. The study/report shall recommend improvements and measures needed to ensure that water resources are not adversely affected by the roadway or use of the roadway. All access roads within the project area have been assessed by an Engineer, who recommends standard conditions of approval by Public Works related to maintenance of private driveway/road intersections, which have been applied to the project (**Conditions 11, 12, and 13**).
- 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 two surface water diversions, which are certified with the Water Board (Certificate# H1000274) and a rainwater catchment pond.
- e) Provisions have been made in the applicant's proposal to protect water quality, through yearly site inspection monitoring and reporting to the Regional Water Quality Control Board. The site shall be inspected and monitoring reports prepared for the following activities: 1) before and after any alteration or upgrade to a given stream crossing, road segment, or other controllable sediment discharge site; 2) prior to the start of the water year (October 15) to evaluate site preparedness for storm events and associated storm water runoff; 3) site inspection no later than December 15 of each year; and 4) following any rainfall event with an intensity of 3 inches of precipitation within any 24 hour period. Annual reporting shall be submitted to the

NCRWQCB by March 31 of each year. Therefore, runoff to adjacent property and infiltration of water to groundwater resources will not be adversely 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 currently contains two existing residential units. The approval of cannabis cultivation on this parcel will not conflict with the operation or use of the existing residential units on site.

DECISION

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

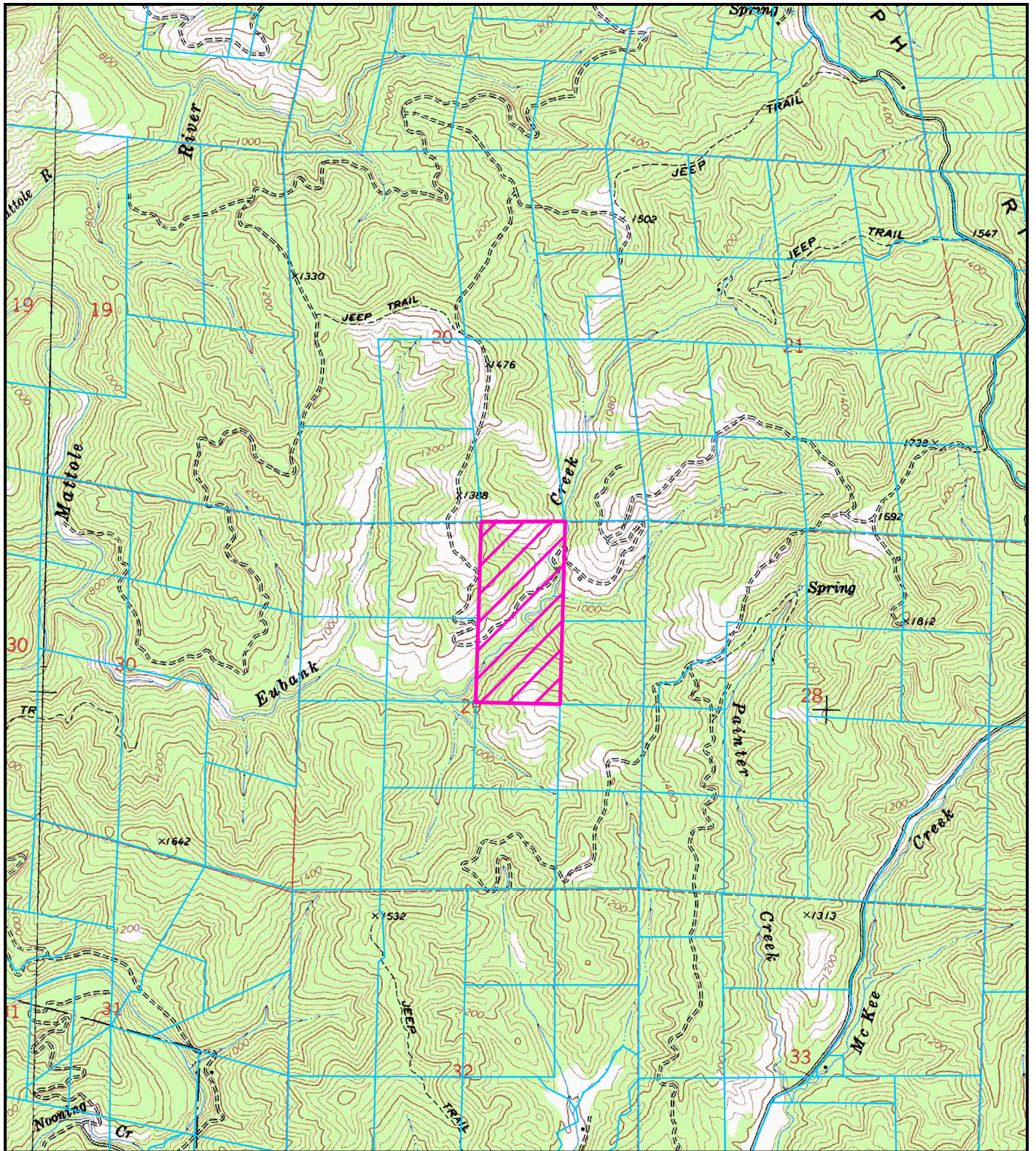
- Adopt the findings set forth in this resolution; and
- Conditionally approve the Conditional Use Permit (CUP-16-488) for Savage Farms, LLC, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

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 H. Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

John H. Ford, Director
Planning and Building Department



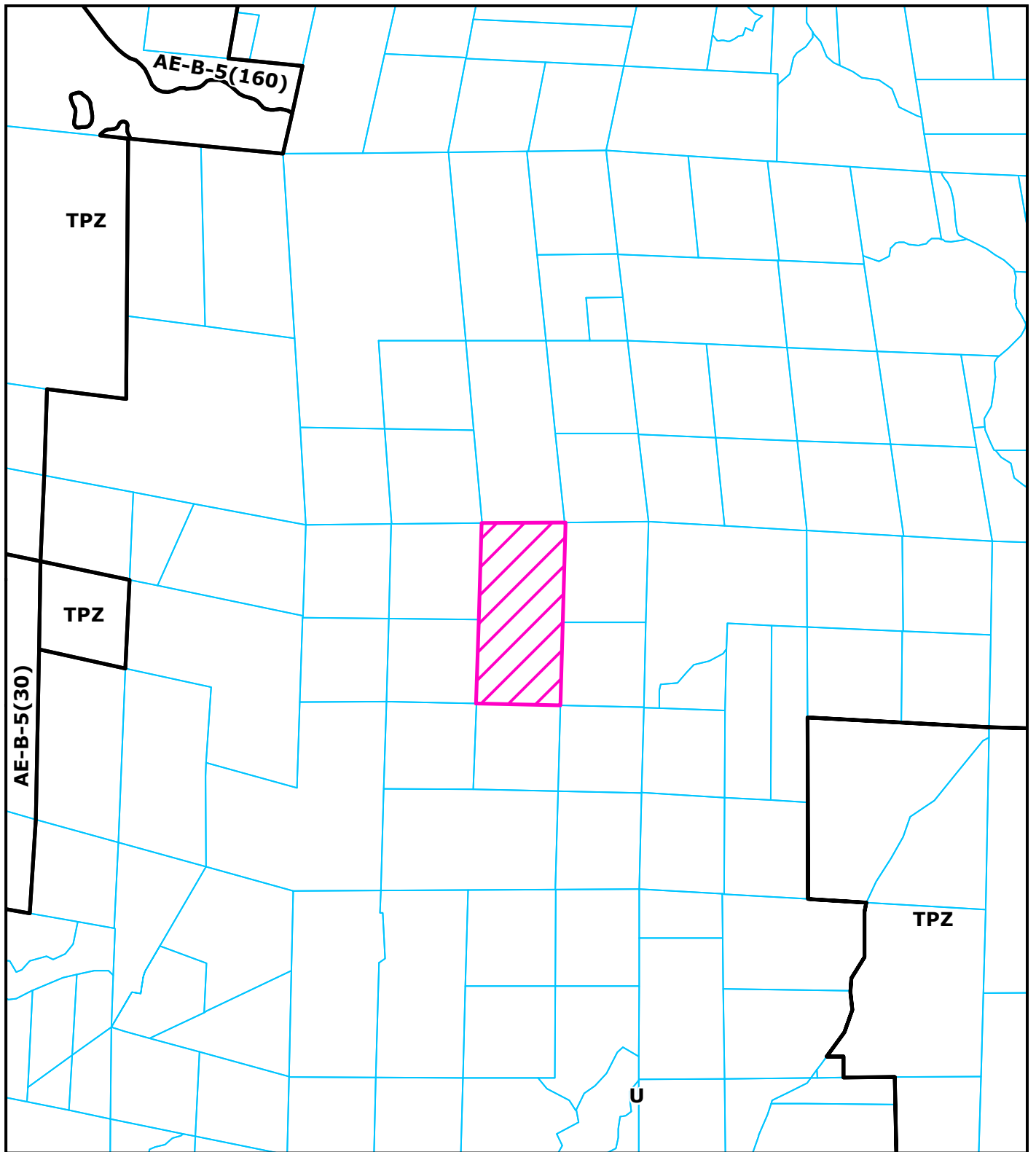
Project Area = 

**TOPO MAP
PROPOSED SAVAGE FARMS
WHITETHORN AREA
CUP-16-488
APN: 220-171-005-000
T04S R02E S29 HB&M (BRICELAND)**



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

0 0.2 0.4 0.8 Miles



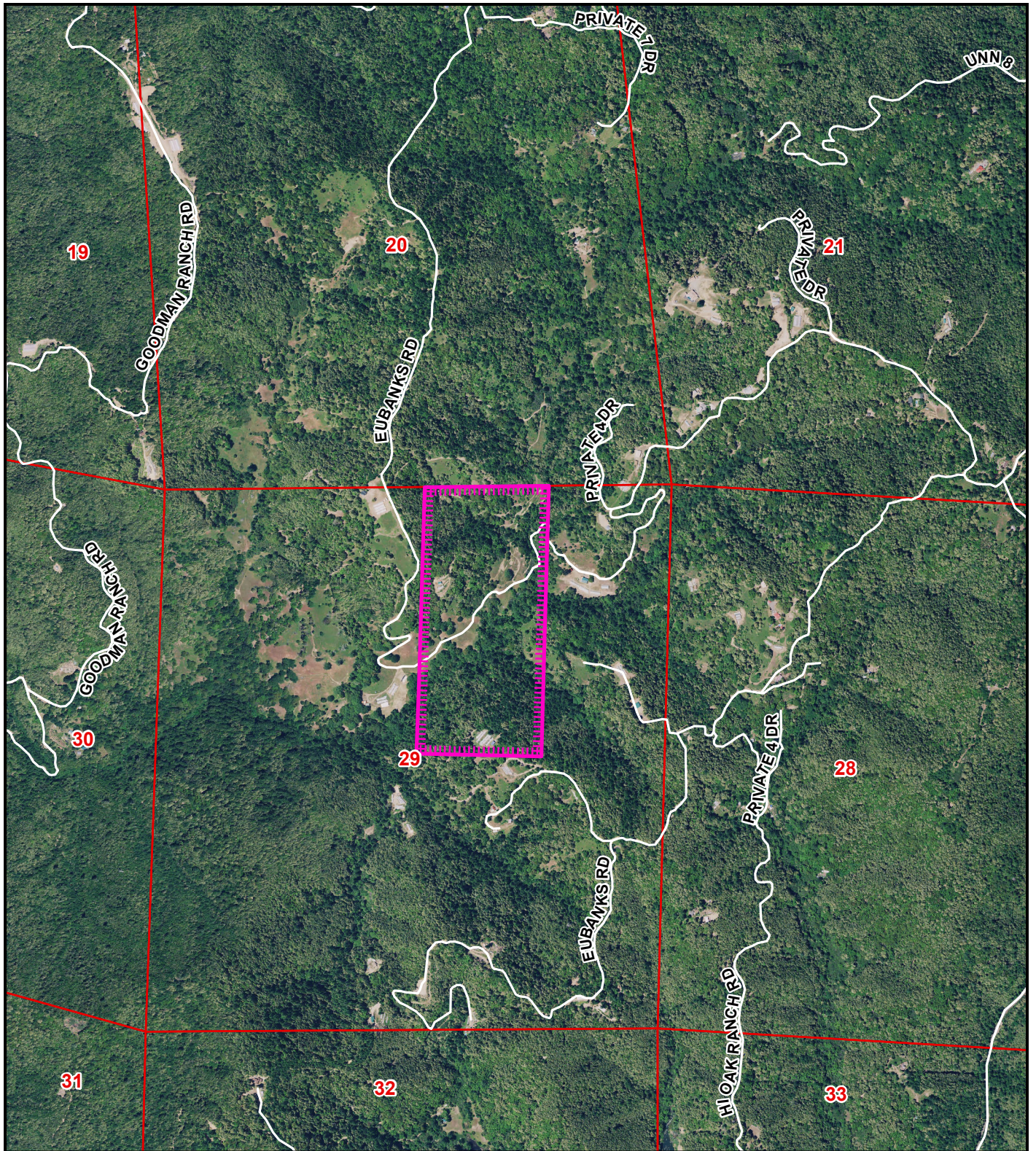
Project Area = 

ZONING MAP
PROPOSED SAVAGE FARMS
WHITETHORN AREA
CUP-16-488
APN: 220-171-005-000
T04S R02E S29 HB&M (BRICELAND)



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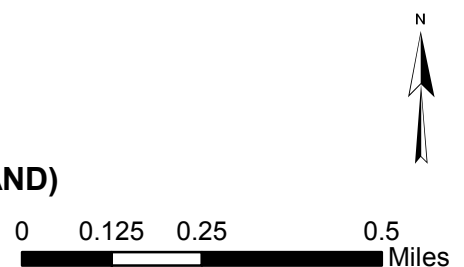


**AERIAL MAP
PROPOSED SAVAGE FARMS
WHITETHORN AREA
CUP-16-488**

**APN: 220-171-005-000
T04S R02E S29 HB&M (BRICELAND)**

Project Area = 

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SAVAGE FARMS
APN: 220-171-005

VICINITY MAP
NOT TO SCALE



PROJECT DIRECTIONS

- FROM: FORTUNA, CA
- MERGE ONTO US-101 S (46.8 MI)
 - TAKE EXIT 642 FOR REDWOOD DRIVE TOWARD REDWAY (0.2 MI)
 - CONTINUE ONTO REDWOOD DRIVE (1.8 MI)
 - TURN RIGHT ONTO BRICELAND THORN RD (10.0 MI)
 - CONTINUE STRAIGHT ONTO ETTERSBUGR RD (0.7 MI)
 - TURN LEFT ONTO EUBANKS RD (0.5 MI)

TRAVEL TIME

APPROXIMATELY: 62.8 MILES (1 HR 22 MIN)

SHEET INDEX

- CP-COVER PAGE
- CO-PARCEL OVERVIEW

PROJECT INFORMATION

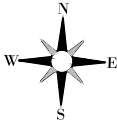
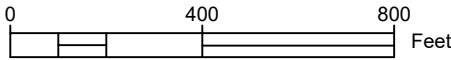
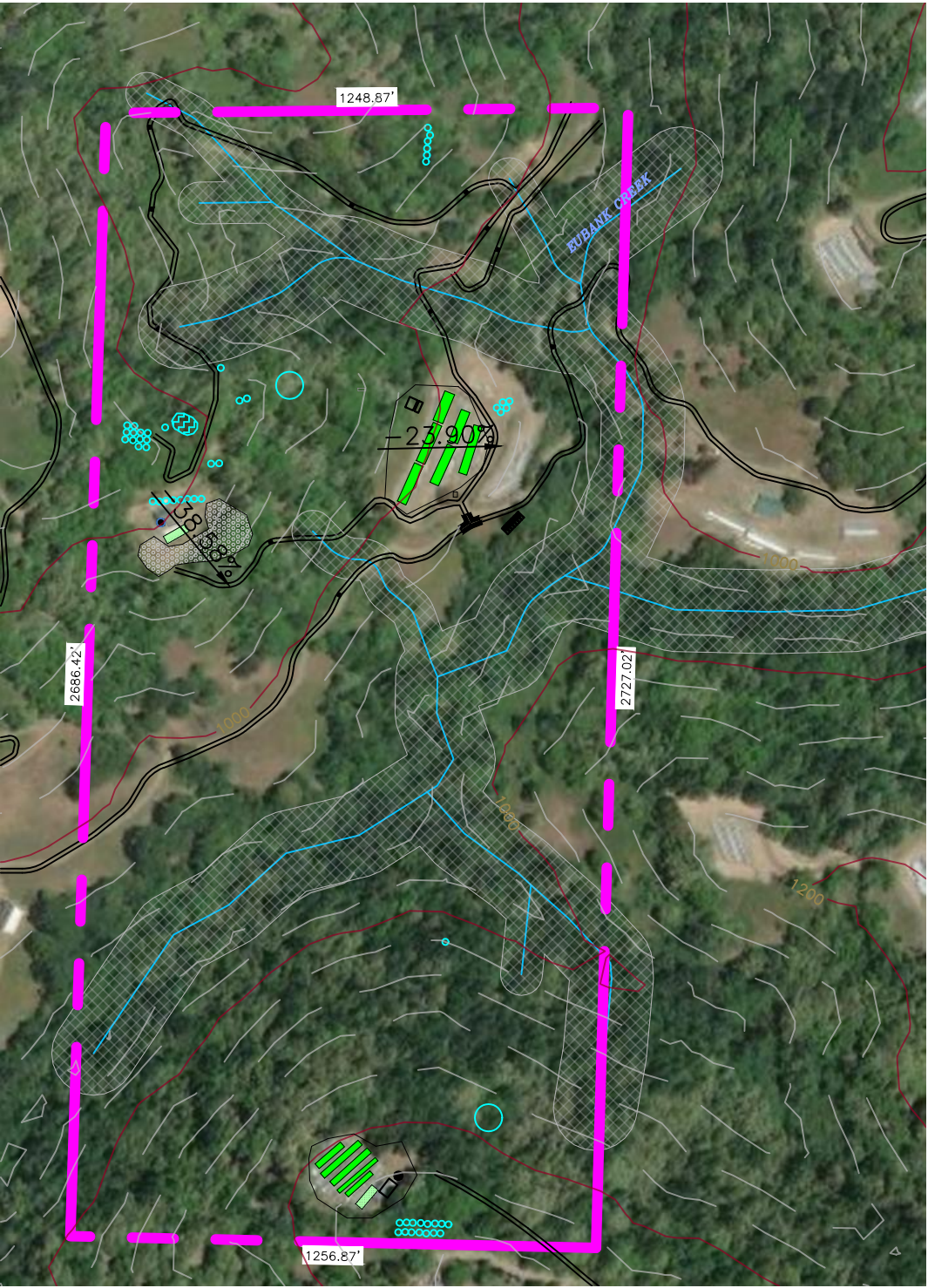
ADDRESS: 655 EUBANKS RD,
WHITETHORN, CA 95589
LAT/LONG: 40.0868, -123.9758
APN: 220-171-005
APPLICANT: SAVAGE FARMS
PARCEL SIZE: ±80 ACRES
ZONING: U
APPLICATION TYPE: TYPE 3 OUTDOOR USE
COASTAL ZONE: NO
100 YEAR FLOOD: NO

AGENT:

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

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

AERIAL MAP



PROJECT INFORMATION

PROPERTY OWNER: NATE SHEPARD
ADDRESS: 655 EUBANKS ROAD, WHITETHORN, CA 95589
SHEET INFO: COVER PAGE

REVISIONS

NO.	NOTES	DATE

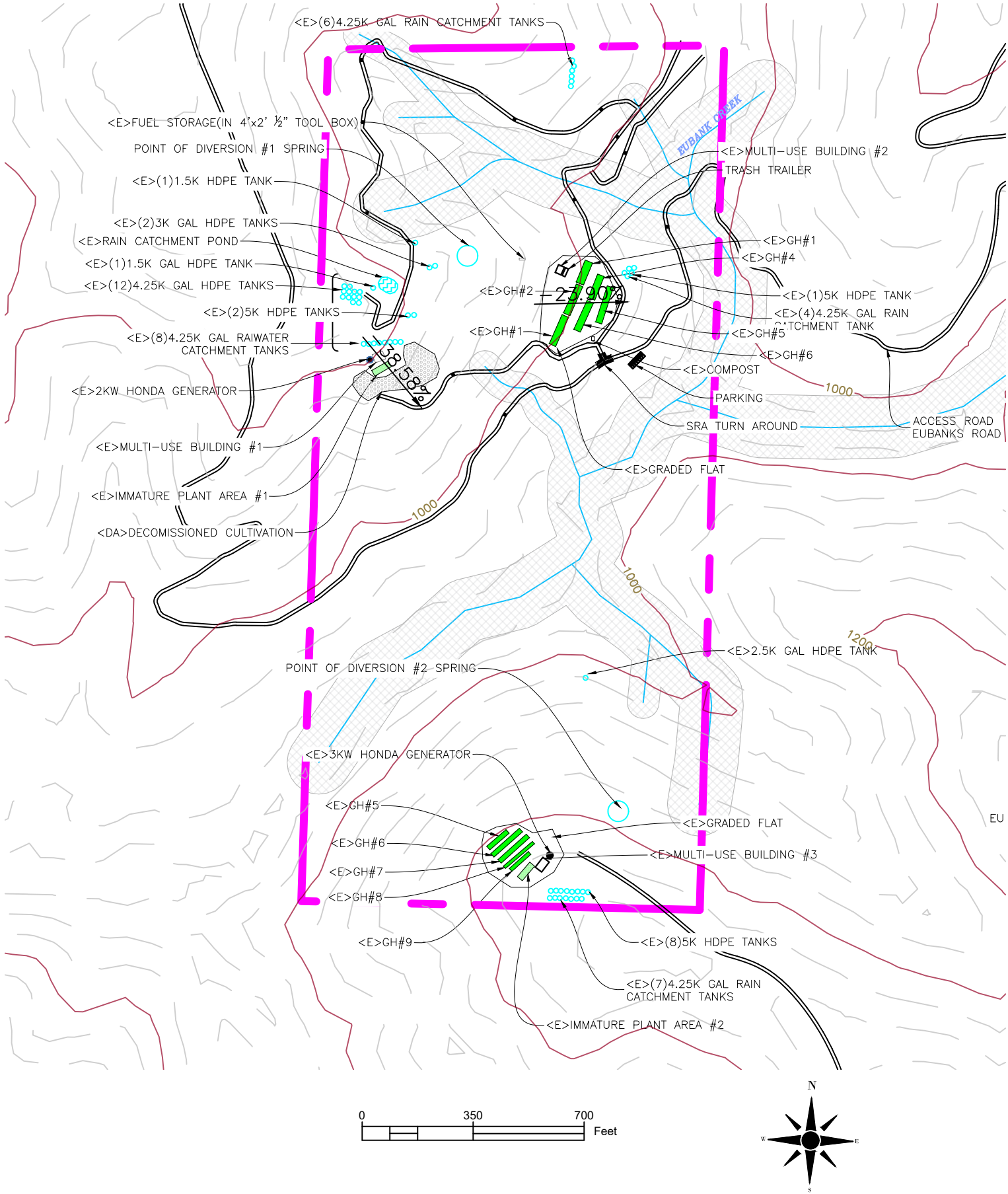
DATE: 7/19/19
DRAFTER: DDV
SCALE: AS SHOWN

SHEET
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7/19/2019 - X: \Projects\Sav.Hu.Wh.16.12\CAD\CULTIVATION MAP\SAV-CULT-304-007.dwg - 3:52 PM - GRC

PARCEL OVERVIEW

APN: 220-171-005



CULTIVATION INFORMATION

LIGHT DEPRIVATION (OUTDOOR) CULTIVATION AREA				
GH	LENGTH		WIDTH	SQ FT
1	70	X	20	1,400
2	100	X	22	2,200
3	100	X	22	2,200
4	80	X	22	1,760
5	100	X	22	2,200
6	120	X	22	2,640
7	80	X	15	1,200
8	120	X	15	1,800
9	120	X	15	1,800
10	120	X	10	1,200
11	80	X	12	960
TOTAL OUTDOOR CULTIVATION AREA = 19,360 SQ FT				

CULTIVATION BUILDINGS AND USE			
BUILDINGS	USE	SIZE	YEAR
MULTI-USE BUILDING #1	DRYING/HARVEST STORAGE/PESTICIDE STORAGE(IN IN 30.5"L x 20.125"W x 14.25"H TOTE)	20'x30'	2002
MULTI-USE BUILDING #2	DRYING/HARVEST STORAGE/PESTICIDE STORAGE(IN IN 30.5"L x 20.125"W x 14.25"H TOTE)	45'x50'	2017
MULTI-USE BUILDING #3	DRYING/HARVEST STORAGE/PESTICIDE STORAGE(IN IN 30.5"L x 20.125"W x 14.25"H TOTE)	20'x40'	2011
TRASH TRAILER	TRASH STORAGE	20'x50'	2005
IMMATURE PLANT AREA #1	VEGGING CYCLE	20'x60'	2015
IMMATURE PLANT AREA #2	VEGGING CYCLE	20'x60'	2015

WATER STORAGE AND USE				
TYPE	DATE OF INSTALLATION	QUANTITY	GALLONS	TOTAL GALLONS
RAIN CATCHMENT TANKS	2014	6	4,250	25,500
RAIN CATCHMENT TANKS	2014	4	4,250	17,000
HDPE TANK	2015	1	5,000	5,000
HDPE TANK	2015	1	2,500	2,500
HDPE TANKS	2015	8	5,000	40,000
RAIN CATCHMENT TANKS	2015	7	4,250	29,750
RAIN CATCHMENT TANKS	2015	8	4,250	34,000
HDPE TANKS	2015	12	4,250	51,000
RAIN CATCHMENT TANKS	2015	2	5,000	10,000
HDPE TANKS	2015	2	3,000	6,000
HDPE TANK	2014	2	1,500	3,000
RAIN CATCHMENT POND	2010	1	37,000	37,000
TOTAL AMOUNT OF WATER STORAGE=			260,750 GALLONS	

WATER SOURCE		
TYPE	LAT/LONG	
POINT OF DIVERSION SPRING #1	40.0888, -123.9764	AREA=2,287 FT² / 37,000 GALLONS
POINT OF DIVERSION SPRING #2	40.0840, -123.9746	
RAIN CATCHMENT POND	40.0887, -123.9774	

SIUR#H100274
SIUR#H100274

EUBANK CREEK, CLASS I WATERCOURSE WITH REQUIRED 100 FT BUFFER
UNNAMED CLASS II WATERCOURSE WITH REQUIRED 100 FT BUFFER
UNNAMED CLASS III DRAINAGES WITH REQUIRED 50 FT BUFFER

POWER SOURCE
2KW HONDA GENERATOR
3KW HONDA GENERATOR

COMPOST 10'x12' = 120 FT²

LEGEND

	CLASS II WATERCOURSE WITH REQUIRED 100 FT BUFFER
	UNNAMED CLASS III DRAINAGE WITH REQUIRED 50 FT BUFFER
	CULVERT

SURROUNDING BUILDINGS
THERE ARE NO SCHOOLS, BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF THE CULTIVATION SITE.
THERE ARE NO OFF SITE RESIDENCES WITHIN 300 FEET OF THE CULTIVATION SITE.



PROJECT INFORMATION

PROPERTY OWNER: NATE SHEPARD
ADDRESS: 655 EUBANKS ROAD, WHITETHORN, CA 95589
SHEET INFO: PARCEL OVERVIEW

REVISIONS

NO.	NOTES	DATE

DATE: 7/19/19
DRAFTER: DDV
SCALE: AS SHOWN

SHEET
PO

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 the staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use, and at the 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, 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 #22. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
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 and proposed greenhouses, water tanks over 5,000 gallons, existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. Communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted and were approved by Building Inspection Department on August 27, 2020.
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. The applicant shall obtain a permit to operate the proposed generator (Honda EU2000) from the North Coast Unified Air Quality Management District (NCUAQMD) and obtain an electric permit from the County's Building Department.
9. The applicant shall submit a grading, erosion and sediment control plan prepared by a qualified engineer. The plan shall identify the cubic yards of all grading that has been completed and any proposed grading. 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.
10. Prior to renewal of the permit, the operator is required to submit to the Department of Environmental Health (DEH), receipts or copy of contract confirming sufficient use of portable toilets to serve staff for the duration of the first year, or provide written assessment from a qualified septic consultant confirming a Tier 0 status for the addition of an onsite wastewater treatment system serving the dwelling (Department of Environmental Services).
11. 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.
12. COUNTY ROAD – DRIVEWAY (PART 2): Any existing or proposed driveways, which 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. The exact location and quantity of driveways shall be approved by the Department of Public Works at the time the applicant applies to the Department for an Encroachment Permit. The road accessing Conversion Area #1 is conditioned to install erosion control measures (water bars and rolling dips) that extend from the entrance of the property to the conversion site, as outlined in the Road Evaluation Report. A hydrologic study is required to assess the lower slope of the water crossings along Eubank Creek below the road accessing Conversion Area#2, in order to ensure that water resources are not being adversely affected by the roadway. 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 approve for a business license.
13. 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 approve for a business license.
14. The applicant shall install a water monitoring device on each surface diversion to monitor water diverted to storage and a separate meter shall be installed for all irrigation water used. The water use shall be recorded monthly for both diversion and water use and shall be submitted as part of the annual inspection.
15. Within one-year of the project approval, the Owner/Applicant/Operator shall consult with a registered hydrologist to have a hydrologic study/report prepared to assess potential impacts resulting from the roadway used to access Conversion Area 2. The study/report shall recommend

improvements and measures needed to ensure that water resources are not adversely affected by the roadway or use of the roadway. Findings and recommendations from this study/report shall be submitted to the Director of Planning and Building Department for review and approval. All recommended actions/improvements shall be implemented within one year of acceptance by the County of Humboldt.

16. The following conditions (#16a through #16d) are High Risk Treatment Priority Remediation Measures, as set forth in the Site Management Plan (Pages 13-15), to ensure proper environmental management within the project area. Monitoring and reporting shall be conducted annually and include Facility Status, Site Maintenance, and Storm Water Runoff observations and recommendations, and reported to the State Water Resources Control Board.
 - a. Riparian and Wetland Protection and Management
 - i. The applicant shall relocate all water storage tanks (MP1 and MP15) to a stable area outside of riparian setbacks within 6 months of permit approval and prior to initiation of a new cultivation season. Any bare soil areas shall be planted with native seed and straw within 7 days of removal.
 - ii. The applicant shall remove and relocate the greenhouse (Cultivation Area 2) outside of the riparian setback of a Class II watercourse within 6 months of permit approval and prior to initiation of a new cultivation season. Any bare soil areas shall be planted with native seed and straw within 7 days of removal.
 - iii. The applicant shall bring the spring diversion (MP3 and MP9) into compliance with CDFW within 6 months of permit approval and prior to initiation of a new cultivation season.
 - b. Stream Crossing Maintenance:
 - i. A pipe inlet that is necessary for draining sheet flow from the adjacent roadway is clogged and must be cleared. A rock sedimentation retention basin at the in-slope side of the steep roadway (MP16) must be installed to catch and manage stormwater runoff before entering the hydrologically connected stream (STX5) located downslope of the roadway.
 - c. Erosion Control and Drainage Features
 - i. The applicant shall address the erosion control issues (e.g., failing rolling dip/water bar, inadequate road drainage features), along all roadways and areas around roadways within the project area. A French drain and rock outlet shall be installed at MP12 to address draining along the walkway.
 - d. Cultivation Related Waste
 - i. The applicant shall remove abandoned cultivation area material (MP11), and seed/straw any bare soil after clearing the area.
17. 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.
18. 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.
19. 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.
20. At such time the applicant increases cultivation to maximum aggregate allotment, allowed under the CMLUO 1.0 and Cultivation Area Verification (CAV) allowances, the applicant/operator/owner shall submit a revised site plan, showing placement of all cannabis

cultivation, broken down by zone and growing version (outdoor and/or mixed light), at least 30 days prior to placement/development of the cultivation area(s). The site plan shall be reviewed and approved by the Director of Planning and Building Services

22. The use of generators as a primary power source for cannabis related activities shall cease by December 31, 2025. The applicant shall either connect to a utility or have an alternative source of power starting January 1, 2026.

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

1. The combined noise from background, generator, greenhouse fan, or other operational activities and equipment 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 light utilized in mixed-light greenhouses shall be limited to 6 watts per square foot, with no wattage limit in the ancillary propagation greenhouse. All artificial lighting shall be fully contained within structures such that no light escapes (i.e., through the use of 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 (refer to <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>). Standards include, but are not limited to: Light shall 1) be shielded and downward facing, 2) 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, the 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 at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall 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 the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Any changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. When 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. The permittee shall have 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. The permittee shall be in 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. The permittee shall ensure 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. The permittee shall maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. The permittee shall 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. The permittee shall 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. The permittee shall 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. The permittee shall pay all applicable fees for application review to ensure conformance with conditions and annual inspection fees.

20. 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.
21. Fertilizer, pesticide, fungicide, rodenticide, or herbicide shall be properly stored, handled and used in accordance with applicable regulations.
22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. The permittee shall 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 Activity Permit 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 re-inspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request re-inspection 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 #B.11 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 #B.29 and B.30 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 220-171-005; 655 Eubanks Road, Whitethorn, CA 95589
County of Humboldt**

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

January 2021

BACKGROUND

Purpose of Addendum

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.

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 CMMLUO 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. The MND states, "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.

Modified Project Description

The modified project involves a Conditional Use Permit (CUP-16-488) for Savage Farms, an existing 20,300 square foot (SF) outdoor cultivation that is comprised of 12 greenhouses and a 2,400 SF ancillary nursery, in the unincorporated community of Whitethorn. Water sources for irrigation would be provided by two springs and one rainwater catchment pond. Existing onsite water storage totals 233,000 gallons and includes 42 HDPE hard tanks that vary from 1,500-gallon to 5,000-gallon in size, as well as a 37,000-gallon

rain catchment pond. Total water use annually is estimated at 252,250 gallons. Drying would occur onsite, and further processing would occur at a licensed third party facility offsite. There would be two to three employees active in the cultivation process. Power is provided by two gas-powered Honda generators (200 kW and 300 kW).

Irrigation water sources includes two points of diversion from two different springs (#1 and #2), as well as a rain catchment pond that has an area of 2,287 SF (37,000 gallons). The project area includes multiple watercourses, including: one (1) Class I watercourse, Eubank Creek, two (2) unnamed Class II watercourses, five (5) class III drainages. Three of these watercourses require a buffer from any existing cultivation areas. Eubank Creek Class I watercourse and an unnamed class II watercourse require a 100-foot buffer, and an unnamed class III drainage requires a 50-foot buffer.

In order to preserve water resources within the project area, water resources would be monitored through annual reporting and site inspection of all water-related activities to the North Coast Regional Water Quality Control Board (NCRWQC) by March 31st of each year. The proposed project is within a Streamside Management Area (SMA) and therefore is required to be consistent with the Humboldt County General Plan Policy BR-P6, which requires development within a SMA to comply with erosion control and required mitigation measures.

A Site Management Plan of the property identified numerous issues within the project area and High Risk Treatment Priority Remediation Measures (Site Management Plan, Remediation Summary Table). The issues that were identified include: Riparian and Wetland Protection, Stream Crossing Maintenance, Erosion Control and Drainage Features, and Cultivation Related Waste. The applicant is required to comply with **Conditions 16a-16d** in order to resolve these issues for the permit to be granted, to bring the project into compliance with CMMLUO, and to be approved with the Humboldt County Planning and Building Department.

The site is located in on both sides of Eubanks Road, which is maintained by the County. The Department of Public Works reviewed the project referral and recommended standard conditions of approval related to maintenance of private driveway/road intersections [County Roads-Driveway & Private Road Intersection Paved Surface]. These conditions have been applied to the project, and no additional review is required.

A Lake and Streambed Alteration Agreement (LSAA) was granted by the California Department of Fish and Wildlife (Notification #: 1600-2016-0188-R1) on November 8, 2016. The LSAA allows for one encroachment of Eubank Creek to clear vegetation and debris within the creek and construct a 50-foot footbridge over the creek.

Regarding biological resources, a list of potential special status species was generated using the following information systems: California Natural Diversity Database (CDFW 2019) and Biogeographic Information and Observation system (BIOS), Northern Spotted Owl Viewer (CDFW 2019), and US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) database. The CNDDDB search identified one occurrence of red-bellied newt habitat, which is a California Species of Special Concern, Project activities are not expected to produce any adverse or cumulative effects to any special-species or habitat, due to the small size of the project area and the type of proposed activities.

Regarding cultural resources, a records search conducted by the Northwest Information Center (NWIC) found no known resources present in the project area. A Cultural Resources Investigation, prepared by Archaeological Research and Supply Company, concluded that project activities would not result in any adverse changes to historical, archaeological, or tribal resources. However, the lead investigator recommends the use of Inadvertent Discoveries Protocol by a qualified professional archaeologist, if any previously unidentified cultural resources are encountered throughout project implementation.

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.

Summary of Significant Project Effects and Required Mitigation

No changes are proposed for the mitigation measures identified in the original MND. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 20,300 SF outdoor cannabis cultivation that is comprised of 12 greenhouses and 2,400 SF ancillary nurseries 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:

- Site Plan prepared by Green Road Consulting, received 7/19/2019
- Cultivation and Operations Plan prepared by Green Road Consulting (report not labeled), received 9/1/2017. Addendum to Cultivation and Operation Plan by Green Road Consulting, dated 9/6/2019
- Site Management Plan by Green Road Consulting, completed 6/19/2019
- Right To Divert Water, State Water Resources Control Board, dated 5/1/2018, Certificate #H100274.
- Lake and Streambed Alteration Agreement for California Department of Fish and Wildlife, signed off by Gordon Leppig, Senior Environmental Scientist Supervisor with CDFW, (Notification # 1600-2016-0188-R1), dated 11/9/2016
- Cultural Resources Investigation of the Whitehorn Savage and Lourie Properties (Final Report), Whitethorn, Humboldt County, California. Conducted by Nick Angeloff (MS) and Saige Heuer, Archaeological Research and Supply Company, 440 Wildwood Ave. Rio Dell, CA 95562. Report Dated June 2019 (Submitted for Tribal Review)
- North West Information Center (NWIC) records search conducted by Stanton Moore on 5/29/2018
- Road Evaluation Report, Green Road Consulting, dated 9/12/2018
- Public Works Road Evaluation Report, dated 7/8/2019 and received 12/17/2019
- Timberland Conversion Evaluation Report, evaluation conducted by Thomas Blair (RPF #2607). Blair Forestry Consulting, PO Box 2517 McKinleyville, CA 95519. Report Dated 10/16/2018
- Cal Fire application communication with forester Lucas Titus, dated 5/31/2018 and standard project review comments by Cal Fire dated 5/22/2018
- Department of Health and Human Services, letter stating Conditional Approval (based on installation of an onsite wastewater system), dated 11/28/2018

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.

For every environmental topic analyzed in this review, the potential environmental impacts of the current project proposal, Savage, would be the same or similar. There would be no new significant environmental impacts or a substantial increase in the severity of previously identified significant impact, than the initial CMMLUO 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, Savage. 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 Application Report of 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. **(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. (Site Plan prepared by Green Road Consulting dated July 19, 2019, attached in maps section)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; 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 (and Addendum) prepared by Green Road Consulting, for APN: 217-031-001 (6/6/2019 – Attached)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. - On file. Right to Divert and Use Water, Certificate H100274, dated May 1, 2018. – On file)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan Addendum (item 4 above) and verified via email with the applicant on September 6, 2019.
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.
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 on November 8, 2016 (LSAA# 1600-2016-0188-R1. (On file)
9. If the source of water is a well, a copy of the County well permit, if available. (Not Applicable)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior

unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Project is in compliance with CalFire)

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, identification of 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. (Honda Generator – 200kW)
13. Acknowledgment 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. Acknowledgment 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)Cultural
15. Cultural Resources Investigation of the Whitehorn Savage and Lourie Properties (Final Report), Whitethorn, Humboldt County, California. Conducted by Nick Angeloff (MS) and Saige Heuer, Archaeological Research and Supply Company, 440 Wildwood Ave. Rio Dell, CA 95562. Report Dated June 2019 (Submitted for Tribal Review). (On-file and confidential).
16. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)



Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

RE: Jerry Savage– Humboldt County APPS 11994 – APN: 220-171-005

June 6th, 2019

To Whom It May Concern:

The following information should be added to the Cultivation and Operations Plan Jerry Savage, APPS #11994, APN: 220-171-005

Cultivation Area

The existing cultivation takes place in two (2) general areas, each of which are located on graded flats.

Greenhouse #1

Greenhouse #1 is a 70'x20' greenhouse totaling 1,400 ft² of light depravation (outdoor) cultivation area.

Greenhouse #2 / #3

Greenhouse #2/#3 are 100'x22' greenhouses (2,200 ft² each) totaling 4,400 ft² of light depravation (outdoor) cultivation area.

Greenhouse #4

Greenhouse #4 is an 80'x22' greenhouse totaling 1,760 ft² of light depravation (outdoor) cultivation area.

Greenhouse #5

Greenhouse #5 is a 100'x22' greenhouse totaling 2,200 ft² of light depravation (outdoor) cultivation area.

Greenhouse #6

Greenhouse #6 is a 120'x22' greenhouse totaling 2,640 ft² of light depravation (outdoor) cultivation area.

Greenhouse #7

Greenhouse #7 is an 80'x15' greenhouse totaling 1,200 ft² of light deprivation (outdoor) cultivation area.

Greenhouse #8 and #9

Greenhouse #8 and #9 are 120'x15' greenhouses (1,800 ft² each) totaling 3,600 ft² of light deprivation (outdoor) canopy area.

Greenhouse #10

Greenhouse #10 is an 120'x10' greenhouse totaling 1,200 ft² of light deprivation (outdoor) canopy area.

Greenhouse #11

Greenhouse #11 is an 80'x12' greenhouse totaling 960 ft² of light deprivation (outdoor) area.

Total Cultivation Area= 19,360 ft²

Cultivation Schedule

*Please note, the cultivation schedule may change due to the weather, strain, and the Applicant's personal schedule.

*The Applicant anticipates two harvests annually from their light deprivation (outdoor) cultivation area.

Light Dep 1st Run

March-April (veg)

May-July (flower)

July (harvest)

Light Dep 2nd Run

July-August (veg)

August-October (flower)

October (harvest)

Generator Usage

The Applicant will run their generators for approximately 4-6 hours a day during the cultivation season (120-180 hours per month). During the harvest months the Applicant may run their generator for up to 8 hours a day (240 hours a month).

Processing Practices

The Applicant will utilize an offsite licensed third-party processor.

Number of Employees

The Applicant anticipates using 2-3 seasonal employees.

Septic

The Applicant has one (1) unpermitted septic's which will require a permit through the Humboldt County Department of Environmental Health.

Sanitation Facilities

The Applicant will provide serviceable portable toilets to those working on the property.

Employees Safety Practices

All those working on the property will be instructed in safe and proper techniques for performing any duties pretraining to cultivation. This includes the utilization of personal protective equipment and proper use of tools and necessary instruments required for the performance of one's duties. Personal protective equipment shall be provided for all employees and/or independent contractors via the proponent as well as having ample personal protective equipment in stock and onsite. Clean and safe drinking water will be in the form of filtered spring water. For the safety of the public and employees working while intoxicated will not be tolerated. All Employee and/or independent contractors shall be made aware of the following.

- I. Location of fire extinguishers and the "P.A.S.S" technique.
- II. List of operations manager contacts;
- III. List of emergency control contacts;
- IV. List of poison control contacts;
- V. Location of first aid kit;
- VI. Location of Restroom and hand washing stations;
- VII. Location of clean drinking water and;
- VIII. Location of Personal protective equipment.

All work surfaces and equipment are maintained in a clean, sanitary condition. Protocols to prevent the spread of mold are strictly followed.

Road Usage

Roads are used minimally by workers navigating the site and bringing in supplies. Workers are on the site daily during the cultivation season and the bulk of cultivation related materials are brought in before the growing season begins.

Onsite Housing

There will be no onsite housing

Site Maintenance, Erosion Control and Drainage Features

(The following information was taken directly from the Applicants WRPP. The map points identified are in reference to the points called out in the maps provided in the Applicant's WRPP, a complete copy of the WRPP can be found in this packet).

The road network on the property consists of approximately 0.42 miles of permanent road, 1.33 miles of seasonal road, and 0.22 miles of skid road. Seasonal roads throughout the property are in fair condition but are in-sloped, creating in-board ditches that are hydrologically connected to waterways. There is also evidence of surface erosion, especially on steeper sections of the seasonal and skid roads. The seasonal access roads on the site will require maintenance and

surface rocking. The seasonal access roads will have rolling dips installed as denoted on the Erosion and Sediment Control Map. The roads should also be out-sloped where feasible. Steep approaches on the seasonal access roads will be rocked. Many of the stream crossings are hydrologically connected to roads and the approaches to the stream crossing will require rock. Skid roads on the site shall have water bars or rolling dips installed. Any unstable skid road sections will have straw and seed applied.

The site will need to apply winterization techniques at the end of each year to cultivation areas and other disturbed areas. Winterization will consist of stabilizing bare soil with straw and seed. Fiber rolls shall be installed at grade breaks and along slopes of disturbed areas. No heavy machinery shall be used during the winter or wet season. Stockpiles shall be stabilized before the onset of winter with a cover and/or perimeter controls. Culverts shall be inspected and maintained to ensure integrity during winter. Seasonal access roads shall be locked to ensure the roads are not in use during wet season. A section of skid road was leading to a stream crossing (**MP14**). The skid road will require the installation of water bars every 100-ft to break up flow and hydrologically disconnect the road from the watercourse.

Riparian and Wetland Protection and Management

(The following information was taken directly from the Applicants WRPP. The map points identified are in reference to the points called out in the maps provided in the Applicant's WRPP, a complete copy of the WRPP can be found in this packet).

(*at the time of the site visit) There are three (3) cultivation areas **CA1**, **CA2**, and **CA3**. All cultivation areas are located in stable areas, away from riparian and wetland buffer zones. The cultivation areas were split between the two sides of the parcel, with **CA1** located south of Eubank Creek and **CA2** and **CA3** located on flats north of Eubank Creek. Specifics about the cultivation areas can be seen in Table 1. On the southern side of Eubank Creek, a 2,500-gallon HDPE water tank was located within the buffer zone of an un-named Class II drainage. The tank will be relocated outside of the riparian and wetland buffer zone, at least 100 feet from the active channel of the watercourse. All cultivation areas and associated facilities shall be located 50-ft or more to a Class III drainage and 100-ft from a Class II stream.

Rainwater Catchment/Water Source

In addition to rainwater catchment the Applicant also has two legal surface diversion for cannabis irrigation (Registration ID #H500856). The Applicants surface diversion and Rainwater Catchment pond are adequate to meet the Applicants Cannabis irrigation needs.

Current Water Storage

Water Storage Type	Size (gallons)	Quantity	Total (gallons)
Rain catchment pond	37,000	1	37,000
HDPE rain catchment tank	4,250	37	157,250
HDPE tank	5,000	11	55,000
HDPE tank	3,000	2	6,000
HDPE tank	2,500	1	2,500
HDPE tank	1,500	2	3,000
Total			260,750

Annual Water Usage

The Applicant used approximately 275,061 gallons of water during the 2018 cultivation season. The following monthly water usage was taken from the Applicants Online 2018 Cannabis Water Quality Monitoring & Reporting Program(State Waterboard).

April-25,006 Gal
May-28,131 Gal
June- 39,071 Gal
July- 50,011 Gal
August-59,388 Gal
September-43,760 Gal
October-29,694 Gal
=275,061 Gal

The cultivator will record daily irrigation water usage and maintain records on site for a minimum of 5 years.

Relocation/Slope at Cultivation Sites

The Historic cultivation was situated on a hill side with a 38.58% slope. The area where the cultivation was relocated to has slope of 23.90%. Therefore, the relocation area is environmentally superior to the area containing the historic cultivation as it has less potential for runoff into the nearby riparians/habitats. It is recommended that the Applicant remove any remaining cultivation waste and revegetate the area with plant species native to the area. The Slope at the southern cultivation site is approximately 26%.
(Slope calculations provided by the georeferencing software Imaginint and ARCmap).



**GREEN
ROAD
CONSULTING**

Site Plan Overview and Cultivation and Operations Plan

Applicant

Savage Farms
PO Box 1958
Redway, CA 95560
Parcel: 220-171-005

Agent

Georgia Yarborough
Green Road Consulting, Inc.
1650 Central Avenue, Suite C
McKinleyville, CA 95519



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I. Site Plan Overview

1.0 Project Information

Savage Farms ("Applicant") is submitting this application for a Type 3 Use Permit for 24,880 square feet of existing outdoor commercial cannabis cultivation on an 80-acre parcel, located near Whitethorn, CA ("Parcel"), Assessor's Parcel Number 220-171-005.

All water used for cultivation is sourced from the rainwater catchment pond and two (2) springs. The Applicant has submitted an Initial Statement of Water Diversion and Use for both springs. There are twenty-four (24) 5,000-gallon HDPE rainwater catchment tanks, seven (7) 5,000-gallon HDPE tanks, two (2) 3,000-gallon HDPE tanks, one (1) 2,500-gallon HDPE tank and one (1) 1,500-gallon HDPE tank totaling 165,000-gallons of water tank storage. The Applicant also has a rainwater catchment pond that holds 37,000-gallons of water giving a total of 202,000 gallons of water storage. The Applicant estimates their annual water use to be 324,535 gallons.

There are five (5) existing buildings located on the parcel. The 20'x30' Dry Building #1 was built in 2002, and is used for storing fertilizers, fuel and drying of the harvested cannabis. The 45'x50 Dry Building #2 was built in 2017, and is used for storing fertilizers and drying of the harvested cannabis. The 20'x40' Dry Building #3 was built in 2011, and is used for storing fertilizers, fuel and drying of the harvested cannabis. The 20'x50' Trash Trailer has been on the property since 2005, and is used to store all cultivation related waste. The 20'x60' Vegging Greenhouse was built in 2015, and is used to keep cannabis plants in the vegetative cycle.

The applicant will be pulling tarps over the greenhouses in order to have two (2) harvests of cannabis via light deprivation, sometime in July and September. All processing will be performed outside by the Applicant, collective and family members using a machine trimmer.

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

The Type 3 Use Permit would achieve the following results for the Applicant:

- a. Permit 24,880 square feet of Outdoor commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CMMLUO; and
- b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near Whitehorn, CA. The Parcel is comprised of 80-acres and is identified by Assessor's Parcel Number ("APN") 220-171-005.

2.1 Zoning Classification

The County's Zoning Classification of the Parcel is U with a Current General Plan of AL40 (FRWK). The CMMLUO permits existing Outdoor commercial cannabis cultivation on land zoned as U with cultivation sites from 10,001 square feet to 43,560 square feet.

2.2 Site Topography

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

3.0 Easements

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

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

PARCEL ONE

The West Half of the Northwest Quarter of section 29, Township 4 South, Range 2 East, Humboldt Meridian.

PARCEL TWO

A non-exclusive easement for Ingress, egress and public utility purposes over a strip of land 60 feet in width, the centerline of which is described as follows:

BEGINNING at a point located 5115.7 feet South and 1162.5 West from the corner common Sections 15, 16, 21 and 22, Township 4 south, Range 2 Humboldt Meridian;
thence along the centerline of an existing road;
South 71 degrees 00 minutes West, 181.7 feet;
North 69 degrees 08 minutes West, 197.0 feet;
North 42 degrees 33 minutes West, 104.4 feet;
South 68 degrees 30 minutes West, 195.6 feet;
South 51 degrees 37 minutes West, 118.5 feet;
North 65 degrees 21 minutes West, 122.8 feet;
South 83 degrees 40 minutes West, 67.6 feet;
South 33 degrees 26 minutes West, 130.5 feet;
South 70 degrees 03 minutes West, 116.7 feet;
South 32 degrees 43 minutes West, 170.0 feet;
South 49 degrees 46 minutes West, 127.9 feet;
South 06 degrees 35 minutes West, 121.9 feet;
South 33 degrees 33 minutes West, 193.5 feet;
South 49 degrees 06 minutes West, 233.3 feet;
South 15 degrees 30 minutes West, 151.7 feet;
South 45 degrees 54 minutes West, 236.1 feet;

South 78 degrees 20 minutes West, 267.4 feet; and
 North 43 degrees 45 minutes West, 89.1 feet to the intersection of another existing road.

PARCEL THREE

A non-exclusive easement for Ingress, egress and public utility purposes over a strip of land 60 feet
 In width, the centerline of which is disabled as follows:

BEGINNING at a point located 5115.7 feet South and 1162.5 feet West from the corner common
 to Section 15, 16, 21 and 22, Township 4 South, Range 2 East. Humboldt Meridian, said point also
 being the most Northerly terminus of the course North 43 degrees 45 minutes West 89.1 feet
 being the last line in Parcel Three above;

thence along the centerline or an existing road;

North 43 degrees 43 minutes East, 175.2 feet;
 North 13 degrees 25 minutes West, 288.1 feet;
 North 55 degrees 27 minutes West, 107.0 feet;
 North 33 degrees 06 minutes West, 216.2 feet;
 North 48 degrees 58 minutes West, 270.4 feet;
 North 39 degrees 10 minutes West, 276.0 feet;
 North 72 degrees 36 minutes West, 278.1 feet;
 North 57 degrees 26 minutes West, 201.4 feet;
 North 77 degrees 18 minutes West, 300.6 feet;
 North 50 degrees 24 minutes West, 126.0 feet;
 North 74 degrees 13 minutes West, 173.2 feet;
 South 74 degrees 09 minutes West, 94.2 feet;
 South 45 degrees 06 minutes West, 120.3 feet;
 South 57 degrees 33 minutes West, 261.9 feet;
 South 35 degrees 35 minutes West, 110.5 feet;
 South 07 degrees 43 minutes East, 132.3 feet;
 South 15 degrees 23 minutes West, 133.5 feet;
 South 50 degrees 15 minutes West, 167.2 feet;
 North 89 degrees 55 minutes West, 284.7 feet;
 South 17 degrees 02 minutes West, 184.5 feet;
 South 74 degrees 38 minutes West, 81.2 feet;
 South 42 degrees 30 minutes West, 417.1 feet;
 North 87 degrees 26 minutes West, 328.1 feet;
 South 12 degrees 56 minutes West, 373.0 feet;
 South 27 degrees 49 minutes West, 247.3 feet;
 South 72 degrees 15 minutes West, 203.9 feet;
 South 25 degrees 50 minutes East, 100.0 feet;
 North degrees 57 minutes East, 269.7 feet;
 North 27 degrees 22 minutes East, 159.0 feet;
 North 42 degrees 46 minutes East, 190.4 feet;
 South 30 degrees 00 minutes East, 100.0 feet;

South 27 degrees 41 minutes West, 337.4 feet;
 South 64 degrees 34 minutes West, 147.0 feet;
 South 09 degrees 44 minutes West, 270.8 feet;
 South 37 degrees 14 minutes West, 258.8 feet;
 South 75 degrees 09 minutes West, 124.4 feet;
 North 66 degrees so minutes West, 283.1 feet;
 North 53 degrees 58 minutes West, 271.9 feet;
 North 29 degrees 10 minutes West, 140.9 feet;
 North 13 degrees 53 minutes East, 141.8 feet;
 North 77 degrees 0) minutes West, 100.0 feet;
 South 32 degrees 35 minutes West, 188.4 feet;
 South 20 degrees 38 minutes East, 248.8 feet;
 South 44 degrees 55 minutes West, 223.0 feet;
 South 60 degrees 56 minutes West, 269.9 feet;
 South 64 degrees 55 minutes West. 101.7 feet;
 South 41degrees 48 minutes West. 151.9 feet;
 South 31 degrees 07 minutes West, 244.6 feet;
 South 60 degrees 00 minutes West 258.2 feet;
 South 43 degrees 08 minutes West, 203.3 feet;
 South 54 degrees 36 minutes West, 205.7 feet;
 South 77 degrees 47 minutes West, 226.1 feet;
 South 23 degrees 35 minutes West, 184.3 feet;
 South 48 degrees so minutes West, 118.3 feet;
 North 80 degrees 14 minutes West, 167.8 feet;
 North 73 degrees 11 minutes West, 203.0 feet;
 North 66 degrees 32 minutes West, 218.0 feet;
 South 87 degrees 52 minutes West, 143.3 feet; and
 South 74 degrees 35 minutes West, 300.0 feet.

PARCEL FOUR

A non-exclusive easement for Ingress, egress and public utility purposes over a strip at land 60 feet in width, the centerline of which is described as follows:

BEGINNING at a point in the Southeast Quarter of the Northwest Quarter of Section 29, Township 4 South, Range 2 East, Humboldt Meridian, located 7177.3 feet south and 6855.6 feet West from the corner common to Sections 15, 16, 21 and 22 of said Township and Range;

Thence along the centerline of an existing road;
 North 80 degrees 05 minutes West, 99.8 feet;
 North 11 degrees 40 minutes West, 102.3 feet;
 North 56 degrees 52 minutes East, 272.5 feet;
 North 55 degrees 00 minutes East, 96.4 feet;
 North 30 degrees 00 minutes West, 60.0 feet;

North 49 degrees 50 minutes East, 196.2 feet;
 South 71 degrees 48 minutes East, 213.7 feet;
 North 32 degrees 49 minutes West, 112.7 feet;
 North 28 degrees 05 minutes East, 161.4 feet;
 North 02 degrees 32 minutes West, 172.2 feet;
 North 40 degrees 34 minutes East, 181.7 feet;
 North 00 degrees 01 minutes West, 141.1 feet;
 North 27 degrees 17 minutes West, 596.9 feet;
 North 18 degrees 32 minutes West, 315.6 feet;
 North 29 degrees 57 minutes East, 195.2 feet;
 North 01 degrees 54 minutes East, 386.9 feet;
 North 17 degrees 00 minutes East, 115.0 feet;
 North 20 degrees 15 minutes East, 486.5 feet;
 North 04 degrees 26 minutes West, 335.8 feet;
 North 14 degrees 05 minutes East, 298.7 feet;
 North 29 degrees 43 minutes East, 274.5 feet;
 North 01 degree 35 minutes East, 284.3 feet;
 North 32 degrees 05 minutes West, 465.3 feet;
 North 39 degrees 45 minutes West, 187.8 feet;
 North 06 degrees 13 minutes West, 496.9 feet;
 North 42 degrees 34 minutes West, 169.3 feet;
 North 33 degrees 00 minutes East, 218.5 feet;
 North 47 degrees 01 minutes East, 161.0 feet;
 North 16 degrees 09 minutes East, 217.6 feet;
 North 29 degrees 42 minutes East, 352.8 feet;
 North 39 degrees 06 minutes East, 163.2 feet;
 North 08 degrees 07 minutes East, 61.3 feet;
 North 13 degrees 00 minutes West, 262.0 feet;
 North 38 degrees 52 minutes East, 167.8 feet;
 North 87 degrees 35 minutes East, 112.4 feet;
 South 30 degrees 10 minutes West, 115.9 feet;
 South 11 degrees 28 minutes East 102.1 feet; and
 East to the West line of the Northeast Quarter or the Northeast Quarter of Section 20, Township
 4 South, Range 2 East, Humboldt Meridian.

PARCEL FIVE

A 40-foot easement for Ingress, egress and public utility purposes over the existing road running
 Easterly and Westerly across the Northeast Quarter of the Northeast Quarter of Section 20,
 Township 4 South, Range 2 East, Humboldt Meridian, being the same as reserved in the deed
 dated April 28, 1968, executed by Stanley Randall and others to David R. Toll, a single man and
 recorded October 8, 1968 in Book 977 of Official Records, page 498, under Recorder's File No.
 14896, Humboldt County Records.

PARCEL SIX

A non-exclusive easement for Ingress, egress and public utility purposes over a strip of land 60 feet in width, the centerline of which is described as follows:

BEGINNING at the same point of beginning as for Parcel Four above;
 thence along the centerline of an existing road;
 South 76 degrees 17 minutes West, 148.4 feet;
 North 85 degrees 05 minutes West, 116.08 feet;
 South 69 degrees 09 minutes West, 63.6 feet;
 South 28 degrees 11 minutes West, 139.2 feet;
 South 55 degrees 20 minutes West, 147.4 feet;
 South 88 degrees 42 minutes West, 99.7 feet;
 South 70 degrees 11 minutes West, 176.9 feet;
 South 14 degrees 16 minutes West, 216.0 feet;
 South 62 degrees 12 minutes West, 47.6 feet;
 South 60 degrees 30 minutes West, 151.7 feet;
 South 28 degrees 11 minutes West, 110.4 feet;
 South 42 degrees 27 minutes West, 63.4 feet;
 South 66 degrees 31 minutes West, 155.3 feet;
 South 23 degrees 10 minutes West, 90.0 feet;
 South 48 degrees 46 minutes West, 97.4 feet;
 South 26 degrees 20 minutes West, 159.2 feet;
 South 17 degrees 21 minutes West, 109.5 feet;
 South 43 degrees 34 minutes West, 119.3 feet;
 South 05 degrees 13 minutes East, 217.4 feet;
 South 24 degrees 08 minutes West, 132.8 feet;
 South 52 degrees 50 minutes West, 90.3 feet;
 South 16 degrees 31 minutes West, 193.7 feet;
 South 39 degrees 58 minutes West, 437.5 feet;
 North 87 degrees 04 minutes West, 231.3 feet;
 South 50 degrees 50 minutes West, 115.5 feet;
 South 21 degrees 44 minutes West, 176.0 feet;
 South 43 degrees 06 minutes West, 154.0 feet;
 South 73 degrees 05 minutes West, 113.3 feet;
 North 87 degrees 29 minutes West, 123.9 feet;
 South 64 degrees 11 minutes West, 121.9 feet;
 South 02 degrees 15 minutes East, 59.3 feet;
 South 44 degrees 24 minutes East, 94.6 feet;
 South 02 degrees 16 minutes East, 268.9 feet;
 South 01 degrees 44 minutes East, 147.0 feet;
 South 06 degrees 28 minutes West, 130.8 feet;
 South 44 degrees 10 minutes West, 146.4 feet;
 South 55 degrees 38 minutes West, 87.8 feet;

South 12 degrees 12 minutes East, 83.6 feet;
 South 29 degrees 20 minutes West, 177.0 feet;
 South 46 degrees 42 min West. 117.4 feet;
 North 74 degrees 10 minutes West, 217.2 feet;
 North 88 degrees 52 minutes West, 97.2 feet;
 South 79 degrees 13 minutes West, 160.6 feet;
 North 57 degrees 04 minutes West, 125.5 feet;
 North 11 degrees 56 minutes West, 285.6 feet;
 North 32 degrees 43 minutes West, 296.9 feet;
 North 57 degrees 14 minutes West, 151.6 feet;
 South 88 degrees 52 minutes West, 160.2 feet; and
 North 49 degrees 55 minutes West, 300.0 feet.

PARCEL SEVEN

A non-exclusive easement for Ingress, egress and public utilities over a strip of land 60 feet in width, the centerline of which is described as follows:

That portion of the Northeast Quarter of the Northwest Quarter of Section 29, Township 4 South, Range 2 East, Humboldt Meridian, running from the most Northerly terminus of the course North 40 degrees 34 minutes East. 181.7 feet, being Course No. 11 of Parcel Five above described, North 40 degrees 34 minutes East, to the West line of the Northwest Quarter of the Northeast Quarter of said Section 29.

EXCEPTING THEREFROM Parcels Two, Three, Four, Five, Six and Seven, those portions thereof lying within Parcels One and Two.

4.0 Natural Waterways

The parcel has several watercourses that run through their parcel. There is one (1) Class I Watercourse, Eubank Creek, two (2) Unnamed Class II Watercourses, five (5) Class III drainages and two (2) springs.

5.0 Location and Area of Existing Cultivation

The 24,880 square feet of Outdoor cannabis cultivation occurs in thirteen (13) locations on the parcel.

Outdoor Cultivation

Greenhouses #1 - #8

Greenhouses #1 - #8 are located near the northern section of the parcel on an existing graded flat. Greenhouse #1 and #2 each consist of 2,000 square feet of cultivation, Greenhouse #3 consists of 1,400 square feet of cultivation, Greenhouses #4 and #5 each consist of 2,000 square feet of cultivation, Greenhouse #6 consists of 2,600 square feet of cultivation, and Greenhouse #7 consists of 1,400 square feet of cultivation, and Greenhouse #8 consists of 1,600 square feet of cultivation.

Greenhouses #9 - #13

Greenhouses #9 - #13 are located in the southern section of the parcel on an existing graded flat. Greenhouse #9 consists of 1,440 square feet of cultivation, Greenhouses #10 and #11 each consist of 2,240 square feet of cultivation, Greenhouse #12 consists of 1,960 square feet of cultivation, and Greenhouse #13 consists of 2,000 square feet of cultivation. Greenhouses #9 - #13 total to 9,880 square feet of outdoor cultivation.

6.0 Setbacks of Cultivation AreaOutdoor CultivationGreenhouses #1 - #8

Greenhouses #1 - #8 are setback from the northern parcel line by approximately 727 feet and the eastern parcel line by approximately 376 feet.

Greenhouses #9 - #13

Greenhouse #9 - #13 are setback from the southern parcel line by approximately 90 feet and the eastern line by approximately 508 feet.

7.0 Access Roads

The Parcel is accessed from Eubanks Road which is well maintained by Caltrans. The interior roads are in decent shape but will need drainage features and surface rocking. All graded flats were stabilized. A 1600 through California Department of Fish & Wildlife has been filed for a proposed bridge in the East of the parcel to provide property access. The proposed 50-foot flatcar bridge will replace a historical stream ford that has been in place for over 40 years and would eliminate the need for a wet ford at this location.

8.0 Graded Flats

There are two (2) existing flats on the Parcel and may require permitting with the Humboldt County Building Department.

9.0 Existing and Proposed BuildingsDry Building #1

Dry Building #1 is an existing 20'x30' structure that is used for the drying/curing of the harvested cannabis and storing nutrients and fuel. It was constructed in 2002 and may require permitting with the Humboldt County Building Department.

Dry Building #2

Dry Building #2 is an existing 45'x50' structure that is used for the drying/curing of harvested cannabis and storing nutrients. It was constructed in 2017 and may require permitting with the Humboldt County Building Department.

Dry Building #3

Dry Building #3 is an existing 20'x40' structure that is used for the drying/curing of harvested cannabis and storing nutrients and fuel. It was constructed in 2011 and may require permitting with the Humboldt County Building Department.

Trash Trailer

The Trash Trailer is an existing 20'x50' structure that is used for storing all cultivation related waste and has been on the property since 2005.

Vegging Greenhouse

The Vegging Greenhouse is an existing 20'x60' structure that is used for the vegetative cycle for the cannabis. It was constructed in 2015 and may require permitting with the Humboldt County Building Department.

10.0 Water Source, Storage, Irrigation Plan and Projected Water Usage**10.1 Water Source**

All water used for cultivation is sourced from the rainwater catchment pond and two (2) springs. The Applicant has filed an Initial Statement of Water Diversion and Use for both springs.

10.2 Water Storage

There are twenty-four (24) 5,000-gallon HDPE rainwater catchment tanks and seven (7) 5,000-gallon HDPE tanks, two (2) 3,000-gallon HDPE tanks, one (1) 2,500-gallon HDPE tank and one (1) 1,500-gallon HDPE tank totaling 165,000-gallons of water tank storage. The Applicant also has a rainwater catchment pond that holds 37,000-gallons of water giving a total of 202,000 gallons of water storage. The Applicant is aware that they will need to increase storage in order to meet the required forbearance period.

10.3 Irrigation Plan

All irrigation of cannabis is completed by a timed, metered, drip irrigation system preventing any over watering or runoff.

10.4 Projected Water Use

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

All water used for cultivation is sourced from the permitted, confined aquifer well. The Applicant estimates their annual water use to be 256,675 gallons.

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

Site Maintenance, Erosion Control and Drainage Features

The roads on the site were in okay shape but need drainage features and surface rocking. All graded flats are stabilized.

Stream Crossing Maintenance

Several stream crossings are undersized and need to be replaced and permitted through California Department of Fish and Wildlife.

Watershed Protection

The Applicant has met the Standard Condition for riparian and wetland protection and management.

12.0 Distances from Significant Landmarks

There are no schools, school bus stops, state parks, places of worship or Tribal Cultural Resources within 600 feet of the cultivation site.

II. Cultivation and Operations Plan

1.0 Materials Storage

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

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

The Applicant has one (1) 2KW and one (1) 3KW generators located on the parcel. The generators use gasoline and has at least five (5) 5-gallon gas cans stored inside of Dry Building #1 and Dry Building #3. The Applicant is aware that he will need to get a spill kit as well as secondary containment. All cultivation related waste is stored in contractor bags in the Trash Trailer and disposed of every three to four weeks at the Redway Transfer Station, an Eel River Resource Recovery.

There is no soil pile on-site. The Applicant brings in soil to fill the beds and pots. The soil is reamended for each cultivation cycle. Once the dirt is no longer viable for cultivation, it is removed and disposed of at Wes Green in Arcata. The Applicant does not have any compost piles on site.

2.0 Cultivation Activities

Cultivation activities typically begin sometime during April when cannabis plants are brought to the Parcel for planting.

The applicant will be pulling tarps over the greenhouses in order to have two (2) harvests of cannabis via light deprivation, sometime in July and September. Tarps will be pulled by hand and will not have any negative effects to the surrounding area or the cannabis.

3.0 Processing Practices

Plants will be harvested one at a time using hand shears and taken into Dry Buildings #1- #3 where it will be dried and cured. All processing will be performed outside by collective and family members using a trim machine.

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

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

4.0 Security Measures

The access to the parcel is gated and locked. There are three locked gates at the top of the parcel and two locked gates at the bottom of the parcel. The Applicant does not currently have a security system but will put game cameras at both entrances.



STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

REGISTRATION H500856

CERTIFICATE H100274

Right Holder: *Jerry Savage*
PO Box 1958
Redway, CA 95560

The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from 05/01/2018. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated October 19, 2017.

The Deputy Director for Water Rights finds that this registration meets the requirements for registration of small irrigation use appropriation. (Wat. Code, § 1228 et seq.)

Right holder is hereby granted a right to divert and use water as follows:

1. Location of point(s) of diversion (**Coordinates in WGS 84**)

Name of Diversion	Source	Tributary To:	Thence	Latitude	Longitude	County	Assessor's Parcel Numbers (APN)
POD1	Unnamed Spring	Eubank Creek	Mattole River	40.0842	-123.9739	Humboldt	220-171-005

2. Purpose of Use and 3. Place of Use

2. Purpose of Use	3. Place of Use		
	County	Assessor's Parcel Numbers (APN)	Acres
Irrigation	Humboldt	220-171-005	0.76

Note: Assessor's Parcel Numbers provided are based on the user's entries in this portal on 10/05/2018.

The place of use is shown on the map filed on 10/05/2018 with the State Water Board.

4. Quantity and Season:

The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 0.84 **acre-feet per year** to be collected from 01/01 to 12/31 and as permitted in the diversion season specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive. The total storage capacity shall not exceed 0.9535 acre-feet. The rate of diversion to storage shall not exceed **42,000 gallons per day (gpd) or the diversion rate specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive.**

5. No water shall be diverted or used under this right unless the water right holder is in compliance with all applicable conditions, including the numeric and narrative instream flow requirements, of the current version of the State Water Board's Cannabis Policy, except as follows:

Right holders enrolled under Regional Water Quality Control Board Order R1-2015-0023 or Order R5-2015-0113 shall comply at all times with requirements related to flow, diversion, storage, and similar requirements of Attachment A of the Cannabis Policy identified by the Division of Water Rights below in this condition. This condition remains in effect until July 1, 2019, or when the right holder enrolls under the statewide Cannabis General Order, whichever comes first, at which time right holders shall comply with all applicable conditions and requirements of Attachment A of the Cannabis Policy.

- Section 1 – Term Numbers 4, 15, 17, 24, 26, and 36.
- Section 2 – Term Numbers 23, 63, 64, 66, 69 – 78, 82 – 94, 96, and 98 – 103.
- Section 3 – All Instream Flow Requirements for Surface Water Diversions (Requirements 1 – 7) and the Gage Installation, Maintenance, and Operation Requirements.
- Section 4 – All requirements and conditions.

The current version of the State Water Board's *Cannabis Policy* is available online at:
https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy.pdf.

6. No water shall be diverted or used under this right, and no construction related to such diversion shall commence, unless right holder has obtained and is in compliance with all necessary permits or other approvals required by other agencies.
7. Diversion works shall be constructed and water applied to beneficial use with due diligence.
8. No water shall be diverted under this right unless right holder complies with all lawful conditions required by the California Department of Fish and Wildlife. (Wat. Code, § 1228.6, subd. (a)(2).)
9. No water shall be diverted under this right unless it is diverted in accordance with the information set forth in the completed registration form as to source, location of point of diversion, purpose of use, place of use, quantity, and season of diversion. This information is reproduced as conditions 1 through 4 of this certificate.
10. No water shall be diverted under this right unless right holder complies with all applicable state, city, county, and local laws, regulations, ordinances, permits, and license requirements including, but not limited to those for cannabis cultivation, grading, construction, and building.
11. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this right, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.
12. The State Water Board reserves jurisdiction over this registration to change the season of diversion and rate of diversion based on later findings of the State Water Board concerning availability of water and the protection of beneficial uses. Any action to change the authorized season of diversion and rate of diversion will be taken only after notice to interested parties and opportunity for hearing.
13. Right holder shall grant, or secure authorization through right holder's right of access to property owned by another party, the staff of the State Water Board, and any other authorized representatives of the State Water Board the following:
 - a. Entry upon property where water is being diverted, stored, or used under a right issued by the State Water Board or where monitoring, samples and/or records must be collected under the conditions of this right;
 - b. Access to copy any records at reasonable times that are kept under the terms and conditions of a right or other order issued by the State Water Board;
 - c. Access to inspect at reasonable times any project covered by a right issued by the State Water Board, equipment (including monitoring and control equipment), practices, or operations regulated by or required under this right; and,
 - d. Access to photograph, sample, measure, and monitor at reasonable times for the purpose of ensuring compliance with a right or other order issued by the State Water Board, or as otherwise authorized by the Water Code.
14. Diversion of water under this right is subject to prior rights. Right holder may be required to curtail diversion or release water stored during the most recent collection season should diversion under this right result in injury to holders of legal downstream senior rights. If a reservoir is involved, right holder may be required to bypass or release water through, over, or around the dam. If release of stored water would not effectively satisfy downstream prior storage rights, right holder may be required to otherwise compensate the holders of such rights for injury caused.
15. This right shall not be construed as conferring right of access to any lands or facilities not owned by right holder.

16. All rights are issued subject to available flows. Inasmuch as the source contains treated wastewater, imported water from another stream system, or return flow from other projects, there is no guarantee that such supply will continue.
17. If storage or diversion of water under this right is by means of a dam, right holder shall allow sufficient water at all times to pass through a fishway or, in the absence of a fishway, allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist below the dam; provided that, during a period of low flow in the stream, upon approval of the California Department of Fish and Wildlife, this requirement will be satisfied if sufficient water is passed through a culvert, waste gate, or over or around the dam to keep in good condition any fish that may be planted or exist below the dam if it is impracticable or detrimental to pass the water through a fishway. In the case of a reservoir, this provision shall not require the passage or release of water at a greater rate than the unimpaired natural inflow into the reservoir. (Fish & G. Code, § 5937.)
18. The facilities for diversion under this right shall include satisfactory means of measuring and bypassing sufficient water to satisfy downstream prior rights and any requirements of the California Department of Fish and Wildlife and the State Water Board's Cannabis Policy.
19. This right does not authorize any act which results in the taking of a threatened, endangered, or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code section 2050 et seq.) or the federal Endangered Species Act (16 U.S.C.A. section 1531 et seq.). If a "take" will result from any act authorized under this water right, the right holder shall obtain authorization for an incidental take prior to construction or operation of the project. Right holder shall be responsible for meeting all requirements of the state and Federal Endangered Species Acts for the project authorized under this right.
20. This right is subject to the submittal of an annual report of water use and satisfactory renewal, on forms to be furnished by the State Water Board, including payment of the then-current annual renewal fees. (Wat. Code, § 1228.5.)
21. This right shall be totally or partially forfeited for nonuse if the diversion is abandoned or if all or any part of the diversion is not beneficially used for a continuous period of five years.
22. This right is subject to enforcement, including but not limited to revocation, by the State Water Board if 1) the State Water Board finds that the right holder knowingly made any false statement, or knowingly concealed any material fact, in the right; 2) the right is not renewed as required by the conditions of this certificate; or 3) the State Water Board finds that the right holder is in violation of the conditions of this right. (Wat. Code, § 1228.4 et seq.)
23. The State Water Board intends to develop and implement a basin-wide program for real-time electronic monitoring and reporting of diversions, withdrawals, releases, and streamflow in a standardized format if and when resources become available. Such real-time reporting will be required upon a showing by the State Water Board that the program and the infrastructure are in place to accept real-time electronic reports. Implementation of the reporting requirements shall not necessitate amendment to this right.

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

This certificate was issued automatically as a result of the registrant self-certifying submittal of a water right registration filing in substantial compliance with Water Code §1228.3.

Dated: 10/05/2018 13:17:32

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RA9

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

RECEIVED

NOV 08 2016

CDFW - EUREKA



STREAMBED ALTERATION AGREEMENT
NOTIFICATION No. 1600-2016-0188-R1

Eubank Creek, Tributary to the Mattole River and the Pacific Ocean

Mr. Ben Wilke
Wilke Stream Crossing Project
1 Encroachment

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

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, the Permittee initially notified CDFW on May 3, 2016, that the Permittee intends to complete the project described herein.

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

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

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

PROJECT LOCATION

The project to be completed is located within the Eubank Creek watershed, approximately 4.2 miles west/southwest of the town of Briceland, County of Humboldt, State of California. The project is located in Section 29, T4S, R2E, Humboldt Base and Meridian; in the Briceland U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 222-171-05; latitude 40.0886 N and longitude 123.9739 W.

PROJECT DESCRIPTION

The project is limited to one encroachment to install a bridge to provide property access. The proposed 50 foot flatcar bridge will replace a historical stream ford that has been in place for over 40 years. The proposed project would eliminate the need for a wet ford at this location.

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include: Chinook salmon (*Oncorhynchus tshawytscha*), coho salmon (*O. kisutch*), steelhead trout (*O. mykiss*), amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

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

Impacts to bed, channel, or bank and effects on habitat structure:
soil compaction or other disturbance to soil layer;
temporary increase in fine sediment transport;

Impacts to water quality:
temporary increased turbidity;

Impacts to bed, channel, or bank and direct effects on fish, wildlife, and their habitat:
loss or decline of riparian habitat;
direct impacts on benthic organisms;

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

The Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. The Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. The Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of the Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Change of Conditions and Need to Cease Operations. If conditions arise, or change, in such a manner as to be considered deleterious to the stream or wildlife, operations shall cease until corrective measures approved by CDFW are taken. This includes new information becoming available that indicates that the bypass flows and diversion rates provided in this agreement are not providing adequate

protection to keep aquatic life downstream in good condition or to avoid "take" or "incidental take" of federal or State listed species.

- 1.4 Notification of Conflicting Provisions. The Permittee shall notify CDFW if the Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact the Permittee to resolve any conflict.
- 1.5 Project Site Entry. The Permittee agrees to allow CDFW employees access to any property it owns and/or manages for the purpose of inspecting and/or monitoring the activities covered by this Agreement, provided CDFW: a) provides 24 hours advance notice; and b) allows the Permittee or representatives to participate in the inspection and/or monitoring. This condition does not apply to CDFW enforcement personnel.

2. Avoidance and Minimization Measures

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

- 2.1 Permitted Project Activities. Except where otherwise stipulated in this Agreement, all work shall be in accordance with the Permittee Notification received with fees paid in full on May 3, 2016, together with all maps, BMP's, photographs, drawings, and other supporting documents submitted with the Notification.

General Conditions

- 2.2 Work Period. All work shall be confined to the period July 1 through October 1 of each year. Work within the active channel of a stream shall be restricted to periods of **dry weather**. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Construction activities shall cease and all necessary erosion control measures shall be implemented prior to the onset of precipitation.
- 2.3 Vegetation Disturbance. Vegetation disturbance shall not exceed the minimum necessary to perform the work.
- 2.4 Excavated Fill. Excavated fill material shall be placed in an upland location where it cannot deliver to a watercourse. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be tractor contoured (to drain water) and tractor compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.

Permanent Bridge Construction

- 2.5 On streams which cannot be dewatered, heavy equipment shall be permitted up to two passes (stream crossings across and back), to install the bridge. If turbidity is observed greater than 500 feet downstream of the crossing, operations shall cease until turbidity dissipates.
- 2.6 Abutment fill below the high water mark shall only be log and/or rock. Abutments shall not constrict the streamflow in a manner that limits upstream or downstream fish passage or is detrimental to aquatic life. If fill material needs to be placed within the stream when surface flows are present, only rip-rap, logs, clean, screened gravel, filter fabric, or other substances or structures that cause no siltation or other pollution shall be used.
- 2.7 As long as the bridge remains in place, the Permittee is responsible for maintaining free-flowing conditions under the bridge and clearing all debris that does not pass.
- 2.8 All permanent bridges shall accommodate the 100 year flow and associated debris. A minimum of 4 feet of freeboard from the bridge deck to the 100 year high water mark shall be established.
- 2.9 Rock Armor Placement.
 - 2.9.1 No heavy equipment shall enter the wetted stream channel.
 - 2.9.2 No fill material, other than clean rock, shall be placed in the stream channel.
 - 2.9.3 Rock shall be sized to withstand washout from high stream flows, and extend above the ordinary high water level.
 - 2.9.4 Rock armoring shall not constrict the natural stream channel width and shall be keyed into a footing trench with a depth sufficient to prevent instability.
- 2.10 Runoff from Steep Areas. The Permittee shall make preparations so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential or contained behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.
- 2.11 Stream Protection. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other deleterious material from project activities shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into the stream. All project materials and

debris shall be removed from the project site and properly disposed of off-site upon project completion.

- 2.12 Equipment Maintenance. Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants or hydraulic fluids shall not take place within stream bed, channel and bank. All such fluids and containers shall be disposed of properly off-site. Heavy equipment used or stored within stream bed, channel and bank shall use drip pans or other devices (e.g., absorbent blankets, sheet barriers or other materials) as needed to prevent soil and water contamination.
- 2.13 Hazardous Spills. Any material, which could be hazardous or toxic to aquatic life and enters a stream (i.e. a piece of equipment tipping-over in a stream and dumping oil, fuel or hydraulic fluid), the Permittee shall immediately notify the California Emergency Management Agency State Warning Center at 1-800-852-7550, and immediately initiate clean-up activities. CDFW shall be notified by the Permittee within 24 hours at 707-445-6493 and consulted regarding clean-up procedures.
- 2.14 Project Inspection. The Project shall be inspected by Timber Resource Consulting or a licensed engineer to ensure that the crossing was built as proposed. A copy of the inspection report, including photographs of each site, shall be submitted to CDFW within 90 days of completion of this project.

3. Reporting Measures

- 3.1 Project Inspection. The Permittees **shall submit the Project Inspection Report** to CDFW, LSA Program at 619 Second Street, Eureka, CA 95501.

CONTACT INFORMATION

Any communication that the Permittee or CDFW submits to the other shall be in writing and any communication or documentation shall be delivered to the address below by U.S. mail, fax, or email, or to such other address as the Permittee or CDFW specifies by written notice to the other.

To Permittee:

Mr. Ben Wilke
P.O. Box 1020
Garberville, California 95542
707-223-1110

To CDFW:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Attn: Lake and Streambed Alteration Program
Notification #1600-2016-0188-R1

LIABILITY

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

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

SUSPENSION AND REVOCATION

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

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

ENFORCEMENT

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

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

OTHER LEGAL OBLIGATIONS

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

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

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

AMENDMENT

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

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

TRANSFER AND ASSIGNMENT

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

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

EXTENSIONS

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

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

EFFECTIVE DATE

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

TERM

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

AUTHORITY

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

AUTHORIZATION

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

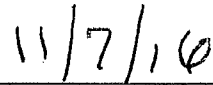
CONCURRENCE

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

FOR Mr. Ben Wilke

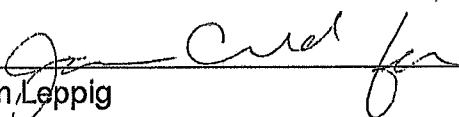


Ben Wilke

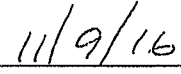


Date

FOR DEPARTMENT OF FISH AND WILDLIFE



Gordon Leppig
Senior Environmental Scientist Supervisor



Date

Prepared by: David Manthorne, Environmental Scientist, July 8, 2016

**HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT**

PART A: Part A may be completed by the applicant

Applicant Name: Jerry Savage APN: 220-171-005

Planning & Building Department Case/File No.: Apps No. 11994

Road Name: Eubanks Rd. (complete a separate form for each road)

From Road (Cross street): Etterburg Honeydew Rd.

To Road (Cross street): Property Entrance

Length of road segment: 2.2 miles Date Inspected: 7/8/19

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 Jerry Savage

7/11/19
Date

Jerry Savage

Name Printed

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

**HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT**

PART A: Part A may be completed by the applicant

Applicant Name: Jerry Savage APN: 220-171-005

Planning & Building Department Case/File No.: Apps no.11994

Road Name: Unnamned Rd. (complete a separate form for each road)

From Road (Cross street): Eubanks Rd.

To Road (Cross street): Property Entrance

Length of road segment: 1 miles Date Inspected: 7/8/19

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.

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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 Jerry Savage

7/11/19
Date

Jerry Savavge
Name Printed

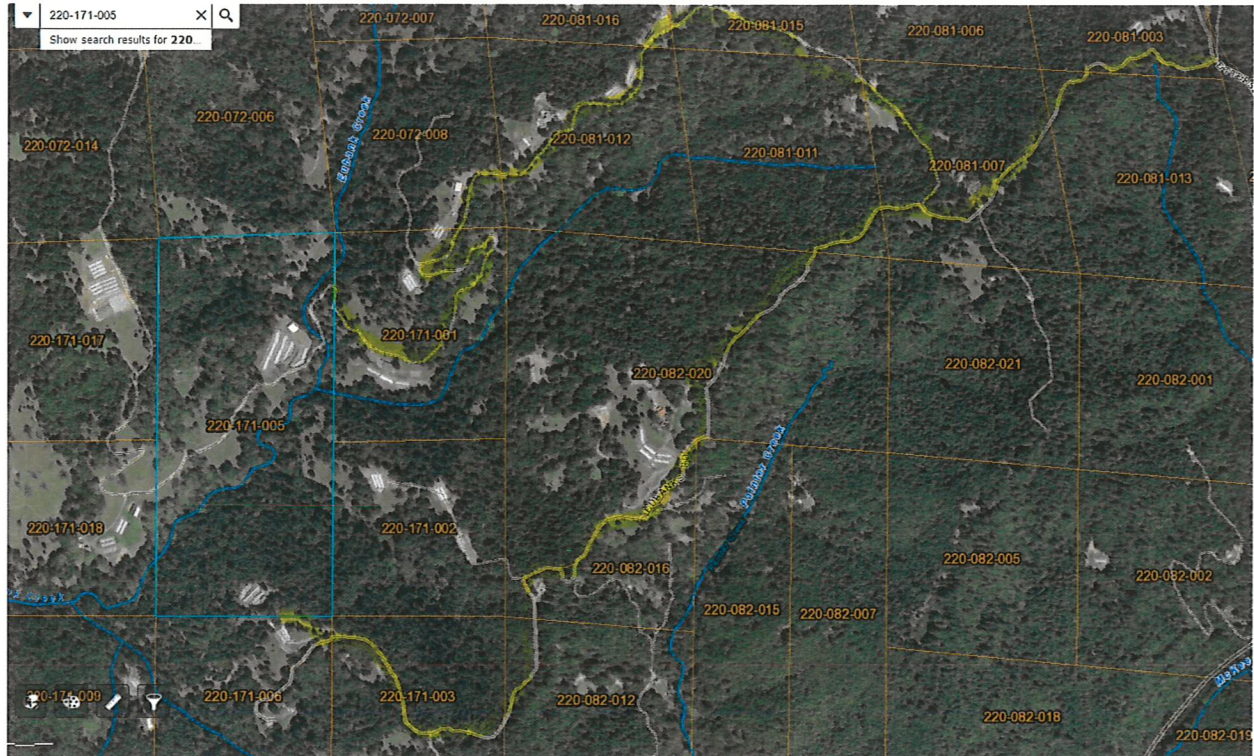
Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.



Road Eval Photos/Access Road Map

APN: 220-171-005

APPS NO: 11994



Access Road Map: Eubanks Rd/Unnamed Road



Road Photo#1-Eubanks Rd



Road Photo#2-Eubanks Rd.



Road Photo#3-Eubanks Rd.



Road Photo#4-Eubanks Rd



Road Photo#5-Eubanks Rd.



Road Photo#6-Unnamed Access Road



Road Photo#7-Unnamed Access Road



Road Photo#8-Unnamed Access Road

October 16, 2018

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

Dear Humboldt County Planning Department:

The following attached document is an evaluation of an existing, unauthorized timberland conversion which was inspected by Blair Forestry LLC within APN **220-171-005**. Please accept this letter as the Registered Professional Forester's (RPF) written report showing sufficient evidence that the converted area was inspected as required by Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.10(j), cited below.

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

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

Sincerely,

Thomas Blair RPF#2607



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

Timberland Conversion Evaluation Report

October 16, 2018

As mandated by:

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

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

Contact Information

1. Timberland Owners(s): Savage Farms
Phone: 707-986-9507
2. Timber Owner(s): Same as above
3. Registered Professional Forester (preparing report): Thomas Blair
RPF Number: 2607
Address: Blair Forestry LLC
PO Box 2517
McKinleyville, CA 95519
Phone: (707) 834-2990

Location of Project

Legal Description of Ownership:
Address: 655 Eubanks Rd.
Whitethorn, CA 95560

APN(s): 220-171-005
Section 29; T4S; R2E; HB&M; Humboldt County
Parcel Size: Approximately 82 acres
Acres Converted: 1.11 acres

Project Description

Property History

Note: Property boundaries are based on the Humboldt County Assessor's APN parcel map and may vary geographically. Assessor's Parcel data in the GIS mapping program differed slightly geographically. The property background has been summarized using personal accounts of current landowners, historic orthographic photography, Humboldt County Web GIS, and CAL FIRE Watershed Mapper v2. This conversion evaluation report will focus on unauthorized conversion activities from the last 13 years (since 2005).

Historically this parcel was logged, likely sometime in the mid-1900s. There is no publicly accessible Timber Harvest Plan on record from Cal Fire for the parcel but there are many historical logging roads, skids and landings apparent all over the landscape.

There are 2 unauthorized Conversion Areas within the subject parcel (Conversion Areas #1 and #2; see Conversion Evaluation Map for locations). Most of the sites associated with cultivation were clear of timber and vegetation long before cultivation activity was taking place. The property owner noted that the parcel was historically used as an off-road vehicle recreation site which, along with historic logging activities, could account for some historic vegetation removal and the appearance of a track-like landscape. Cultivation Area 1 (Associated with Conversion Area #1) is the only notable timberland conversion site although another site, Conversion Area #2, is discussed in this report for minor vegetation removal.

Approximately 0.32 acres of timberland was cleared at Conversion Area #1 sometime prior to 2012. This area was expanded on prior to 2014 making the total converted timberland approximately 1.0 acre. This conversion site appears to have been installed adjacent to a historic logging road and landing area. The Conversion Area has been graded which likely took place in two separate steps concurrent with the conversions.

Conversion Area #2 was very minor in scope (< 0.10 acre) and likely involved only brush and/or small sapling removal around the northern periphery of a historic meadow. This vegetation removal likely occurred sometime before 2010 when the meadow was graded for the purpose of cultivation and again before 2012 when the cultivation structure expanded. See Conversion Details in the table below.

Table 1.

Conversion Area ID	Acreage	Year of Completion
Conversion Area #1	1.0	Between 2011 and 2014 in two steps
Conversion Area #2	< 0.1	Between 2009 and 2012
TOTAL CONVERSION AREA	< 1.1	

Project Description

The total acreage of unauthorized converted timberland on the property is <1.1 acres, which is below the 3-acre maximum Conversion Exemption allowed under 14 CCR 1104.1.

Currently the landowner seeks compliancy with Humboldt County and the State of California to mitigate past unauthorized conversion activities where they are inconsistent with the requirements of 14 CCR 1104.1. in the California Forest Practice Rules.

Humboldt County has zoned this parcel Unclassified (U). According to Humboldt County Code Zoning Regulations, Title III, Land Use Development - "all of the unincorporated area of the County not otherwise zoned is designated as the Unclassified or U Zone. This area has not been sufficiently studied to justify precise zoning classifications." (Section 314-8.1, Chapter 4, page 36).

A field inspection of the property and conversion area was conducted on July 3, 2018 by representatives of Blair Forestry Consulting LLC. All relevant sites concerning the past conversion areas were examined. Findings from this evaluation are summarized below.

Timber Stand Description

The property near the conversion areas is dominated by 40 to 60-year-old Douglas-fir with understory comprised of younger Douglas-fir, tanoak and madrone. The timber stand around the conversion areas appears very healthy with adequate conifer stocking. The understory around the property is generally open, well-kept and free of excessive debris.

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

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

Timber Harvesting and Operations

14 CCR 914.1 Felling Practices

14 CCR 914.2 Tractor Operations

14 CCR 914.7 Timber Operations, Winter Period

There are no records of practices used for harvesting on the unauthorized timberland conversion sites, but it can be assumed trees were hand-felled and that operations involved an excavator or bulldozer. It is also assumed that no timber left the property following the conversion evidenced by some existing slash piles near the conversion sites and the remoteness of the property.

Inspection around Conversion Area #1 revealed that some trees were pushed over the edge of the conversion site during subsequent grading. Some of the wood from the conversion sites was used for firewood (pers. contact with landowner).

No Winter Operations Plan was recorded for any conversion site considered in this report. Although it is difficult to tell what time of year operations took place, the landowner stated that timber felling and clearing at Conversion Area #1 was conducted during late spring in dry conditions. Slopes on and around Conversion Area #1 are gentle to moderate.

Timber harvesting and operations do not appear to have been inconsistent with 14CCR 914.1, 914.2 or 914.7 and no recommendations are suggested.

Roads, Soil Stabilization and Erosion Control

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

Historic logging operations are responsible for most of the current road system within the subject parcel and roads associated with access to the timberland conversion sites. Roads leading specifically to Conversion Areas are re-established logging roads or skids. A Water Resource Protection Plan (WRPP, WDID: 1B171770CHUM) has been developed for the parcel which covers roads accessing both Conversion Areas. WRPPs adhere minimally to all road work rules described in 14 CCR Article 12.

The road accessing Conversion Area #1 comes from the southern boundary of the property and does not intercept any watercourses. The road surface accessing Conversion Area #1 is rocked, adequately-drained and does not exhibit excessive scouring. The RPF agrees with the WRPP recommendation of installing at least 1 water bar/rolling dip from the entrance of the property to the turn in the road where it meets the conversion site.

The road accessing Conversion Area #2 crosses numerous watercourses. The RPF noted numerous erosion control issues associated with watercourse crossings and road surfaces. Because of the road's proximity to Eubank Creek, a Class I watercourse, it is likely some of the watercourse crossings lower on the lower slope *will* require a hydrological study as indicated in the WRPP. Although there was minimal vegetation removal at Conversion Area #2, the conversion activities were associated with cultivation activities which resulted in increased use of the access road. The RPF recommends that the road and crossing points accessing Conversion Area #2 be addressed as described in WRPP as soon as possible and that this road be restricted to 4-wheel drive vehicle use during the dry period of the year only. The RPF also recommends that until these sites are addressed, roads/crossings be winterized prior to the winter weather period which includes unplugging partially plugged culverts and installing waterbars to minimize sediment delivery into watercourses where possible.

Overall, the soils, slope, aspect and climate are all suitable for the converted uses, but road accessing the conversion area does not comply with 14 CCR Article 12 concerning Logging Roads, Landings and Logging Road Watercourse Crossings; 14 CCR 914.6 concerning Waterbreaks. Table 2 below summarizes RPF's and the WRPP's recommendations for winterizing roads accessing Conversion Area #2.

Table 2.

Site ID	Description	RPF Recommendations prior to winter weather period
Observation Point 2(a)	Incising and surface scouring of road on steep grade allowing road surface sediment to enter a Class II watercourse at Crossing. Partially plugged culvert.	If culvert plugged, unplug existing culvert if possible. Install waterbars (particularly on the south approach) and hydrologically disconnect the crossing from the road until appropriately sized culvert has been installed and all necessary road work/rolling dip installation has been completed.
Observation Point 2(b)	Partially plugged culvert at Class III watercourse crossing.	If culvert plugged, unplug culvert if possible until appropriately sized culvert is installed.
Observation Point 2(c)	Road surface sediment entering a Class III watercourse.	If culvert plugged, unplug culvert if possible. Install waterbars and hydrologically disconnect the crossing from the road until appropriately sized culvert has been installed, all necessary road work/rolling dip installation has been completed.
Observation Point 2(d)	Road surface sediment entering a Class III watercourse. Partially plugged culvert.	If culvert plugged, unplug culvert if possible. Install waterbars and hydrologically disconnect the crossing from the road until appropriately sized culvert has been installed, all necessary road work/rolling dip installation has been completed.
Observation Point 2(e)	Road surface sediment entering a Class II watercourse. Partially plugged culvert.	If culvert plugged, unplug culvert if possible. Rock existing culvert outlet.

Watercourses and Water Resources

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

The conversion areas are between 1,200 and 1,250 feet in elevation and fall inside the Eubank Creek watershed (CALWATER V2 – 1112.300102). Drainage originating from this property makes its way to Eubank Creek, which runs through the property from the northeast to the southwest and eventually into the Mattole River, a fish bearing Class I watercourse. The conversion areas are all generally situated on or near ridge lines. There were no observable soil stabilization or erosion control issues associated with timber operations that would negatively affect any watercourses or water resources downslope.

Each conversion site was inspected for proximity to Class I through Class IV waters and domestic water sources. Class I, II and III watercourses were observed on the property during inspection. Timber conversion activities at Conversion Sites #1 and #2 did not occur within watercourse and lake protection zones described under 14CCR 1104.1(a)(2)(F) or watercourse protection zones required by Humboldt County.

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

Hazard Reduction

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

The conversion site and the surrounding timber stand was walked and assessed for debris resulting from timberland conversion activities. There was debris, presumably resulting from conversion activities around the northern portion of Conversion Area #1. Other conversion sites, graded fill slopes and surrounding timber stand are otherwise open and clear of slash and woody debris associated with conversion activities.

Recommendations: Cut sawlogs at Observation Point 1(a) to a minimum of 2 feet in length as per 14 CCR 1104.1(a)(2)(D)(1).

Biological Resources

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

A query of the California Natural Diversity Database (CNDDB) on September 19, 2018 showed no observations of sensitive, rare, threatened, or endangered species or species of special concern within the Conversion Areas or within the buffer zone of sensitive species. No sensitive, rare, threatened, or endangered species were observed during the field assessment of the property.

The query mentioned above does show a Northern Spotted Owl Activity Center (HUM0133) approximately 0.82 miles to the south of Conversion Area #1. According to the CNDDB, the last known positive sighting of a northern spotted owl associated with this AC was on August 29, 1983. Typically, when a timber harvest plan is developed in this region of California, ACs fall under USFWS Attachment A protection measures which considers habitat retention within 0.7 miles from an AC. Due to the distance from the known NSO AC and available suitable habitat surrounding the site within its range, it is reasonable to conclude that no impacts have occurred from the small relative size of conversion of this property.

There is a documented occurrence of *Taricha rivularis* (red-bellied newt) in Eubank Creek which runs through the property from the northeast to the southwest. Red-bellied newts are a California Species of Special Concern and this property is in the northern most extent of the species range. These animals are a stream dwelling species that occur along the coast from near Bodega, Sonoma County to near Honeydew in Humboldt County. It is unlikely that timberland conversion activities occurring on the ridgeline outside of the watercourse protection buffer zones would have any significant impact on this occurrence. Adherence to the Water Resource Protection Plan being prepared by Green Road Consulting will greatly reduce stream sedimentation likely benefiting this species.

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

The conversion area appears to comply with 14 CCR 1104.1 (2)(H). No recommendation is suggested regarding biological resources. A copy of the CNDDDB map generated by this query is included in this report.

Cultural Resources

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

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

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

Summary of Recommendations

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

1. Roads, Soil Stabilization and Erosion Control
 - Address items in Table 2 above and shown on the Conversion Evaluation Map at the end of this report. Adhere to the recommendation of the WRPP being developed by Green Road Consulting and road winterization recommendations in Table 2.
2. Hazard Reduction
 - Address hazard reduction area at Observation Point 1(a) above and shown on the Conversion Evaluation Map at the end of this report.

Site Maps

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

Timberland Conversion Map: Location of timber conversion operations, Boundary of the conversion area, location and classification of watercourses, Observation Sites and roads.

California Natural Diversity Database (CNDDDB) Project Location Map: Location of timber conversion in relation to biological resources.

Resources

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

California Natural Diversity Database. California Department of Fish and Wildlife. Web. <https://www.wildlife.ca.gov/Data/CNDDDB>. Version 5.56.24. Accessed September 19, 2018.

California Native Plant Society, Rare Plant Program. 2018. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website <http://www.rareplants.cnps.org> [accessed 03 September 2018].

Forest Practice Watershed Mapper v2. CAL FIRE. Web. http://egis.fire.ca.gov/watershed_mapper/. Accessed September 3, 2018.

Humboldt County Web GIS. County of Humboldt. Web. <http://webgis.co.humboldt.ca.us/HCEGIS2.0/>. Accessed September 3, 2018.

Google Earth Pro

Photos



Photo 1. Observation Point 1(a), Hazard reduction.



Photo 2. View looking up access road from Conversion Area #1.



Photo 3. View from Observation Point 2(a) looking south up steep grade where water bar should be installed.



Photo 4. Conversion Area #1.



Photo 5. Observation Point 1(a).



Photo 6. Observation Point 1(a).



Savage Farms Timberland Conversion General Location Map

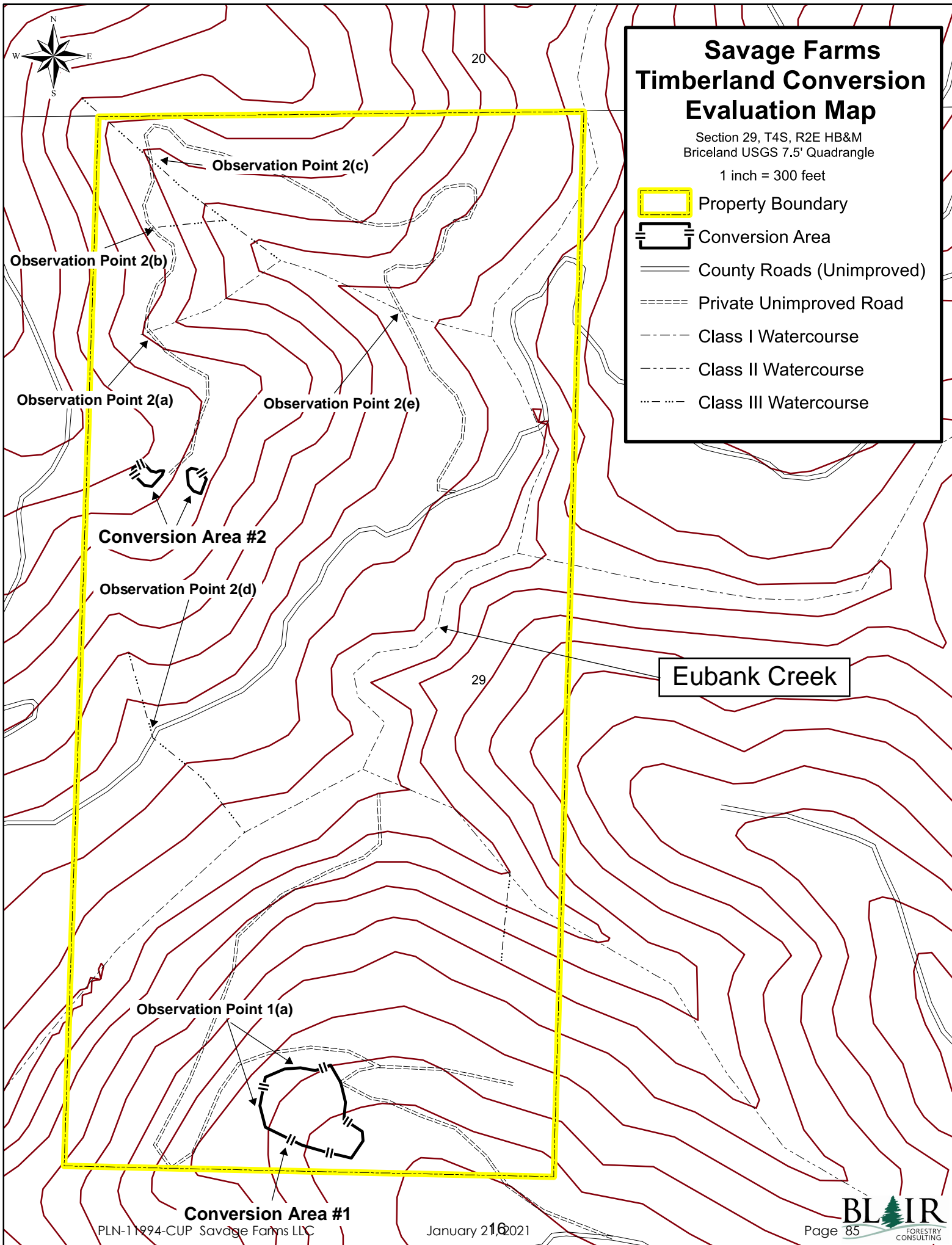
Section 29, T4S, R2E HB&M
Briceland USGS 7.5' Quadrangle

1 inch = 2,000 feet



Property Boundary

Approximate Location of Conversion Areas



Savage Farms Timberland Conversion Evaluation Map

Section 29, T4S, R2E HB&M
Briceland USGS 7.5' Quadrangle

1 inch = 300 feet

Property Boundary

Conversion Area

County Roads (Unimproved)

Private Unimproved Road

Class I Watercourse

Class II Watercourse

Class III Watercourse

Conversion Area #1
PLN-11994-CUP Savage Farms LLC

January 21, 2021

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BLAIR
FORESTRY
CONSULTING



Property Boundary

Spotted Owl Observations

[ds704]

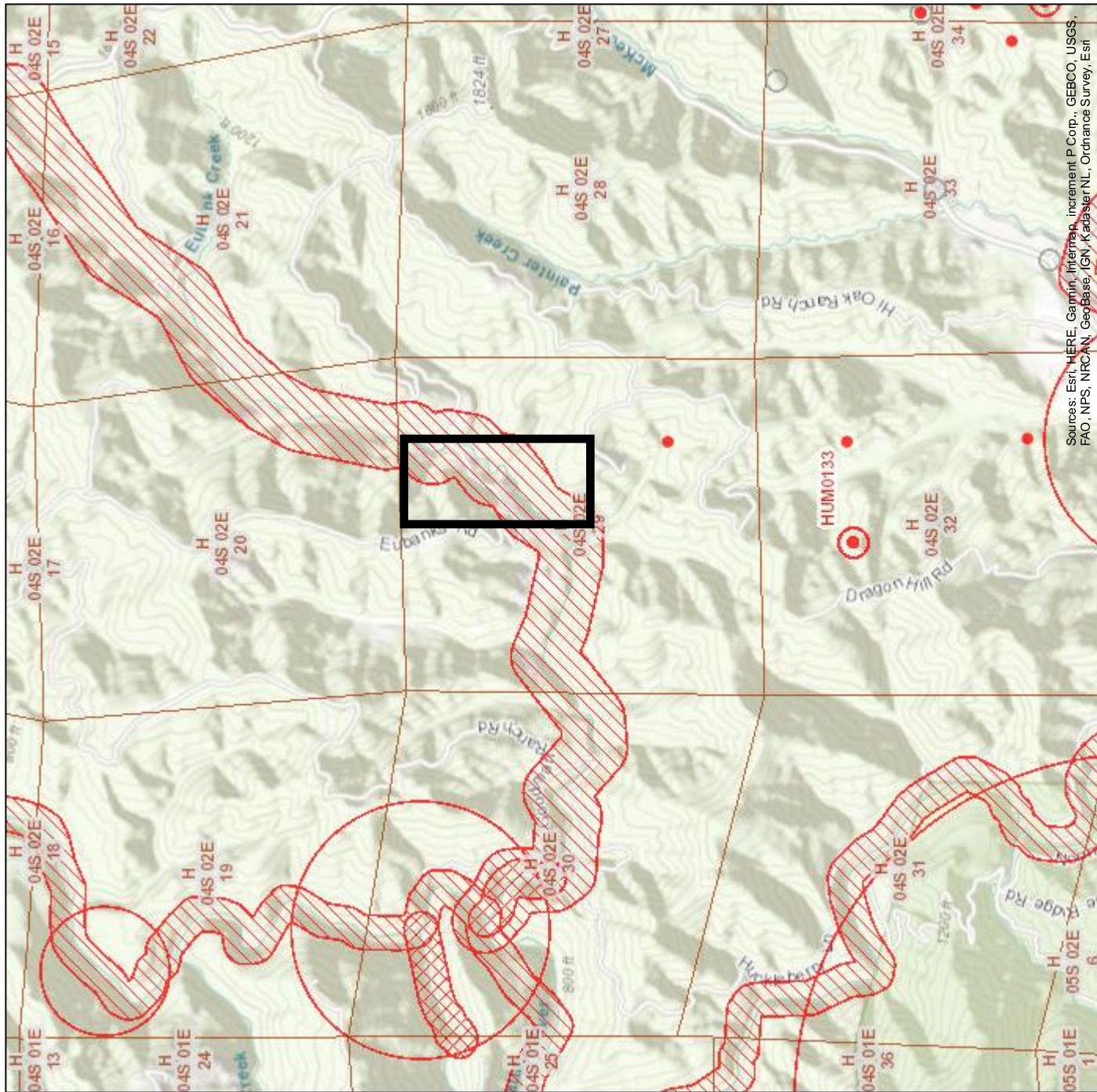
- Positive Observation
- Negative Observation
- Activity Center
- Not Valid Activity Center
- Abandoned

California Natural Diversity Database (CNDDb) Commercial

[ds85]

- Plant (80m)
- Plant (specific)
- Plant (non-specific)
- Plant (circular)
- Animal (80m)
- Animal (specific)
- Animal (non-specific)
- Animal (circular)
- Terrestrial Comm. (80m)
- Terrestrial Comm. (specific)
- Terrestrial Comm. (non-specific)
- Terrestrial Comm. (circular)
- Aquatic Comm. (80m)
- Aquatic Comm. (specific)
- Aquatic Comm. (non-specific)
- Aquatic Comm. (circular)
- Multiple (80m)
- Multiple (specific)

Savage Farms CNDDb



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was referred to the following referral agencies for review and comment:

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, SWRCB- Division of Water Rights, Humboldt County Sheriff, Telegraph Ridge Fire Protection District, Southern Humboldt Unified School District, NCUAQMD

Those agencies that provided written comments are noted below

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	*Needs to be scheduled (Condition 7)	
Department of Health and Human Services	✓	Conditional Approval	Attached
Public Works, Land Use Division	✓	Conditional Approval	Attached
CalFIRE	✓	Standard conditions	Attached
Northwest Information Center (NWIC)	✓	Conditioned	On File



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, SWRCB- Division of Water Rights, Humboldt County Sheriff, Telegraph Ridge Fire Protection District, Southern Humboldt Unified School District, NCUAQMD

Applicant Name Savage Farms Key Parcel Number 220-171-005-000

Application (APPS#) 11994 Assigned Planner Cannabis Planner (CPOD) (707) 445-7541 Case Number(s) CUP16-488

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:

Processing activities must be supported by an approved onsite wastewater treatment system. Seasonal/outdoor cultivation sites may be supported by portable toilets. Applicant must obtain a permit for, and install, and approved onsite wastewater treatment system to support the processing location and either install approved septic systems or provide portable toilets to cultivation areas.

Response Date: 11/28/2018 Recommendation By: Benjamin Dolf



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3598

AVIATION

839-5401

ADMINISTRATION
BUSINESS
ENGINEERING
FACILITY MAINTENANCE

445-7491
445-7652
445-7377
445-7493

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

NATURAL RESOURCES
NATURAL RESOURCES PLANNING
PARKS
ROADS & EQUIPMENT MAINTENANCE

445-7741
267-9540
445-7651
445-7421

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

LAND USE

445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Cliff Johnson, Supervising Planner, Planning & Building Department

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

DATE: 09-12-2018

RE:

Applicant Name	SAVAGE Farms
APN	220-171-005
APPS#	11994
CASE#	CUP16-488

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 # 11994

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

☒ **COUNTY ROADS- PRIVATE ROAD INTERSECTION: AT ETTERSBURG RD.**

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

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

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

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

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

// END //

Exhibit "D"

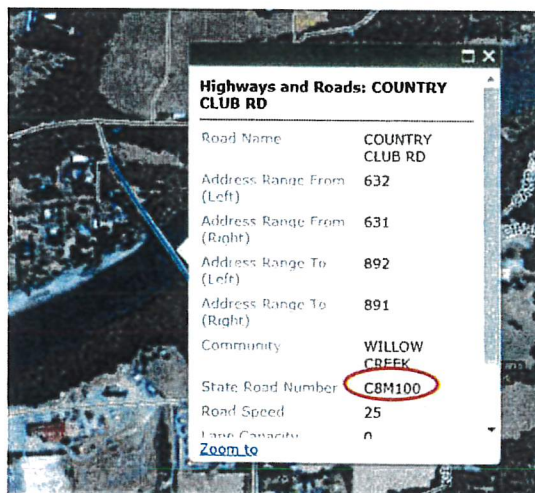
Road Evaluation Reports

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

A3M020 Murray Road

F6B165 Alderpoint Road

6C040 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.

Note: As stated above, County maintained roads with a painted centerline strip are roads considered meeting or exceeding Road Category 4 standards, and are not necessarily listed below.

"APPROVED LIST" List of County Maintained Roads that meet (or are equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range meeting (or equivalent to) Road Category 4 standard
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
Dean Creek Road	6B198	State Hwy 101 to P.M. 0.48 [End of County maintained]
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
Johnson Road	4G060	State Hwy 36 to P.M. 1.69 [End County maintained]
Kneeland Road	F6F060	Freshwater Road to Mountain View Road
Lighthouse Road	1D010	Mattole Road to State Park boundary
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

Exhibit "D"

Road Evaluation Reports

"APPROVED LIST"		
List of County Maintained Roads that meet (or are equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range meeting (or equivalent to) Road Category 4 standard
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

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 //

From: Salazar, Kim@CALFIRE
To: [Planning Clerk](#)
Subject: APN: 220-171-005-000 (Savage Farms)
Date: Tuesday, May 22, 2018 1:55:06 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

STATE OF CALIFORNIA THE RESOURCES AGENCY

EDMUND G. BROWN, JR., Governor



**DEPARTMENT OF FORESTRY AND FIRE
PROTECTION**

Humboldt – Del Norte Unit

118 Fortuna Blvd.
Fortuna, CA 95540
Website: www.fire.ca.gov
(707) 726-1272

Ref: 7100 Planning
Date: May 22, 2018

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

Attention: Cannabis Planner (CPOD)
Applicant: Savage Farms
APN: 220-171-005-000
Area: Whitethorn
Case Numbers: CUP16-488

Humboldt County Application #: 11994
Type of Application: Conditional Use Permit
Date Received: 5/21/2018
Due Date: 6/2/2018

Project Description: An application for a Conditional Use Permit for 24,880 square feet of existing outdoor medical cannabis cultivation is requested. Water source is two (2) springs and one (1) rainwater catchment pond. Water storage on-site is 202,000 gallons between thirty-five (35) hard tanks and a 37,000 gallon pond. Processing would be performed on-site. Power source for operations is two (2) gas generators.

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 **Kurt McCray**, 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 CAL FIRE increases its preparedness level for the purpose of suppressing wildland fires in the SRA. Response to non-fire incidents in the SRA or to areas outside of the SRA are usually predetermined through Cooperative Fire Protection Agreements with the agency having fiscal responsibility for fire protection. When cooling weather, rain, and snow are sufficient to reduce the fire threat, CAL FIRE then reduces its preparedness level by reducing seasonal staff, and closing outlying stations.
 - It is not CAL FIRE's responsibility to provide fire protection services to any building or structure located within the wildlands unless the Department of Forestry and Fire Protection has entered into a cooperative agreement with a local agency for those purposes pursuant to Section 4142 of the Public Resources Code.
 - 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.

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RESOURCE MANAGEMENT

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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 & Safety Code 11379.6 states that oil extraction with flammable or volatile solvents is prohibited within 300 feet of a residential occupancy. 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 California Fire Code. Specifically, Chapter 38 Plant Processing and Extraction Facilities and Chapter 53 Compressed Gases.
4. All materials hazardous and non-hazardous associated with oil extraction and plant process shall be utilized in conformance Chapter 38 of the California Fire Code. 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.
5. Humboldt County Ordinance 55.4.11(u) (a) states; “Those cultivators using artificial lighting for mixed-light cultivation shall shield greenhouses so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise.” Failure to shield artificial light during the night creates a light pollution that is

easily mistaken for a fire. As a result, a CAL FIRE wildland fire response may be initiated and ultimately terminated as a false alarm. This false alarm may result in citation and/or fine to the violator.