



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: February 18, 2021

To: Humboldt County Planning Commission

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

Subject: **BB Ranch, LLC Conditional Use Permit and Special Permit**
Application Number 12584
Record Number PLN-12584-CUP
Assessor's Parcel Number (APN) 522-073-002
4056 Beebe Ranch Road, Willow Creek Area

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Please contact Megan Acevedo, Planner at 707-441-2634 or by email at macevedo@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
February 18, 2021	Conditional Use Permit and Special Permit	Megan Acevedo, Planner

Project Description: A Conditional Use Permit for 14,100 square feet of existing mixed-light, 5,872 square feet of existing outdoor cannabis cultivation and 2,507 square feet of accessory nursery area. Irrigation water is sourced from an existing on-site well. Drying and curing occurs within the Dry Barn on-site, and trimming will occur off-site at a permitted third-party processing facility. Electricity is sourced from generator power. This application includes a Special Permit for a setback reduction to the public lands adjacent to the property.

Project Location: The project is located in the Willow Creek area, on the west side of Beebe Ranch Road, approximately 2.94 miles north from the intersection of Brannan Mountain Road and Beebe Ranch Road, on the property known as 4056 Beebe Ranch Road.

Present Plan Land Use Designations: Timberland (T); 2017 Humboldt County General Plan.

Present Zoning: Timberland Production Zone (TPZ).

Application Number: 12584

Case Numbers: CUP-16-757

Assessor's Parcel Numbers: 522-073-002

Applicant

BB Ranch, LLC
Iliyana Hoisova
4056 Beebe Ranch Road
Willow Creek, CA 95573

Owner

BB Ranch, LLC
Iliyana Hoisova
367 W 61st Street
Willowbrook, IL 60527

Agent

Dante Ham
Green Road Consulting
1650 Central Ave. 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: None

BB Ranch, LLC
Case Numbers CUP16-757
Assessor's Parcel Number 522-073-002

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 part of the consent agenda:

Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use based on evidence in the staff report, and adopt the Resolution approving the BB Ranch, LLC, Conditional Use Permit and Special Permit as recommended by staff subject to the recommended conditions.

Executive Summary: A Conditional Use Permit for 14,100 square feet of existing mixed-light, 5,872 square feet of existing outdoor cannabis cultivation, and 2,507 square feet of appurtenant propagation area. The applicant projects two harvests per year for mixed-light cultivation and one harvest per year for outdoor cultivation. Water is sourced from a permitted well on-site. Water is stored in four hard tanks totaling 11,000 gallons. An estimated 195,732 gallons of water is required for irrigation annually (9.8 gallons per square foot per year). Drying and curing occurs within the Dry Barn on-site, and trimming will occur off-site at a permitted third-party processing facility. A maximum of four individuals are required at peak operations, and the parcel is equipped with a permitted septic system. Electricity is sourced from generator power.

This application includes a Special Permit for a setback reduction to the public lands as the parcel is surrounded by Six Rivers National Forest. The western parcel line has been verified by Trinity Valley Consulting Engineers, Inc. in November of 2018, which verified that the existing greenhouses are located on the applicants parcel, and outside of a 30 foot setback to the property line. Closest cultivation area to the Six Rivers National Forest is approximately 48 feet. The project was referred to the US Forest Service on January 29, 2019, and the agency did not reply to the referral request.

The project site will consist of five (5) greenhouses for mixed-light cultivation, and three garden areas for full-sun outdoor cultivation. There is a 70' x 37' two-story Dry Barn on-site that is used partially for immature plant area, drying and storing of cannabis product. There are four to five generators on-site for cannabis activities, and one fuel storage shed used to store a 2,000-gallon diesel tank. A pre-site inspection with the Building division was conducted at the site on April 3, 2018. Building division referral comments recommended approval with conditions for the project on February 25, 2019. The Building Inspection Division requested that the applicant provide elevation plans for the detached restroom, provide details and notes for the accessible van parking and accessible path of travel to restroom landing and door and entry, provide as-built certifications for all four generators on-site, provide seismic anchorage for the five (5) 5,000-gallon water storage tanks, provide details/specifications and manufacture installation instructions of the listed 2,000-gallon diesel storage tank and secondary containment, and provide documentation and certification that the generators in structures meet the manufacture installation instruction for combustion air and ventilation requirements and clearances to combustibles as well as approved exhaust pipe installation to exterior and foundation/seismic anchorage. The applicant is conditioned to provide the listed items to the Building division, and to obtain the appropriate building permits for the project.

Cultivation activities will occur between March to October, and the applicant anticipates two cycles for mixed-light cultivation and one cycle for outdoor cultivation. Planting will begin in March with starter clones kept in the Dry Barn immature plant area. Matured plants will be planted in the mixed-light greenhouses in May, and the second round of starts will be planted in July in the mixed-light cultivation areas and in full-sun outdoor areas. Harvest will occur in July, and again in late September/early October. The applicant utilizes organic fertilizers and amendments, and utilizes Gradevo Green Cleaner and Regalia when pesticides are present. All chemicals are used according to their labeled instructions, and are stored within

the Dry Barn. A soil pile exists on the parcel for eventual reuse, and the applicant shall keep the soil pile covered with a tarp during periods of prolonged rainfall.

Irrigation water is sourced exclusively from a permitted groundwater well. Based on the depth of the well and distance to the nearest surface water feature, the well is not considered hydrologically connected to surface water. There is a pond on-site which is designated for domestic and fire suppression needs. Watering is done with the use of a drip irrigation system and supplemental hand watering.

The applicant has submitted a copy of Notice of Intent and Monitoring Self-Certification with the North Coast Regional Water Quality Control Board (NCRWQCB) demonstrating Tier 2 enrollment under WDID 1B16437CHUM, as well as a Water Resources Protection Plan pursuant to the North Coast Regional Water Quality Control Board Order No. 2015-0023. The applicant has also enrolled as a Tier 2 Low Risk discharger under the State Water Resources Control Board's (SWRCB) Cannabis Cultivation General Order WQ 2019-0001-DWQ, WIDID 1_12CC417037, which requires the preparation of a Site Management Plan (SMP). A SMP has been prepared by Timberland Resources Consultants dated September 13, 2019. The applicant has submitted a Streambed Alteration Agreement (SAA) No. 1600-2017-0253-R1 dated October 16, 2017. The activities authorized by the agreement include replacement of replacing failing culverts, armoring culverts with rock at inlet and outlet, and retrofitting water diversion infrastructure for domestic use. The applicant has completed all of the work described within the SAA, in compliance with CDFW.

On-site relocation of two outdoor cultivation areas and one mixed-light greenhouse are a part of this application. An On-site Relocation & Restoration Plan was prepared by Timberland Resource Consultants dated March 18, 2019. The Plan states that the existing domestic and fire suppression pond on-site has an overflow spillway channel which connects to a Class III stream that is downslope. The current location of CA#2 and CA#3 are within the 50 foot buffer of this spillway, and this does not comply with the NCRWQCB's Order R1-2015-0023, Standard Condition A. 3. c.. In order to be in compliance with the Order the plan proposes to relocate GH#4 next to GH#5 in order to make room for the relocation of CA#2 and CA#3. The Plan also includes measures to restore CA#2 and CA#3, and the applicant is conditioned to complete the measures outlined in the On-site Relocation & Restoration Plan.

According to the California Natural Diversity Database (CNDDDB) Resource Map maintained by CDFW, there are three species that are categorized as either sensitive, state listed special-status, or threatened in the vicinity of the subject parcel. Additionally, three mapped activity centers for Northern Spotted Owl (*Strix occidentalis caurina*; a State and Federally Threatened species) are located approximately 0.82, 1.10, and 1.40 miles away from the project, respectively. The applicant will be implementing all measures required to comply with the State Water Board's General Order on cannabis cultivation that will ensure protection of water resources and will implement measures to limit impacts to critical habitat for sensitive and endangered species. The project was referred to the California Department of Fish & Wildlife CDFW on January 29, 2019, and the agency did not comment on the project. Conditions for the project will include implementing a Bullfrog Management Plan (attached), constructing noise containment structures, prohibiting the use of synthetic netting, and utilizing wildlife proof storage containers. The applicant contracted Leopardo Wildlife Associates to survey the site and prepare a Biological Assessment detailing the possible presence of sensitive species and the likelihood of habitat for those species. This report indicates that if certain conditions are met, the project would have no significant impact on sensitive species. These conditions, which have been incorporated into the conditions of approval, would be the prohibition of rodenticide use, and the attenuation of generator noise.

Aerial imagery suggests that timber conversion has occurred on the parcel. The applicant has submitted a copy of a Completion Report for the Less-Than-3-Acre-Conversion-Exemption prepared and submitted by Timberland Resource Consultants in February of 2014 as evidence that the timber operations were completed and that associated operations such as slash disposal had been conducted pursuant to CalFIRE Forest Practices Rules. This finding was subsequently supported by a report by a Registered Professional Forester (RPF) that analyzed all areas of timberland conversion. The report found that the only remaining action item for the applicant is to have a RPF certify that a historic cultivation area that was relocated on-site ("Cultivation Site 4") has met the stocking standards of 14CCR 912.7 within two years following

relocation and restoration. This has been added to the conditions of approval. No further clearing of timber is proposed by this project.

The site is accessed off Highway 96 via Brannan Mountain Road and Beebe Ranch Road which connects to the applicant's private driveway. The applicant has submitted a Road Evaluation Report indicating that the access road is developed to the equivalent of a road Category 4 standard. Referral comments received from the Department of Public Works – Land Use Division recommend conditional approval of the project. Conditions include paving a portion of the driveway apron and maintaining driveways and private road intersections per the County Sight Visibility Ordinance. These conditions have been incorporated into the conditions of approval. The project does not utilize federal roads for access but does utilize county-maintained roads that travel through federal lands. The project was referred to the US Forest Service on 1/29/19 but the agency did not respond.

Referrals were sent on January 29, 2019 to the Tsnungwe and Hoopa Valley Tribes, as well as the Northwest Information Center (NWIC). The NWIC indicated that they have no record of any previous cultural resource studies for the project site and that the site has a possibility of containing unrecorded archaeological sites and/or being located within the boundaries of a tribal ceremonial district. The NWIC recommended that the project be referred to local Native American Tribes. The Tsnungwe Council responded on January 2nd 2021 stating that this project is outside of the tribe's specific area of concern, and they have no objection. Staff received no referral response from the Hoopa Tribal Historic Preservation Officer. Standard inadvertent archaeological discovery language has been added by staff as a condition of project approval.

Environmental review for the proposed project as initially proposed was conducted, and based on the results of that analysis, staff determined the existing cultivation and processing aspects of the project were previously analyzed in the Final Mitigated Negative Declaration (MND) prepared for the Commercial Medical Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. Permitting the existing cultivation areas and bringing them into compliance with County and State regulations would not present substantial changes that would require major revisions to the previous mitigated negative declaration. An addendum to the MND has been prepared for this staff recommendation of permitting the existing cultivation areas only.

Staff Recommendation: Based on a review of Planning Division reference sources and comments from all involved referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Conditional Use Permit.

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

The 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 Lead Agency, the Department has determined that the project is consistent with an existing Mitigated Negative Declaration, as stated above. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least two months later to give staff the time to complete further environmental review.

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

Resolution Number 20-

**Case Number CUP 16-757
Assessor's Parcel Numbers: 522-073-002**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the BB Ranch, LLC Conditional Use Permit and Special Permit request.

WHEREAS, BB Ranch, LLC submitted an application and evidence in support of approving a Conditional Use Permit for an existing 14,100-square-foot mixed light and 5,872-square-foot outdoor cannabis cultivation operation, and accessory 2,507 square feet of propagation area;

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

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

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Case Number CUP 16-757); and

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on February 18, 2021.

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

1. The Planning Commission considered the Addendum to the MND adopted for the Commercial Medical Marijuana Land Use Ordinance; and
2. The Planning Commission makes all of the required findings in Attachment 2 of the Planning Commission staff report for Case Number CUP16-757, based on the submitted substantial evidence; and
3. Conditional Use Permit Case Number CUP16-757 is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on February 18, 2021.

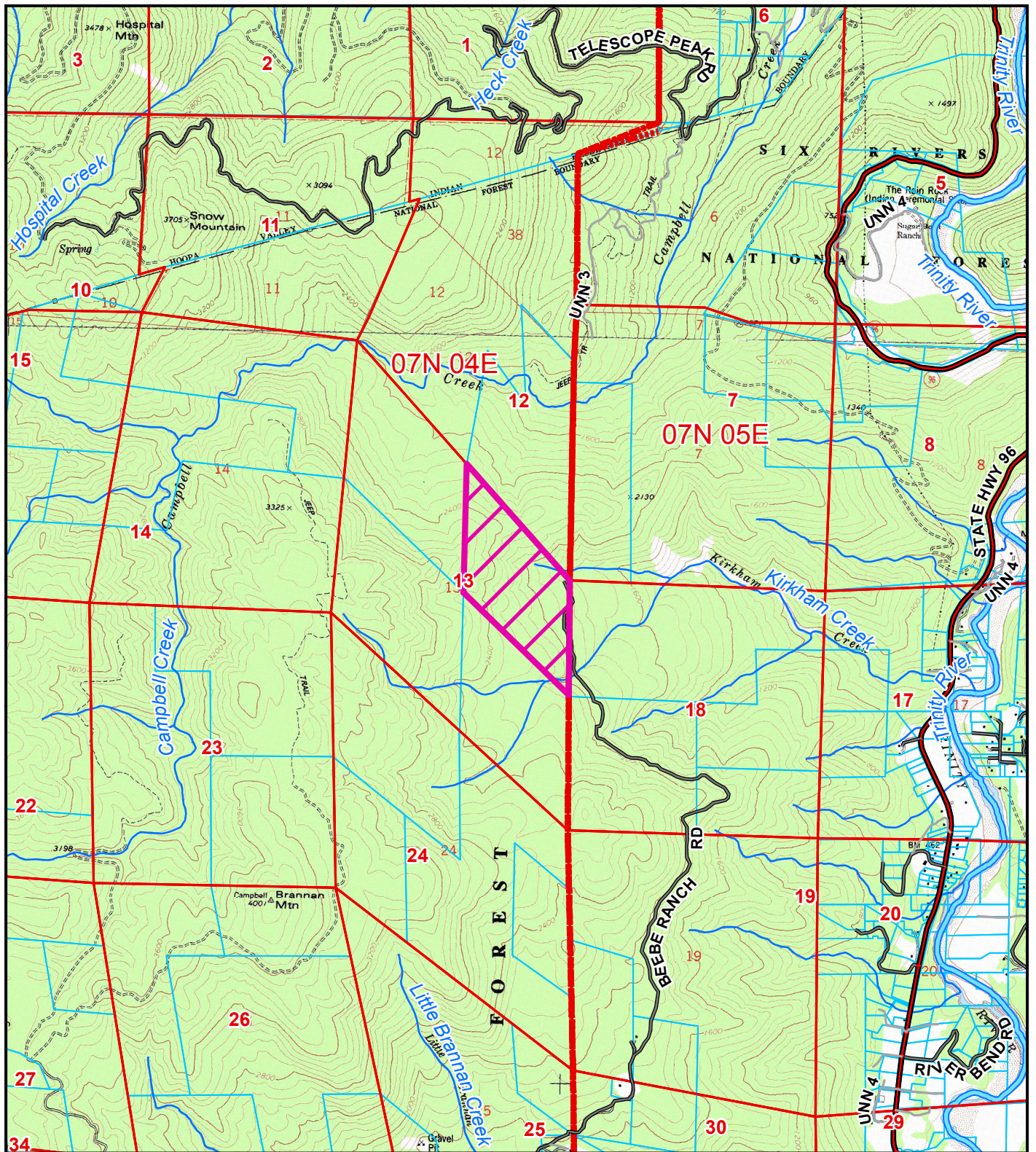
The motion was made by Commissioner ____ and seconded by Commissioner ____.

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:
DECISION: Motion carries

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the

foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

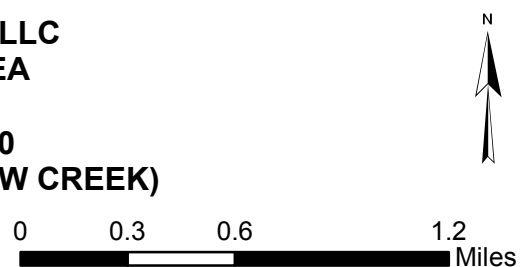
John Ford, Director
Planning and Building Department

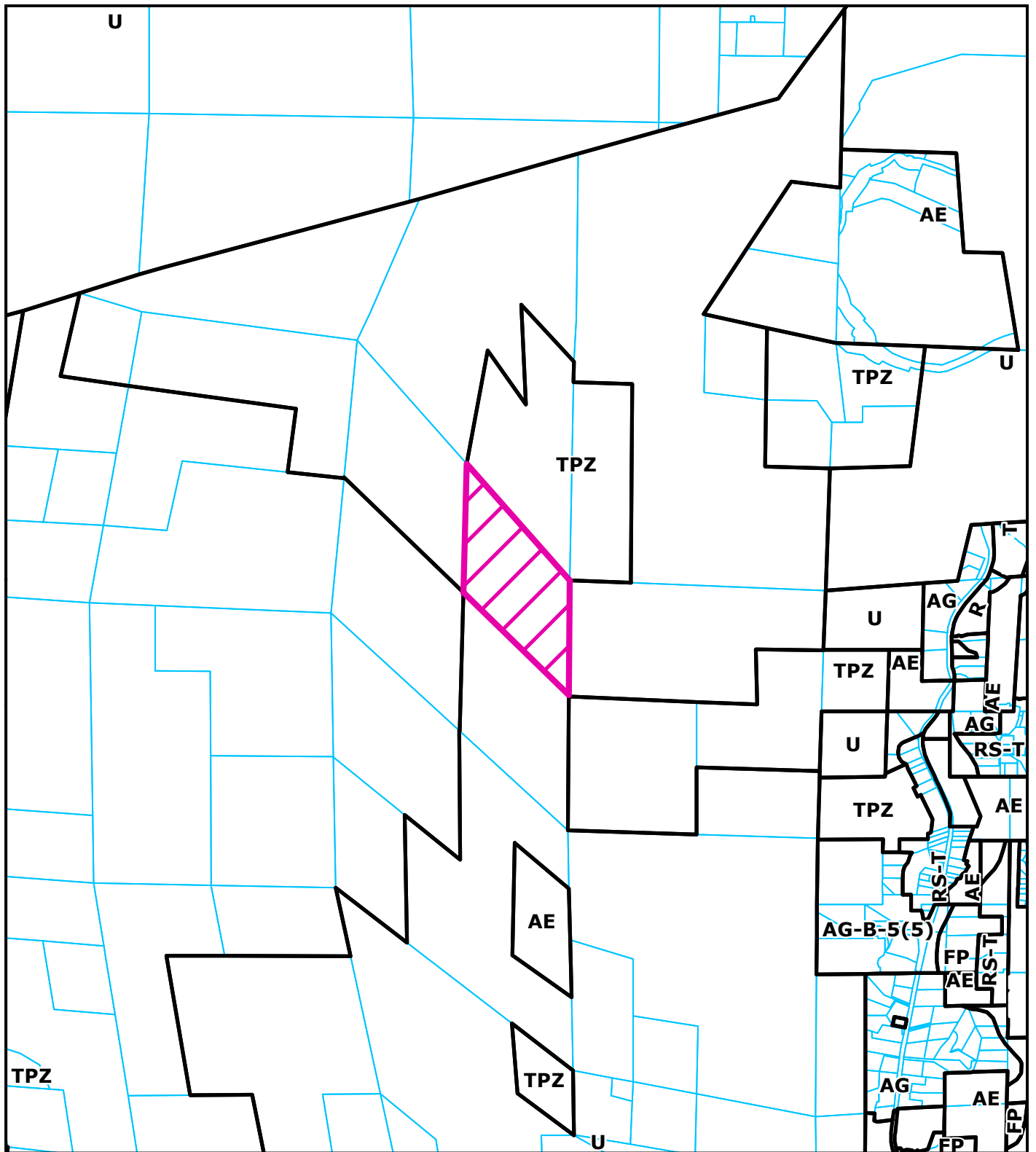


TOPO MAP
PROPOSED BB Ranch, LLC
WILLOW CREEK AREA
CUP-16-757
APN: 522-073-002-000
T07N R04E S13 HB&M (WILLOW CREEK)

Project Area = 

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



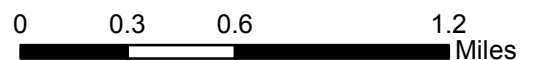


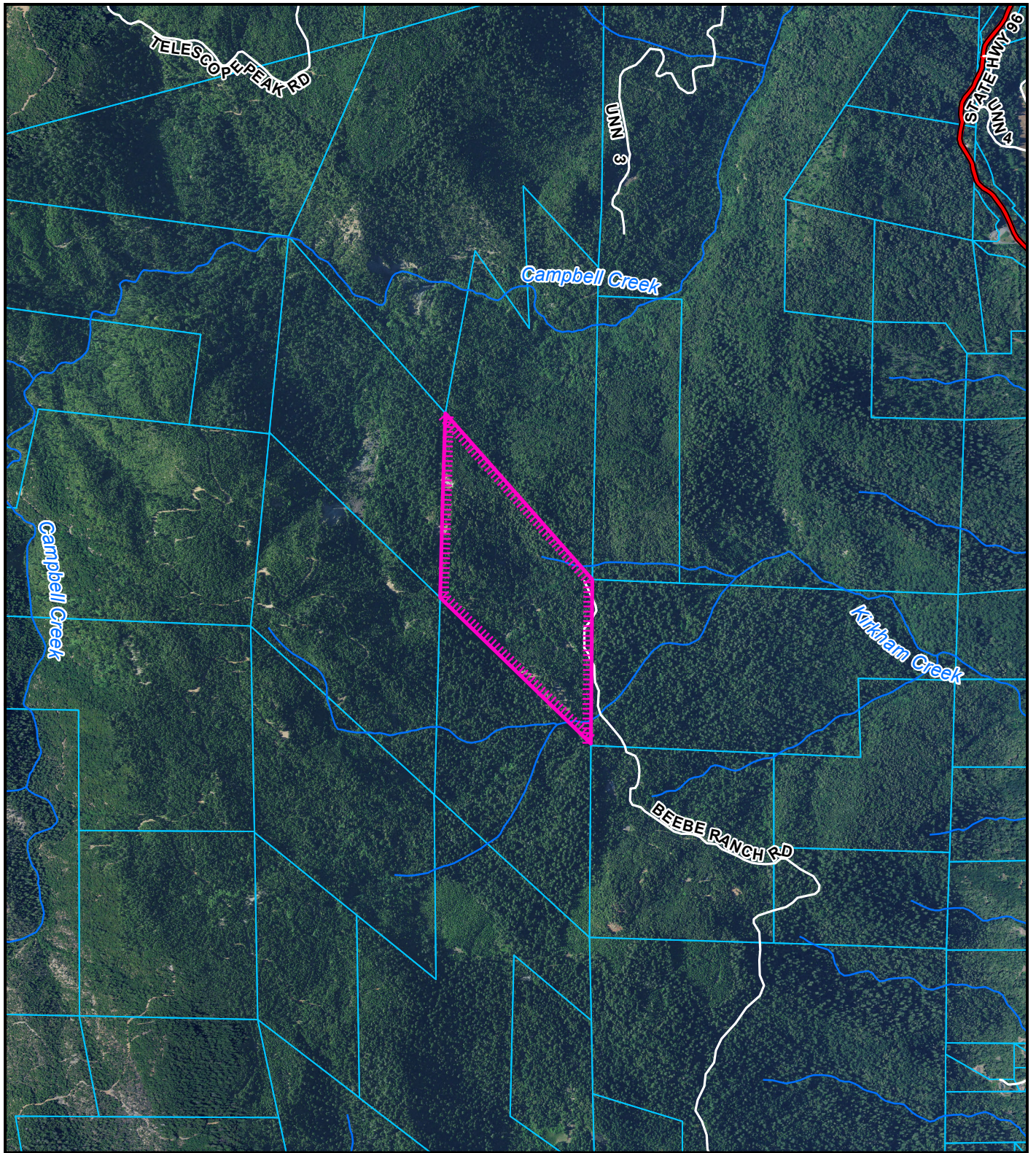
Project Area = 


ZONING MAP
PROPOSED BB Ranch, LLC
WILLOW CREEK AREA
CUP-16-757
APN: 522-073-002-000
T07N R04E S13 HB&M (WILLOW CREEK)



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







Project Area = 

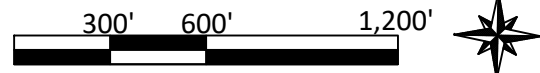
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

AERIAL MAP
PROPOSED BB Ranch, LLC
WILLOW CREEK AREA
CUP-16-757
APN: 522-073-002-000
T07N R04E S13 HB&M (WILLOW CREEK)



0 1,000 2,000 4,000
 Feet

APN: 522-073-002



WATER STORAGE AND USE

TOTAL AMOUNT OF WATER STORAGE=

TYPE

LAT/LONG

Page 10 of 10

SURROUNDING BUILDINGS

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

POND SHOWN ON MAP IS NOT USED FOR CANNABIS CULTIVATION PURPOSES

PROPERTY OWNER

ADDRESS
4056 BEEBE RD, WILLOW CREEK CA, 95573

SHEET INFO

PARCEL OVERVIEW

NO.	NOTES	DATE
1	NOTES-INITIALS	00-00-00
2	NOTES-INITIALS	00-00-00
3	NOTES-INITIALS	00-00-00
4	NOTES-INITIALS	00-00-00
5	NOTES-INITIALS	00-00-00
6	NOTES-INITIALS	00-00-00

SHEET
C1

BB RANCH, LLC
APN: 522-073-002

AERIAL

VICINITY
NOT TO SCALE



PROJECT DIRECTIONS
FROM: EUREKA, CA
- TAKE 7TH ST. TO U.S. 101 N (0.9 MI)
- TAKE CA-229 E TO BRANNAN MOUNTAIN RAIN WILLOW CREEK (47.2 MI)
- CONTINUE ON BRANNAN MOUNTAIN RD. DRIVE TO BEEBE RANCH RD. (2.7 MI)

TRAVEL TIME
APPROXIMATELY: 1HR 4MIN, 50.8 MI

SHEET INDEX
CP-COVER PAGE
C1-PARCEL OVERVIEW
C2-SPECS

PROJECT INFORMATION
LAT/LONG: 40.9861,-123.6717
APN: 522-073-002
APPLICANT: BB RANCH LLC
PARCEL SIZE: ±122 ACRES
ZONING: TP2
APPLICATION TYPE: TYPE 2/TYPE 3B

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

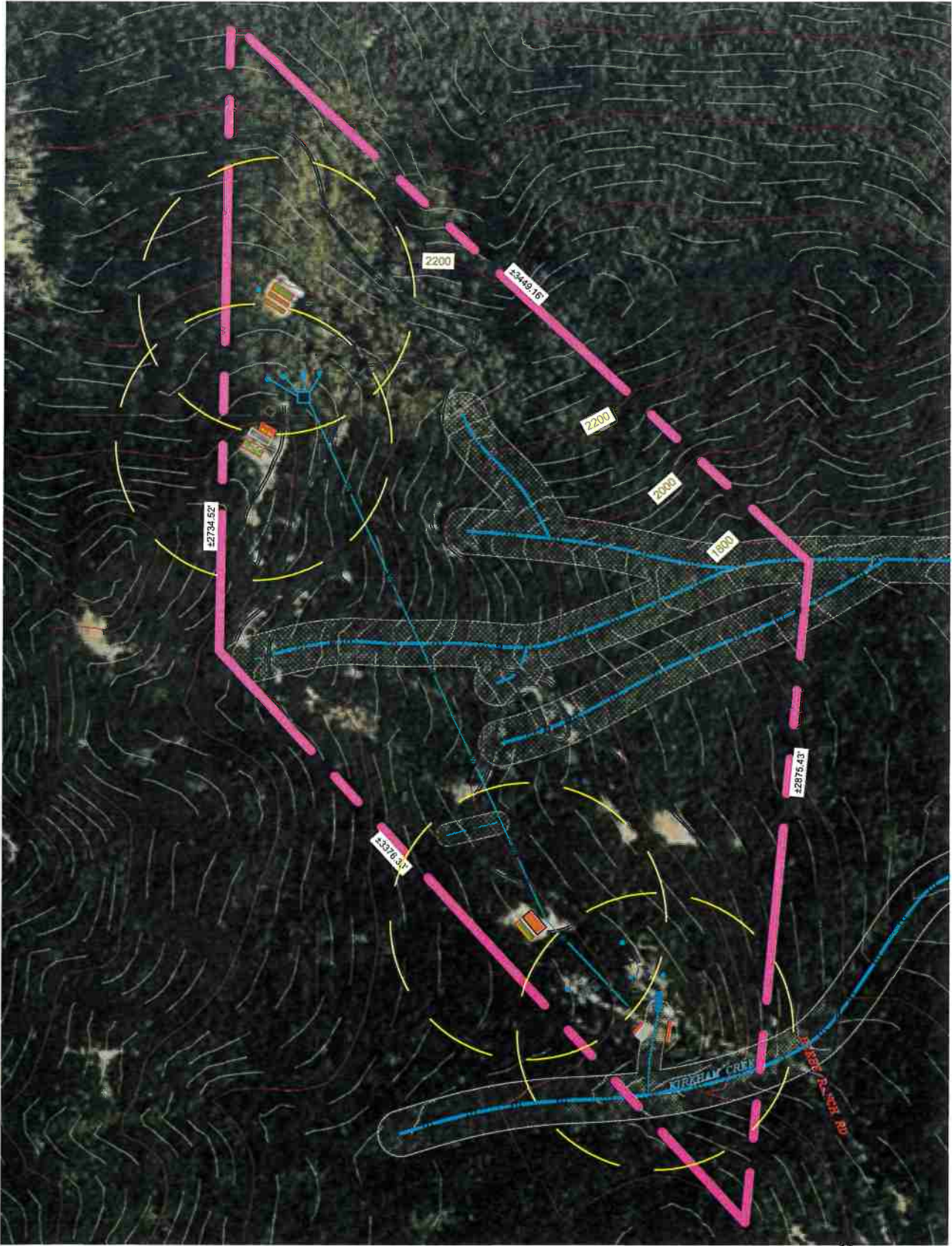


IMAGE SOURCE: BING 2020

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



PROJECT INFORMATION

PROPERTY OWNER: ILIYANA HOISOVA
ADDRESS: 4056 BEEBE RD, WILLOW CREEK CA, 95573
SHEET INFO: COVER PAGE

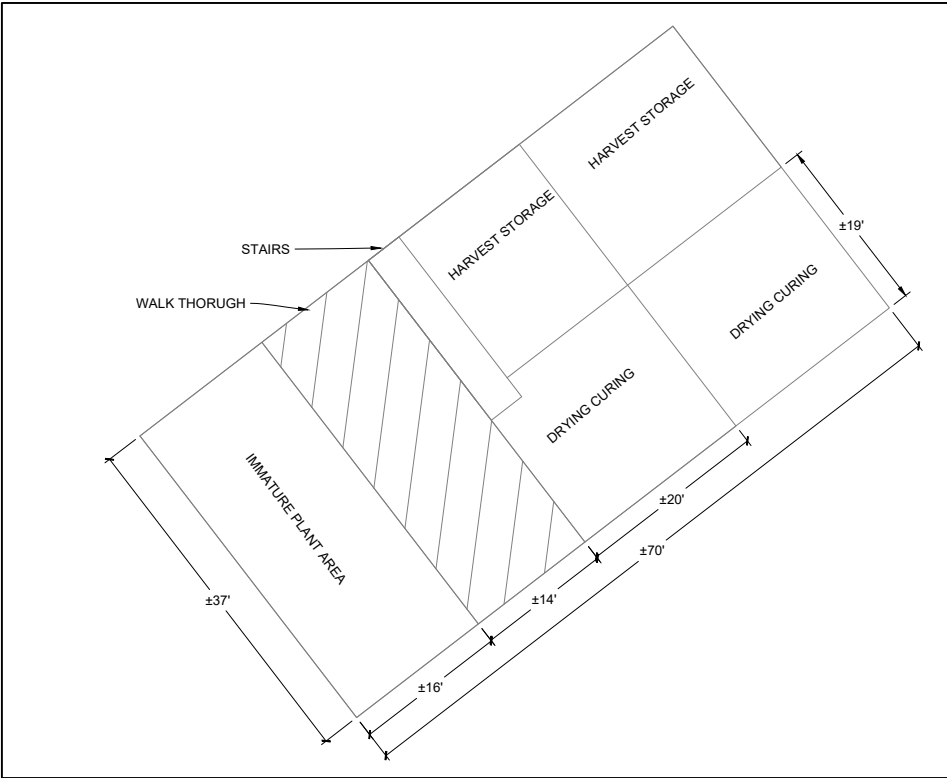
REVISIONS		
NO	NOTES	DATE
1	NOTES-INITIALS	00-00-00
2	NOTES-INITIALS	00-00-00
3	NOTES-INITIALS	00-00-00
4	NOTES-INITIALS	00-00-00
5	NOTES-INITIALS	00-00-00
6	NOTES-INITIALS	00-00-00

DATE: 1/28/21
DRAFTER: DDV
SCALE: AS SHOWN

SHEET
CP

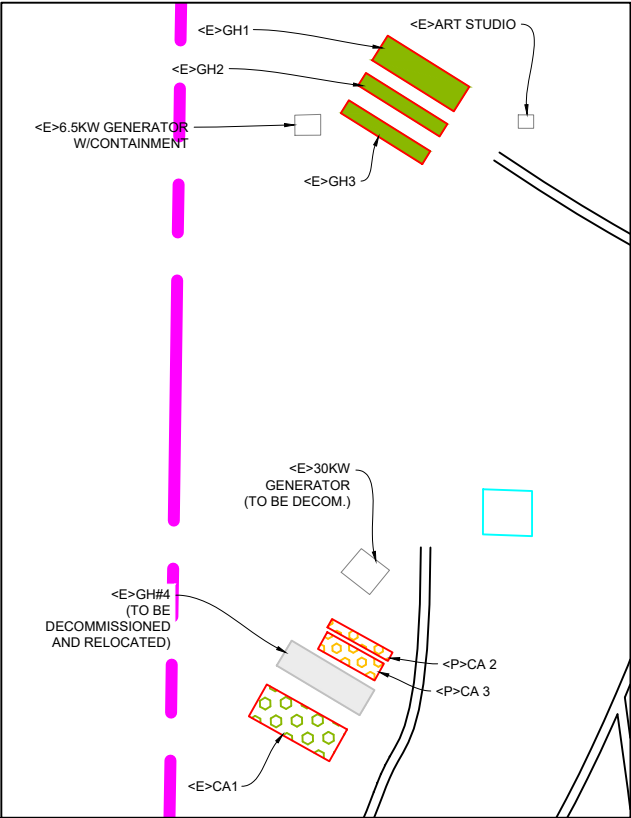
BARN 1ST FLOOR SPECIFICATIONS

1"=20'



INSET A

1"=200'

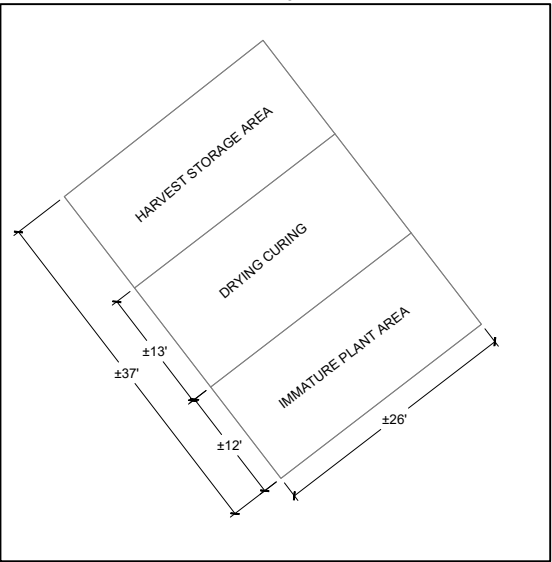


SPECIFICATION OVERVIEW

APN: 522-073-002

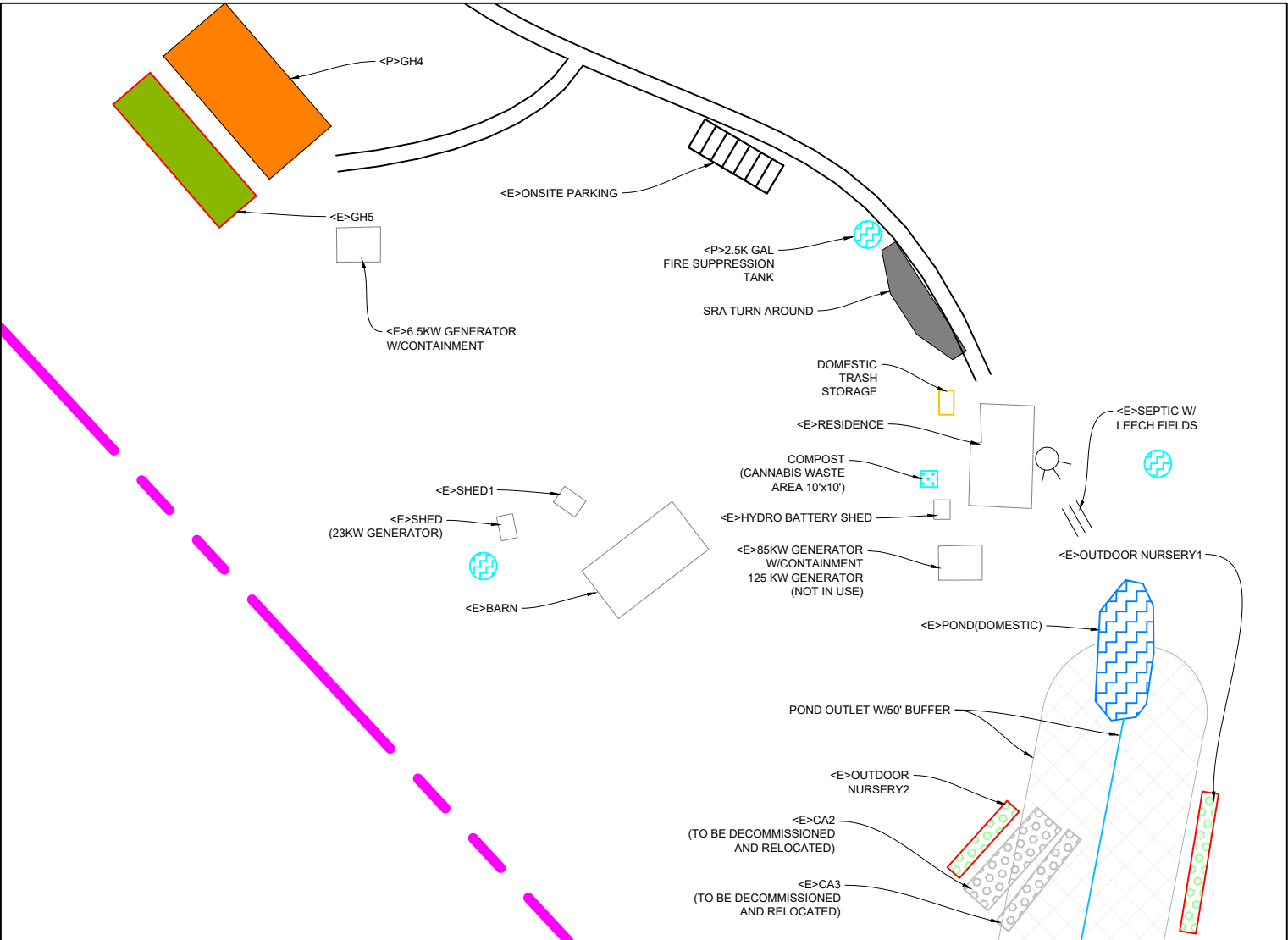
BARN 2ND FLOOR SPECIFICATIONS

1"=20'



INSET B

1"=100'



CULTIVATION INFORMATION

EXISTING MIXED LIGHT CULTIVATION AREA

GH	LENGTH	WIDTH	SQ FT
1	100	X	30
2	100	X	15
3	100	X	16
4	100	X	31
5	100	X	30
TOTAL MIXED LIGHT CULTIVATION AREA =			12,200 SQ FT

PROPOSED RECONFIGURATION OF MIXED LIGHT CULTIVATION AREA

GH	LENGTH	WIDTH	SQ FT
1	100	X	30
2	100	X	15
3	100	X	16
4	100	X	50
5	100	X	30
TOTAL MIXED LIGHT CULTIVATION AREA =			14,100 SQ FT

OUTDOOR CULTIVATION AREA

CA	LENGTH	WIDTH	SQ FT
1	96	X	38
2	48	X	16
3	52	X	28
TOTAL OUTDOOR CULTIVATION AREA =			5,872 SQ FT

IMMATURE PLANT AREA

	LENGTH	WIDTH	SQ FT
OUTDOOR NURSEY1	45	X	15
OUTDOOR NURSEY2	58	X	16
BARN 1ST FLOOR	37	X	16
BARN 2ND FLOOR	26	X	12
TOTAL AREA =			2,507 SQ FT

CULTIVATION BUILDINGS AND USE

BUILDINGS	USE	SIZE	YEAR
BARN(1ST FLOOR)	ADMINISTRATIVE HOLD/IMMATURE PLANT AREA/ HARVEST STORAGE	70'x37'	1980
BARN (2ND FLOOR)	ADMINISTRATIVE HOLD/IMMATURE PLANT AREA/HARVEST STORAGE	37'x26'	1980

POWER SOURCE

23KW GENERATOR, 85KW GENERATOR, (2)6.5 KW GENERATORS, 30 KW GENERATOR (TO BE DECOM), 125KW GENERATOR (NOT IN USE)

DOMESTIC BUILDINGS AND USE

BUILDINGS	USE	SIZE	YEAR
SHED#1	DOMESTIC STORAGE	15'x9'	1980
SHED#2	DOMESTIC STORAGE	16'x12'	1980
RESIDENCE	PLACE OF LIVING	1,845FT ²	2004
HYDRO BATTERY SHED	HYDRO BATTERY STORAGE	10'x12'	2012
ART STUDIO	ART PROJECTS	16'x24'	2010



PROJECT INFORMATION

PROPERTY OWNER
ILIYANA HOISOVA
ADDRESS
4056 BEEBE RD, WILLOW CREEK CA, 95573
SHEET INFO
PARCEL SPECIFICATIONS

REVISIONS

NO.	NOTES	DATE
1.	NOTES-INITS	00-00-00
2.	NOTES-INITS	00-00-00
3.	NOTES-INITS	00-00-00
4.	NOTES-INITS	00-00-00
5.	NOTES-INITS	00-00-00
6.	NOTES-INITS	00-00-00

DATE 1/28/21
DRAFTER DDV
SCALE AS SHOWN

SHEET
C2



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. Within 60 days of the effective date of project approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #2-9. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. The applicant shall demonstrate the driveway and emergency vehicle turn around conform with the Humboldt County Code Section 3112-12, Fire Safe Regulations. The applicant shall be responsible for implementing any necessary improvements to bring the driveway and emergency vehicle turn around into compliance. A letter from a qualified engineer shall satisfy this requirement.
3. Per comments received from the Department of Public Works:
 - a) The driveway apron connecting the access road (Beebe Ranch Road) to the county maintained road (Brannan Mountain Road) shall be paved for a minimum of width of 20 feet and a length of 50 feet. The exact location and quantity of driveways shall be confirmed by the Department at the time the applicant applies for an encroachment permit; and
 - b) All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).
 - c) The applicant shall obtain all encroachment permits from the Department as necessary;
4. The applicant shall secure permits and clearances for all structures (including but not limited to GH#1, GH#2, GH#3, GH#4, GH#5, Generator Sheds, Fuel Storage Shed, and Dry Barn) related to the cannabis cultivation and other commercial cannabis activity. The plans submitted for building permit approval shall be consistent with the project description and approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition. Until then, existing structures used in the cannabis operation are not to be used or occupied until all required permits have been obtained.
5. The applicant shall record an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" from the Willow Creek Volunteer Fire District 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.
6. Per the recommendation of the Professional Forester's Report dated August 9, 2019, the applicant shall submit a report by a Registered Professional Forester to certify that all required areas have achieved the stocking standards of 14CCR 912.7 within two years following relocation and restoration.
7. 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.

8. The applicant shall complete the restoration measures outlined in the On-site Relocation & Restoration Plan, which includes: removal of cannabis cultivation related infrastructure including imported soil, and trash refuse and solid waste shall be disposed of at an appropriate waste disposal location..
9. 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.
10. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
11. 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.

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

1. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
2. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
3. As a condition of approval, applications for grading and/or building permits shall be referred to the North Coast Air Quality Management District (NCAQMD) for review and consultation. Dust control practices during any construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.
4. The applicant shall be responsible for obtaining all necessary county and state permits or licenses, and for meeting all of the requirements as set forth by other regulatory agencies.
5. All use of on-site lighting shall be fully shielded and designed and installed to minimize off-site lighting and direct light within the property boundaries. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. The light source should comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). Should the Humboldt County Planning Division receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected, and corrected as necessary.
6. The noise produced by any generator used on an emergency-only basis for cannabis drying and curing, shall not be audible by humans from neighboring residences. The decibel level for generators measured at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. Under these guidelines, generator noise may not exceed 50dB as measured at 100 feet from the generator or at the edge of the nearest Marbled Murrelet or Spotted Owl habitat, whichever is closer.

7. Any project related noise shall be contained to the extent feasible (e.g. containment of fans, dehumidifiers, etc.) and shall be no more than 50 decibels measured from 100 ft or to the nearest tree line, whichever is closer.
8. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning & Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort towards compliance can be shown within the two years following the issuance of the provisional clearance or permit, The Planning Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow for additional time to meet the outstanding requirements.
9. 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.
10. 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).
11. Maintain enrollment in the appropriate tier of the State Water Resources Control Board Cannabis General Order adopted October 17, 2017, as applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
12. Comply with the ongoing monitoring, maintenance and winterization methods outlined in the applicants Site Management Plan prepared by Timberland Resource Consultants.
13. The applicant shall continue providing access to toilet and handwashing stations capable of supporting the peak number of seasonal employees by way of the existing septic system, or by providing portable facilities. The applicant shall maintain the septic system per the standards of the Department of Health & Human Services.
14. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and 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 Section 7050.5 requires that the County Coroner be contacted immediately by phone at (707) 445-7242. If the coroner determines the remains to be Native American, the coroner will then contact the Native American Heritage Commission to determine appropriate treatment of the remains pursuant to Public Resources Code Section 5097.98. Violators shall be prosecuted in accordance with Public Resources Code Section 5097.99.

15. Use of rodenticides on the property shall be prohibited, as recommended by a site-specific biological resource survey.
16. The applicant shall implement the Bullfrog Monitoring & Management Plan (Attachment 6) for the pond on-site designated for fire suppression water, in compliance with the California Department of Fish and

Wildlife. The applicant shall file annual Bullfrog Management monitoring reports to CDFW, the Eureka office, no later than December 31 of each year.

17. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays).
18. Pay all applicable application, review for conformance with conditions, and annual inspection fees.
19. Storage of Fuel - Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's CUPA program, and in such a way that no spillage occurs.
20. The Master Log Books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
21. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
22. Participate in and bear the costs for permittee's participation in the California's "Metrc" track-and-trace system or any substantially equivalent program that may be subsequently adopted by the State of California, County of Humboldt, or other responsible agency.
23. The use of monofilament netting for all uses, including but not limited for erosion control, shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.
24. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
25. All refuse shall be contained in wildlife proof containers, at all times, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.

Performance Standards for Cultivation and Processing Operations

26. Pursuant to the MAUCRSA, Health and Safety Code section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
27. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
28. Cultivators engaged in processing shall comply with the following Processing Practices:
 - i. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - ii. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - iii. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - iv. Employees must wash hands sufficiently when handling cannabis or use gloves.

29. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
- I. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;
 - (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (e) Materials handling policies;
 - (f) Job hazard analyses; and
 - (g) Personal protective equipment policies, including respiratory protection.
 - II. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (a) Operation manager contacts;
 - (b) Emergency responder contacts;
 - (c) Poison control contacts.
 - III. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - IV. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
30. All cultivators shall comply with the approved Processing Plan as to the following:
- I. Processing Practices.
 - II. Location where processing will occur.
 - III. Number of employees, if any.
 - IV. Employee Safety Practices.
 - V. Toilet and handwashing facilities.
 - VI. Plumbing and/or septic system and whether or not the system is capable of handling increased usage.
 - VII. Drinking water for employees.
 - VIII. Plan to minimize impact from increased road use resulting from processing.
 - IX. On-site housing, if any.
31. Term of Commercial Cannabis Activity Conditional Use Permit. Any Commercial Cannabis Cultivation CUP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittee(s) and the permitted site have been found to comply with all conditions of approval.
32. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the CUP or permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is

delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the CUP, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to section 55.4.13.

33. 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.
34. 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.
35. Permittee further acknowledges and declares that:
 - I. All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt for commercial cultivation, processing, manufacturing, and distribution of cannabis for adult use or medicinal use within the inland area of the County of Humboldt, shall at all times be conducted consistent with the provisions of the approved County permit; and
 - II. All cannabis or cannabis products under my control, or the control of my agents or employees, and cultivated or manufactured pursuant to local Ordinance and the State of California Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA") (SB 94), will be distributed within the State of California; and
 - III. All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with the State of California MAUCRSA
36. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
 - a. Identifying information for the new Owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - c. The specific date on which the transfer is to occur; and
 - d. Acknowledgement of full responsibility for complying with the existing Permit; and
 - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
37. 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 of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to section 314-55.4.13 of the CMMLUO.

2. This provisional permit approval shall expire and become null and void at the expiration of one year after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. Once initiated, the use is subject to the Permit Duration and Renewal provisions. The period within which construction or use must be initially commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.
3. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
5. The applicant shall be aware that the Federal Government considers the cultivation, processing and distribution 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

REQUIRED FINDINGS FOR APPROVAL

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

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

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

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

1. General Plan Consistency. The following table documents the evidence that the proposed action is in conformance with all applicable policies and standards in the Humboldt County General Plan 2017, Open Space Plan, and Open Space Action Program.

Plan Section	Summary of Applicable Goal, Policy, or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p>	<p>Timberland (T): The designation is intended for land that is primarily suitable for growing, harvesting, and production of timber. General agriculture and agriculture and timber products processing are allowed uses within the T designation.</p>	<p>The project is proposing to permit an existing 14,100 square foot mixed-light and 5,872 square foot outdoor cannabis cultivation operation, including a 2,507 square foot nursery area for propagation of plants used on-site. A Special Permit is also sought for a reduction to the required setback to public land. Agriculture is an allowed use type for this designation.</p> <p>The MAUCRSA, Health and Safety Code section 11362.777(a) provides that medical cannabis is an agricultural product, subject to extensive state and local regulation. The existing cultivation is considered an agricultural use, and the nursery area and supportive infrastructure may be considered accessory to the agricultural use.</p>
<p>Circulation Chapter 7</p>	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1, C-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County (C-G4, C-G5).</p> <p>Related policies: C-P3. Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>Operators access the site off of Highway 96 via Brannan Mountain Road and Beebe Ranch Road which connects to the applicant's private driveway. The applicant has submitted a Road Evaluation Report indicating that the access road is developed to the equivalent of a road Category 4 standard. Referral comments received from the Department of Public Works – Land Use Division recommend conditional approval of the project. Conditions include paving a portion of the driveway apron and maintaining driveways and private road intersections per the County Sight Visibility Ordinance. These conditions have been incorporated into the conditions of approval for the project.</p> <p>The project does not utilize federal roads for access but does utilize county-maintained roads that travel through federal lands. The project was referred to the US Forest Service on 1/29/19 but the agency did not respond.</p>

Plan Section	Summary of Applicable Goal, Policy, or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Housing Chapter 8	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory.</p>	<p>Currently there is one residential structure on the site. The project the project will not preclude any future residential development. The project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.</p>
Conservation and Open Space Chapter 10 Open Space Section 10.2	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces (CO-G1, CO-G3).</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P12, Development Review; CO-S1. Identification of Local Open Space Plan; and CO-S2. Identification of the Open Space Action Program.</p>	<p>The project is located within an Open Space Action Program because the project site is planned Timberland (T) and zoned Timber Production (TPZ). The project can be found consistent with the Open Space Plan and Open Space Action Program because the proposed project is consistent with the allowable uses of the Land Use Designations. General agriculture is a use type permitted in the Timberland land use designation. Agriculture is also a conditionally permitted use in the TPZ zoning district. 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. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program</p>

Plan Section	Summary of Applicable Goal, Policy, or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources).</p> <p>Related policies: BR-P1, Compatible Land Uses; BR-P4, Development within Stream Channels; BR-P6, Development within Streamside Management Areas; BR-P7, Wetlands Identification; BR-P10, Invasive Plant Species.</p>	<p>According to the California Natural Diversity Database (CNDDDB) Resource Map maintained by CDFW, there are three species that are categorized as either sensitive, state listed special-status, or threatened in the vicinity of the subject parcel. Additionally, three mapped activity centers for Northern Spotted Owl (<i>Strix occidentalis caurina</i>; a State and Federally Threatened species) are located approximately 0.82, 1.10, and 1.40 miles away from the project, respectively. There is currently one other commercial cannabis cultivation application within a 1 mile radius of the project site that has the potential to impact NSO habitat, however, this application will be required to comply with standard noise and light attenuation measures to reduce impacts to a less than significant level. Conditions include implementing a Bullfrog Management Plan, constructing noise containment structures, prohibiting the use of synthetic netting, and utilizing wildlife proof storage containers.</p> <p>The applicant contracted Leopardo Wildlife Associates to survey the site and prepare a Biological Assessment detailing the possible presence of sensitive species and the likelihood of habitat for those species. This report indicates that if certain conditions are met, the project would have no significant impact on sensitive species. These conditions, which have been incorporated into the conditions of approval, would be the prohibition of rodenticide use, and the attenuation of generator noise.</p> <p>The project is designed to meet or exceed the standards set by the CMMLUO that are intended to mitigate impacts to biological resources by adhering to performance standards for noise, light, runoff, and watershed protection.</p>

Plan Section	Summary of Applicable Goal, Policy, or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Cultural Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources).</p> <p>Related policies: CU-P1, Identification and Protection; CU-P2, Native American Tribal Consultation.</p>	<p>Referrals were sent on January 29, 2019 to the Tsungwe and Hoopa Valley Tribes, as well as the Northwest Information Center (NWIC). The NWIC indicated that they have no record of any previous cultural resource studies for the project site and that the site has a possibility of containing unrecorded archaeological sites and/or being located within the boundaries of a tribal ceremonial district. The NWIC recommended that the project be referred to local Native American Tribes. The Tsungwe Council commented on January 2nd 2021, stating that this project is outside of the tribe's specific area of concern, and that they have no objection. Staff received no referral response from the Hoopa Tribal Historic Preservation Officer. Standard inadvertent archaeological discovery language has been added by staff as a condition of project approval.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Scenic Resources Section 10.7</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County (SR-G2).</p> <p>Related policies: SR-S4, Light and Glare.</p>	<p>As a condition of approval any existing or proposed on-site lighting shall be fully shielded and designed to minimize off-site lighting and direct light within the property boundaries. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. The project has been conditioned so that all light sources shall comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). Should the Humboldt County Planning Division receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the shielding and alignment of the lights has been repaired, inspected, and corrected as necessary.</p>

Plan Section	Summary of Applicable Goal, Policy, or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at de-listing water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy (WR-G1, WR-G7, WR-G7, WR-G8, WR-G9); and</p> <p>Related policies: WR-P10, Erosion and Sediment Discharge; WR-P42, Erosion and Sediment Control Measures.</p>	<p>The project is considered a Tier 1 discharger by the North Coast Regional Water Quality Control Board's (NCRWQCB) Order No. 2015-0023, and the applicant has submitted a Water Resource Protection Plan. The applicant has also enrolled as a Tier 2 Low Risk discharger under the State Water Resources Control Board's (SWRCB) Cannabis Cultivation General Order WQ 2019-0001-DWQ, WIDID 1_12CC417037, which requires the preparation of a Site Management Plan (SMP). A SMP has been prepared by Timberland Resources Consultants dated September 13, 2019.</p> <p>Onsite relocation of two outdoor cultivation areas and one mixed-light greenhouse are a part of this application. An Onsite Relocation & Restoration Plan was prepared by Timberland Resource Consultants dated March 18, 2019. The Plan states that the existing domestic pond onsite has an overflow spillway channel which connects to a Class III stream that is downslope. The current location of CA#2 and CA#3 are within the 50 foot buffer of this spillway, and this does not comply with the NCRWQCB's Order R1-2015-0023, Standard Condition A. 3. C.. In order to be in compliance with the Order the plan proposes to relocate GH#4 next to GH#5 in order to make room for the relocation of CA#2 and CA#3. The Plan also includes measures to restore CA#2 and CA#3, and the applicant is conditioned to complete the measures outlined in the Plan.</p>
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution (WR-G6, WR-G9, WR G10).</p> <p>Related policies: WR-IM7, Basin Plan Septic Requirements; and IS-P17, On-Site Sewage Disposal Requirements.</p>	<p>The property has been developed with a functioning septic system connected to the existing residence. As a condition of approval, the applicant is required to continue providing access to toilets and handwashing stations capable of supporting the peak number of seasonal employees. The applicant is required to maintain the septic system per the standards of the Department of Health & Human Services - Environmental Health Division (DEH). DEH has reviewed the project and recommended approval.</p>

Plan Section	Summary of Applicable Goal, Policy, or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Noise Chapter 13	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards (N-G1, N-G2).</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise.</p>	<p>The subject parcel is located in an area that requires special noise attenuation measures due to the potential presence of special-status or threatened wildlife near to the site. Noise created by any generator use is required to comply with the standards set forth in Section 55.4.11(o) of the CMMLUO which limits the combined decibel level for all noise sources to 60 decibels at the property line. All other noise sources are required to produce less than 20 decibels of noise above the ambient noise level. As part of the compliance agreement, the applicant shall construct noise containment structures for all generators and greenhouse fans on the parcel, and ensure that all noise sources do not exceed 50db at 100 feet from the source or at the edge of the nearest habitat for sensitive species, whichever is closer.</p>
Safety Element Chapter 14 Geologic & Seismic	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury (S-G1, S-G2).</p> <p>Related policies: S-P11, Site Suitability; S-P7, Structural Hazards.</p>	<p>The project site is not located in a mapped Alquist-Priolo fault zone nor is it subject to liquefaction or historic landslides. The cultivation area occurs on areas with slopes between 15-30% with a moderate slope instability rating. Given the moderate seismic safety rating, the proposed project is not expected to be affected by geologic instability or seismic events. The project also does not pose a threat to public safety related from exposure to natural or manmade hazards.</p>
Safety Element Chapter 14 Flooding	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding (S-G3).</p> <p>Related policies include: S-P12, Federal Flood Insurance Program; S-P13, Flood Plains; S-P15, Construction Within Special Flood Hazard Areas.</p>	<p>The subject parcel is outside any mapped flood hazard areas. The project site is not within a mapped dam or levee inundation area and is outside the areas subject to tsunami run-up.</p>

Plan Section	Summary of Applicable Goal, Policy, or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential (S-G4).</p> <p>Related policies: S-P19, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations.</p>	<p>The subject property has a Very High Fire Hazard Severity Rating and is located within the State Fire Responsibility Area (SRA) where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. A referral was sent to CalFIRE, but the agency did not provide any site-specific comments. The Humboldt County Fire Safe Ordinance (Section 3111-1 et seq.) establishes development standards for minimizing wildfire danger in state responsibility designated areas. The site has an existing domestic pond, which will be utilized for fire suppression in an emergency. The applicant is also proposing a 2,500-gallon water tank for additional fire suppression on-site.</p>
<p>Community Infrastructure and Services Element, Chapter 5</p> <p>Implementation Action Plan</p>	<p>IS-S5 requires new industrial, commercial and residential development located outside of fire district boundaries to obtain written acknowledgment of available emergency response and fire suppression services from the local fire agency, including any recommended mitigation.</p>	<p>To implement this policy, conditions of approval for the project require the applicant to contact the nearest local fire service provider [Willow Creek Volunteer Fire Department] and furnish written documentation from this agency regarding the availability of emergency response and fire suppression services and any recommended project mitigation measures. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division.</p>
<p>Air Quality Chapter 15</p>	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2), other criteria pollutants (AQ-G3), and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G4).</p> <p>Related policies and standards: AQ-P4, Construction and Grading Dust Control; AQ-S1, Construction and Grading Dust Control; AQ-P7, Interagency Coordination.</p>	<p>As a condition of project approval, applications for grading and or building permits shall be referred to the North Coast Air Quality Management District (NCAQMD) for review and consultation. Dust control practices during construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.</p>

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

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§312-1.1.2 Legal Lot Requirement	Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.	The parcel described as Assessor Parcel Number 522-073-002 has been determined to be one legal parcel. The lot is an intact patent parcel number 10125. There is no evidence indicating there have been any subsequent acts to merge or divide this parcel. Therefore, the subject parcel was lawfully created in its current configuration and can be developed as proposed.
§314-7.4 Timberland Production Zone (TPZ)	The Timberland Production Zone is intended to provide standards and restrictions for the preservation of timberlands for growing and harvesting of timber. Accessory agricultural uses and structures are also allowed in the zone.	The project is for the cultivation of commercial outdoor and mixed light cannabis. Commercial cannabis cultivation is recognized under State law as an agricultural product. Although State law specifies it as an agricultural use and general agricultural uses are permitted in the TPZ zone, pursuant to Humboldt County Code Section 314-55.4.3.7, the commercial cultivation of cannabis for medical and adult use is a regulated specialty crop and the cultivation of that specialty crop is not a principal permitted use under the TPZ use type classifications. A finding of consistency with the TPZ zoning district can be made for the project.
TPZ: Minimum Parcel Size	40 acres	The parcel is 139 acres (assessed) in size.
TPZ: Maximum Ground Coverage	None specified	The subject parcel is 139 acres, and the cultivation area and other improvements total ≈18,300 square feet, which makes up 0.3% of the parcel.
TPZ: Minimum Lot Width	None specified	2,620 feet wide
TPZ: Maximum Lot Depth	None specified	2,160 feet deep
Setbacks TPZ Front (east): 20 feet Rear (west): 30 feet Side(south): 30 feet Side (north): 30 feet Superseded by 30-foot setbacks in SRA area due to Firesafe regulations.		Front (east): >30 feet Rear (west): 70 feet Side(south): 90 feet Side (north): >30 feet
TPZ: Max. Building Height	None specified	Two story

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§314-61.1 Streamside Management Area (SMA)	Purpose: to provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.	Blue-line streams mapped by the US Geologic Service are shown on the Site Plan in addition to watercourses that have been independently identified. Onsite relocation of two outdoor cultivation areas and one mixed-light greenhouse are a part of this application. An Onsite Relocation & Restoration Plan was prepared by Timberland Resource Consultants dated March 18, 2019. The Plan states that the existing domestic pond onsite has an overflow spillway channel which connects to a Class III stream that is downslope. The current location of CA#2 and CA#3 are within the 50 foot buffer of this spillway, and this does not comply with the NCRWQCB's Order R1-2015-0023, Standard Condition A. 3. c.. In order to be in compliance with the Order the plan proposes to relocate GH#4 next to GH#5 in order to make room for the relocation of CA#2 and CA#3. The Plan also includes measures to restore CA#2 and CA#3, and the applicant is conditioned to complete the measures outlined in the Plan.
§314-109.1 Off-Street Parking	Off Street Parking for Agricultural use*: Parking space per employee at peak shift. A minimum of three parking spaces are required. <i>*Use for this activity is not specified. Per Section 314-109.1.2.9, the Director may fix the required number of parking spaces based on standards for most comparable use.</i>	The applicant indicates that there will be up to 4 individuals required for operations associated with the requested permit. Zoning on the site is TPZ, and the Code is silent as to the parking requirement for agricultural employees. The most comparable standard for employees in this situation is one space for each employee at peak shift (per Section 314-109.1.3.4.2 - Manufacturing). Seven parking spaces are shown on the project Site Plan, which is sufficient to accommodate the required number of spaces.

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMMLUO)		
Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§314-55.4.8.2 Timber Conversion	In all zones where cultivation is allowed consisting of timberland, the commercial cultivation of cannabis for medical use shall only be permitted within a 3-acre conversion exemption area, or non-timberland open area, subject to the conditions and limitations set forth in this Section.	Aerial imagery suggests that timber conversion has occurred on the parcel. The applicant has submitted a copy of a Completion Report for the Less-Than-3-Acre-Conversion-Exemption prepared and submitted by Timberland Resource Consultants in February of 2014 as evidence that the timber operations were completed and that associated operations such as slash disposal had been conducted pursuant to CalFire Forest Practices Rules. This finding was subsequently supported by a report by a Registered Professional Forester (RPF) that analyzed all areas of timberland conversion. The report found that the only remaining action item for the applicant is to have a RPF certify that a historic cultivation area that was relocated on-site ("Cultivation Site 4") has met the stocking standards of 14CCR 912.7 within two years following relocation and restoration. This has been added to the conditions of approval. No further clearing of timber is proposed by this project.
§ 314-55.4.8.2.2 Existing Outdoor and Mixed-Light Cultivation Areas	On TPZ (on parcels one acre or larger) parcels, existing outdoor and mixed-light cultivation may be permitted with a Use Permit.	The applicant provided evidence of cultivation prior to January 1, 2016 which was confirmed by staff through the Cultivation Area Verification (CAV) process for issuance of the interim permit. The cultivation area is consistent with the requirements for the cultivation type, status and zoning of the parcel. The applicant will comply with all conditions of the CMMLUO, as specified in the conditions of approval.
§314-55.4.8.10 Permit Limit	No more than four commercial cannabis activity permits may be issued to a single person, as defined in the referenced section.	According to records maintained by the Department, BB Ranch, LLC has no other cannabis activity permits, and is entitled to four. This application is for one cannabis activity permit.
§314-55.4.9.1 Accessory Processing	Processing for cultivation requiring a Special Permit or Use Permit will be considered in the Use Permit application.	The harvested product is dried onsite and all other processing occurs offsite at a licensed facility. No additional permitting is required.
§314-55.4.9.4 Pre-Application Registration	Existing cultivation sites shall register with the County within 180 days of the effective date of this ordinance.	A Commercial Cannabis Activity Registration Form was received by the Planning Department on December 27, 2016.
§314-55.4.10 Application Requirements	Identifies the Information Required for All Applications	Attachment 4 identifies the information submitted with the application and shows that all the required information was received. Contents of the application are on file. All outstanding items are included in conditions of approval.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§314-55.4.11 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities	All the applicable performance standards are included as Conditions of project approval. They are required to be met throughout the timeframe of the permit.
§314-55.4.11.c Performance Standards-Water	Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board, Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration.	<p>Irrigation water is sourced exclusively from a groundwater well. Based on the depth of the well and distance to the nearest surface water feature, the well is not considered hydrologically connected to surface water. The applicant has submitted a copy of Notice of Intent and Monitoring Self-Certification with the North Coast Regional Water Quality Control Board. The project is considered a Tier 1 discharger by the North Coast Regional Water Quality Control Board's (NCRWQCB) Order No. 2015-0023, and the applicant has submitted a Water Resource Protection Plan. The applicant has also enrolled as a Tier 2 Low Risk discharger under the State Water Resources Control Board's (SWRCB) Cannabis Cultivation General Order WQ 2019-0001-DWQ, WIDID 1_12CC417037, which requires the preparation of a Site Management Plan (SMP). A SMP has been prepared by Timberland Resources Consultants dated September 13, 2019.</p> <p>The applicant has submitted a Streambed Alteration Agreement (SAA) dated October 16, 2017. The activities authorized by the agreement include replacement of replacing failing culverts, armoring culverts with rock at inlet and outlet, and retrofitting water diversion infrastructure for domestic use. As a condition of approval, the applicant is required to abide by this SAA.</p>
§314-55.4.11.d Performance Standards-Setbacks	The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs). For publicly owned lands managed for open space and/or wildlife habitat purposes, a setback of less than 600 feet may be allowed with a Special Permit.	The applicant's site plan shows that the cultivation area is not within 600 feet of any school, school bus stop, church or other place of religious worship, or TCRs. Although a licensed surveyor submitted a report confirming that the operation is not trespassing onto any of the adjacent public lands, the operation would not be able to meet the required 600-foot setback from the properties owned by the US Forest Service. As such, this application includes a Special Permit for a reduction in the setback requirement from 600 feet to 32 feet in order to accommodate the existing operation.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§314-55.4.11.o Performance Standards-Generator Noise	The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences. The combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species, when generator use is to occur in the vicinity of potential habitat. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service.	The nearest Northern Spotted Owls (NSO) activity center that has been mapped is located approximately 0.82 miles to the northwest and the presence of NSO habitat is assumed on the property. Electricity for the operation is sourced from four to five generators on-site. A Biological Resources Survey performed on the property found that at a distance of 40 meters (131 feet), the noise from generators and fans did not exceed 20 decibels above ambient conditions. Shielding of generators, nursery lights, and other auditory disturbances are made conditions of approval to fully mitigate any potential harassment of sensitive species.
§314-55.4.17 Sunset Date	No application for any Use Permit pursuant to the CMMLUO shall be processed for issuance or approval that is received after December 31, 2016.	The applicant filed the application on December 27, 2016.

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

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1.4	The proposed development will not be detrimental to the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.	The project as proposed and conditioned is consistent with the general plan and zoning ordinances; and the proposed project is not expected to cause significant environmental damage. No reviewing referral agencies have indicated that the project would be detrimental to the public health, safety and welfare, or injurious to other properties. Therefore, the Department finds that the proposed project will not be detrimental to the public health, safety and welfare.

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

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-17.1.5 Housing Element Densities	The proposed development shall not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.	The project does not involve residential development. The project site currently contains no housing units. The project will not preclude any future residential development if allowed by the General Plan and Zoning designations. The project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law. The project is in conformance with the standards in the Housing Element.

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

California Environmental Quality Act §15164	Addendum to an EIR or Negative Declaration.	As lead agency, the Department prepared an Addendum to the previously adopted Mitigated Negative Declaration (MND) (State Clearinghouse # 2015102005) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and adopted by the County Board of Supervisors January 26, 2016. The MND prepared for the CMMLUO established that the environmental effects of existing cultivation operations would be reduced from the baseline impacts through the regulations applied by the CMMLUO. The proposed project is consistent with all regulations within the CMMLUO and all mitigation measures of the MND. The project is for the approval of an existing cultivation and appurtenant nursery. The environmental document on file include detailed discussions of all the relevant environmental issues.
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ATTACHMENT 3

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 522-073-002, 4056 Beebe Ranch Road
Willow Creek, County of Humboldt

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

July 2019

Background

Project Description and Project History – The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. These regulations were developed in concert with the Mitigated Negative Declaration (MND) that was adopted for the ordinance in order to implement the mitigation measures of the MND. The MND addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The MND specified that the regulations established in the CMMLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. Commercial cannabis cultivation in existence as of December 31, 2015 was included in the environmental baseline for the MND and the MND states that “Bringing existing operations into compliance will help to attenuate potential environmental effects from existing cultivation activities, including aesthetic impacts resulting from improper operation or poor siting.” The current project was contemplated by the MND and compliance with the provisions of the CMMLUO will fully mitigate all environmental impacts of the project to a less than significant level.

The modified project involves a Conditional Use Permit for 14,100 square feet of existing mixed-light and 5,872 square feet of existing outdoor cannabis cultivation and a 5,207 square feet of appurtenant propagation area. The applicant projects two cultivation cycles per year. Water is sourced from an existing on-site well. An estimated 195,732 gallons of water is required for irrigation annually (9.8 gallons per square foot per year). Water is stored in four hard tanks totaling 11,000 gallons. Drying and curing occurs within the Dry Barn onsite, and trimming will occur offsite at a permitted third-party processing facility. A maximum of four individuals are required at peak operations, and the parcel is equipped with a permitted septic system. Electricity is sourced from generator power. This application includes a Special Permit for a setback reduction to the public lands adjacent to the property.

A pre-site inspection with the Building division was conducted at the site on April 3, 2018. Building division referral comments recommended approval with conditions for the project on February 25, 2019. Conditions for the project were recorded on September 12, 2018 which requested that the applicant provide elevation plans for the detached restroom, provide details and notes for the accessible van parking and accessible path of travel to restroom landing and door and entry, provide as-built certifications for all four generators on-site, provide seismic anchorage for the five (5) 5,000-gallon water storage tanks, provide details/specifications and manufacture installation instructions of the listed 2,000-gallon diesel storage tank and secondary containment, and provide documentation and certification that the generators in structures meet the manufacture installation instruction for combustion air and ventilation requirements and clearances to combustibles as well as approved exhaust pipe installation to exterior and foundation/seismic anchorage. The applicant is conditioned to provide the listed items to the Building division, and to obtain the appropriate building permits for the project.

On-site relocation of two outdoor cultivation areas and one mixed-light greenhouse are a part of this application. An On-site Relocation & Restoration Plan was prepared by Timberland Resource Consultants dated March 18, 2019. The Plan states that the existing domestic and fire suppression pond on-site has an overflow spillway channel which connects to a Class III stream that is downslope. The current location of CA#2 and CA#3 are within the 50 foot buffer of this spillway, and this does not comply with the NCRWQCB's Order R1-2015-0023, Standard Condition A. 3. c.. In order to be in compliance with the Order the plan proposes to relocate GH#4 next to GH#5 in order to make room for the relocation of CA#2 and CA#3. The Plan also includes measures to restore CA#2 and CA#3, and the applicant is conditioned to complete the measures outlined in the Plan.

According to the California Natural Diversity Database (CNDDB) Resource Map maintained by CDFW, there are three species that are categorized as either sensitive, state listed special-status, or threatened in the vicinity of the subject parcel. Additionally, three mapped activity centers for Northern Spotted Owl (*Strix occidentalis caurina*; a State and Federally Threatened species) are located approximately 0.82, 1.10, and 1.40 miles away from the project, respectively. The applicant will be implementing all measures required to comply with the State Water Board's General Order on cannabis cultivation that will ensure protection of

water resources and will implement measures to limit impacts to critical habitat for sensitive and endangered species. The project was referred to the California Department of Fish & Wildlife (CDFW), but the agency never commented on the project. Conditions include implementing a Bullfrog Management Plan, constructing noise containment structures, prohibiting the use of synthetic netting, and utilizing wildlife proof storage containers.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate for impacts of existing cultivation and appurtenant facilities. These include compliance with noise and light standards to limit disturbance to wildlife, proper storage of fertilizers and soil amendments, and consolidating cultivation areas to reduce the resources needed for cultivation activities.

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

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

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize an existing cannabis operation consisting of 14,100 square feet of mixed light and 5,872 square feet of outdoor, as well as a 2,507 square-foot appurtenant nursery, and minor construction of improvements necessary to bring the operation into compliance with the CMMLUO is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND.

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

- Streambed Alteration Agreement executed by the California Department of Fish and Wildlife, October 2017.

- Biological Resources Report for the project prepared by Leopardo Wildlife Associates, January 2019.
- Site Management Plan prepared by Timberland Resource Consultants, September 13, 2019.
- Water Resources Protection Plan prepared by Timberland Resource Consultants, September 2016.
- Completion Report for the Less-Than-3-Acre-Conversion-Exemption prepared and submitted by Timberland Resource Consultants, February 2014.
- On-Site Relocation Plan prepared pursuant to Department Policy Statement No. 16-002 to demonstrate the relocation area is environmentally superior, prepared by Timberland Resource Consultants, March 2019.
- Cultivation & Operations Plan for BB Ranch LLC prepared by Green Road Consulting, as amended, January 20, 2021.
- Eastern Parcel line verification with attached map prepared by Trinity Valley Consulting Engineers, Inc. November 13, 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.

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

FINDINGS

1. The proposed project will permit an existing cannabis operation and bring the operation into compliance with county and state requirements intended to adequately mitigate environmental impacts.
2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.
3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

CONCLUSION

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

ATTACHMENT 4

APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within 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. (Attached)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; water source; irrigation plan; projected water usage; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (prepared by Green Road Consulting - Attached)
5. Addendum to the Cultivation & Operations Plan, dated January 7, 2021. (Attached)
6. Copy of Notice of Applicability filed with the State Water Resources Control Board Order WQ 2019-0001-DWQ. (Attached)
7. On-Site Relocation Plan prepared pursuant to Department Policy Statement No. 16-002 to demonstrate the relocation area is environmentally superior, prepared by Timberland Resource Consultants in March 2019. (Attached)
8. Road Evaluation Report prepared by the applicant self-certifying that the entire access road is developed to the equivalent of a Category 4 road standard. (Attached)
9. Completion Report for the Less-Than-3-Acre-Conversion-Exemption prepared and submitted by Timberland Resource Consultants in February of 2014, and Less-Than-3-Acre Conversion Exemption approved by the California Department of Forestry and Fire Protection(CALFIRE). (Attached – Less-Than-3-Acre-Conversion Exemption 1-13EX-063 HUM)
10. Streambed Alteration Agreement executed by the California Department of Fish and Wildlife, dated October 2017. (Attached Agreement Notification No. 1600-2017-0253-R2)
11. Setback delineation report prepared by a licensed land surveyor confirming the location of cultivation activity in relation to the property line shared by public lands, dated November 2018, with attached map. (Attached)

12. Site Management Plan prepared by Timberland Resources Consultants, prepared September 2019. (Attached)
13. Water Resources Protection Plan prepared by Timberland Resource Consultants, September 2016. (Attached)
14. Biological Resources Report for the project prepared by Leopardo Wildlife Associates, January 2019. (On file)
15. Water Well Application and Well Completion Report for BB Ranch, LLC, received February 2013. (Attached)
16. 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)
17. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
18. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under Senate Bill 18 (Burton) and Assembly Bill 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to tribal cultural resources (see Informational Note #3 for examples of resources). Examples of mitigation include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)



Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

RE: BB Ranch, LLC – Humboldt County APPS 12584– APN: 522-073-002

January 7th, 2021

To Whom It May Concern:

The following information should be added to the Cultivation and Operations Plan for BB Ranch LLC, APPS #12584, APN: 522-073-002.

Cultivation Area

The location of the existing mixed light cultivation occurs in three (3) general locations on the parcel. The 2,000 square feet of Propagation Space occurs in one location on the parcel (Dry Barn).

Outdoor Cultivation Area

The Existing outdoor cultivation occurs in two (2) general areas on the map.

Cultivation Area #1

Cultivation Area #1 consists of approximately 3,648ft² outdoor cultivation. It is located north western portion of the parcel.

Cultivation Area #2

Cultivation Area #2 consist of approximately 768ft² of outdoor cultivation. It is located in the southern section of the parcel.

Cultivation Area #3

Cultivation Area #2 consist of approximately 1,456ft² of outdoor cultivation. It is located in the southern section of the parcel.

Mixed light Cultivation

The existing mixed cultivation takes place in three (3) general locations on the map.

Greenhouse #1

Greenhouse #1 measures approximately 3,000ft² and is located in the northwestern section of the parcel.

Greenhouse #2

Greenhouse #2 measures approximately 1,500ft² and is located in the north-western section of the parcel adjacent to Greenhouse #1.

Greenhouse #3

Greenhouse #3 measures approximately 1,600ft² and is located in the north-western section of the parcel adjacent to Greenhouse #2.

Greenhouse #4

Greenhouse #4 measures approximately 3,100ft² and is located in the north-western section of the parcel.

Greenhouse #5

Greenhouse #5 measures approximately 3,000ft² and is located in the south-western section of the parcel.

Cultivation Relocation

GH#4

GH#4 is to be relocated to adjacent to GH#5. It will measure approximately 5,000ft² when relocated.

CA#2/#3

CA#2 and CA#3 will be relocated to former site of GH#4. CA#2 will still measure 768 square feet. CA#3 will measure 1,456 square feet.

After the relocation the total square footage will measure;
14,100 square feet of mixed light cultivation and 5,872 square feet of outdoor cultivation.

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.

Employee Onsite Housing

There will be no employee onsite housing.

Processing

Until an appropriate structure can be permitted, the Applicant will seek out a licensed third-party processor.

International Dark Sky Standards

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

Greenhouse Flooring

The floors and foot paths in the Greenhouse are made up of natural soil and in compliance with Humboldt County Code section 314-43.1.3.2.

Number of Estimated Employees

The Applicant anticipates using 2-3 seasonal employees. All safety practices mentioned in the previous addendum will apply to the anticipated employees.

Clarification of Water Source

The Applicant anticipates using a permitted well as their source of irrigation for cannabis.

Water Storage

The water storage for cannabis cultivation consists of:

- 5K gal HDPE tank
- 3K gal HDPE tank
- (2) 1.5k gal HDPE tank

North Coast Regional Water Quality Control Board

July 31, 2019

WDID:1_12CC417037

ILLIYANA HOISOVA
367 WEST 61ST STREET
WILLOWBROOK, IL 60527

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

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

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

Sincerely,

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

190731_1L_1_12CC417037_1B16437CHUM_BB Ranch_NOA_TW

NOTICE OF APPLICABILITY – WASTE DISCHARGE REQUIREMENTS, WATER QUALITY ORDER WQ 2019-0001-DWQ, ILLIYANA HOISOVA, HUMBOLDT COUNTY APN(s) 522-073-002

Illiyana Hoisova (hereafter “Discharger”) submitted information through the State Water Resources Control Board’s (State Water Board’s) online portal on June 10, 2019, for discharges of waste associated with cannabis cultivation related activities. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the Policy and General Order. This letter provides notice that the Policy and General Order are applicable to the site as described below. You are hereby assigned waste discharge identification (WDID) number **1_12CC417037**. The original WDID assigned by the North Coast Regional Water Quality Control Board was 1B16437CHUM.

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

1. FACILITY AND DISCHARGE DESCRIPTION

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

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

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

2. SITE-SPECIFIC REQUIREMENTS

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

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

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

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

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

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

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

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

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

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

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

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

3. TECHNICAL REPORT REQUIREMENTS

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

A Site Management Plan, by September 07, 2019, consistent with the requirements of General Order Provision C.1.a., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the Site Management Plan.

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

4. MONITORING AND REPORTING PROGRAM

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

A copy of Attachment B to the General Order can be obtained online at the following location, or by contacting staff at the phone number and email address listed below.
https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wq2019_0001_dwq.pdf#page=32.

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

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

5. ANNUAL FEE

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

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

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

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

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



165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

March 18, 2019

Beebe Ranch, LLC
Attention: Iliyana Hoisova
4056 Beebe Ranch Road
Willow Creek, CA 95573

Re: APN 522-07-002
Application #12584

This letter is in response to Department Policy Statement No. 16-002, which states, *"If a workable alternative cultivation site exists on a parcel and its relocation will bring the cultivation into compliance with performance standards of the CMMLUO, this approach could meet the objectives of the CMMLUO provided it is the environmentally superior option."*

As a Third-Party representative to the Water Board and Registered Professional Forester, Timberland Resource Consultants recommends that the pre-existing outdoor cannabis cultivation areas, shown as CA #2 and CA #3, be relocated next to CA #1. To make room for this, the pre-existing mixed light cannabis cultivation greenhouse, shown as GH #4, will need to be relocated next to GH #5. The result will be cultivation areas being located to environmentally superior locations. Relocation efforts undertaken prior to the issuance of permits have been addressed between the cultivator and the county staff.

1). CA #2 and CA #3 Relocation:

CA #2 and CA #3 are located very close to the pond overflow spillway channel. The overflow channel connects to a Class III watercourse a short distance downslope. Currently runoff from these cultivation areas is not adequately filtered. This does not comply with NCRWQCB Order R1-2015-0023, Standard Condition A. 3. c. which states: *"Buffers shall be of sufficient width to filter wastes from runoff discharging from production lands and associated facilities to all wetlands, streams, drainage ditches, or other conveyances"*. These cultivation areas are planned to be relocated next to the other pre-existing outdoor cannabis cultivation, shown as CA #1. This will serve to aggregate all of the outdoor cultivation to one location. The new location for CA #2 and CA #3 is at the current cultivation site that is shown as GH #4. This site is a ridgetop setting far from watercourses. The result will be that runoff from CA #2 and CA #3 will no longer have access to the pond spillway channel or a downslope watercourse. This will also aggregate all of the outdoor cannabis cultivation to one site that is located the farthest up the road. The result will be less diesel fuel and nutrient transportation, and less year around road use.

CA #2 and CA #3 Restoration:

The cultivator shall remove all cannabis cultivation related infrastructure and material from the area of CA #2 and CA #3, including imported soil. Trash, refuse, and solid waste shall be disposed of at an appropriate waste disposal location. Cultivation Areas CA #2 and CA #3 are located on a gentle slope and very little grading of the natural ground had taken place. These areas will quickly become revegetated with native grasses, brush, and conifer/hardwood regeneration, and therefore no excavation and grading back to pre-existing contours is proposed or necessary.

2) GH #4 Relocation:

To make room for the relocation of CA #2 and CA #3 on the cultivation area next to CA #1, the existing mixed light cannabis cultivation greenhouse, shown as GH #4 will be relocated onto the existing cultivation area next to GH #5. This site occupies gentle slopes and is not near watercourses. Along with relocating outdoor cultivation to a superior location as described above, this will also serve to aggregate two of the existing mixed light cultivation greenhouses to one location. This will allow GH #4 and GH #5 to utilize one generator instead of two, resulting in less fuel use, exhaust, and noise. In the future, it will allow for the installation of one solar system instead of two. This site is located very near the existing barn, nutrient and fuel storage, and processing areas. The result will be less diesel fuel and nutrient transportation, and less year around road use.

GH #4 Restoration:

The cultivator shall remove all cannabis cultivation related infrastructure and material from the area of GH #4 that cannot be used for the operation of the outdoor cultivation area, including imported soil. Trash, refuse, and solid waste shall be disposed of at an appropriate waste disposal location. Further restoration is not necessary as this area will continue to be used as an outdoor cultivation area.

Sincerely,



Chris Carroll, RPF #2628
Timberland Resource Consultants

Attachments:

1. Parcel Overview Map
2. Specification Overview Map

PARCEL OVERVIEW APN: 522-073-002

SHEET INFORMATION

WATER STORAGE AND USE	TYPE	QUANTITY	GALLONS	TOTAL GALLONS
HOPE TANK	40,000	1	3,000	3,000
HOPE TANK	40,000	1	3,000	3,000
HOPE TANK	40,000	2	1,500	11,000 GALLONS

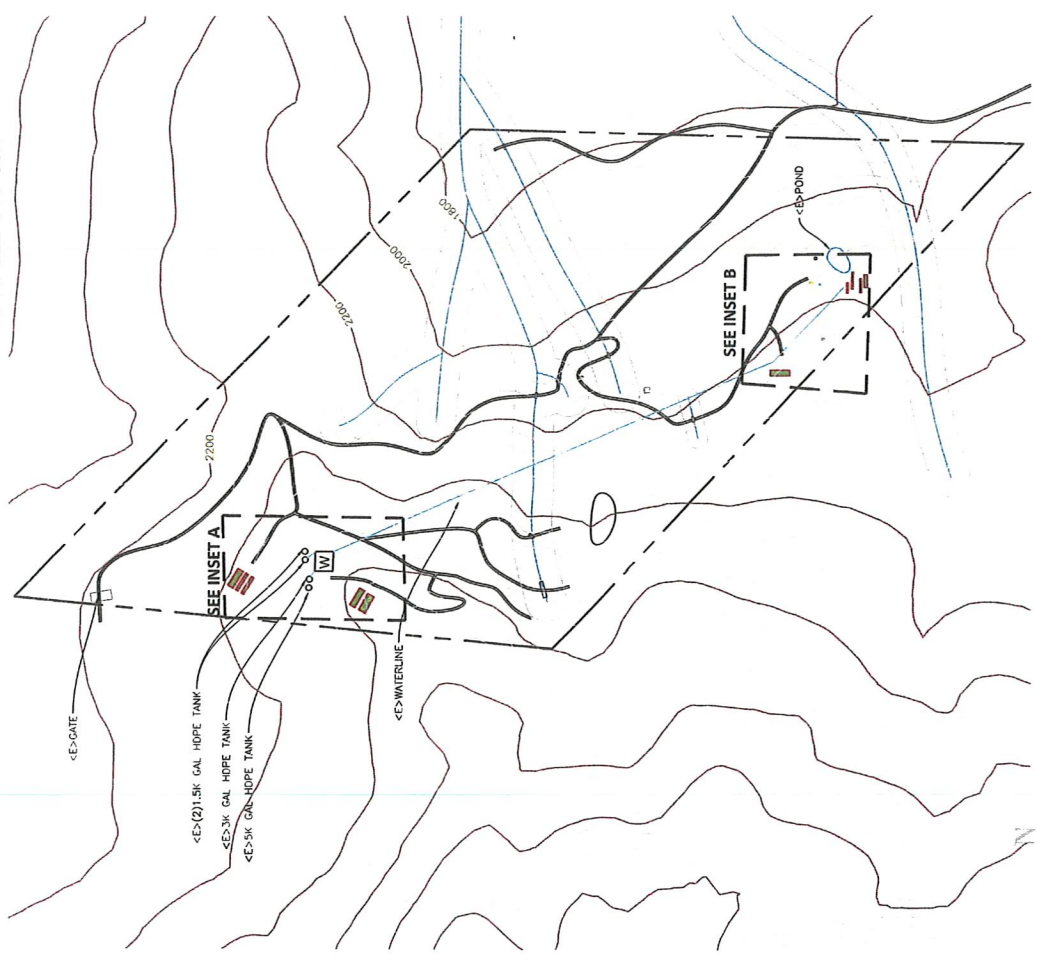
WATER SOURCE	LOCATION
WELL	40,000
WELL	40,000

LEGEND

- CLASS II WATERCOURSE WITH REQUIRED 300 FT BUFFER
- UNNAMED CLASS II STREAM WITH REQUIRED 50 FT BUFFER
- STREAM CROSSING

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 OIL, GAS, OR MINERAL RESOURCES WITHIN 300 FEET OF THE CULTIVATION SITE.

PLEASE NOTE
POND SHOWN ON MAP IS NOT USED FOR CANNABIS CULTIVATION PURPOSES



PROJECT INFORMATION	PROPERTY OWNER	ADDRESS	APN: 522-073-002	PARCEL OVERVIEW
ILLIYANA HOISOVA				

REVISIONS	NO.	NOTES	DATE
	1	INITIALS	DATE
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SPECIFICATION OVERVIEW

APN: 522-073-002

CULTIVATION INFORMATION

MIXED LIGHT CULTIVATION AREA (TCA18-00007167)			
ROW	LENGTH	WIDTH	SQ. FT.
1	100	X	15
2	100	X	15
3	100	X	15
4	100	X	15
5	100	X	15
TOTAL MIXED LIGHT CULTIVATION AREA = 12,200 SQ. FT.			

OUTDOOR CULTIVATION AREA (TCA18-00007167)

ROW	LENGTH	WIDTH	SQ. FT.
1	48	X	38
2	48	X	15
3	48	X	15
TOTAL OUTDOOR CULTIVATION AREA = 5,736 SQ. FT.			

CULTIVATION BUILDINGS AND USE

BUILDINGS	USE	SIZE	YEAR
BARNLET FLOOR	HARVEST STORAGE/IMMATURE PLANT AREA/PROCESSING/PACKAGING/LABELING	70'x37'	1980
BARN (2ND FLOOR)	HARVEST STORAGE/IMMATURE PLANT AREA	37'x35'	1980

DOMESTIC BUILDINGS AND USE

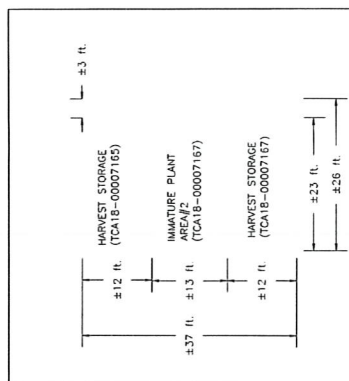
BUILDINGS	USE	SIZE	YEAR
SHED#1	DOMESTIC STORAGE	15'x9'	1980
SHED#2	DOMESTIC STORAGE	15'x9'	1980
RESIDENCE	DOMESTIC RESIDENCE	1,840 SF	2004
HYDRO BATTERY SHED	HYDRO BATTERY STORAGE	10'x12'	2012
ART STUDIO	ART PROJECTS	16'x24'	2010

COMPOST (CANNABIS WASTE AREA)
10'x18'x100FT³

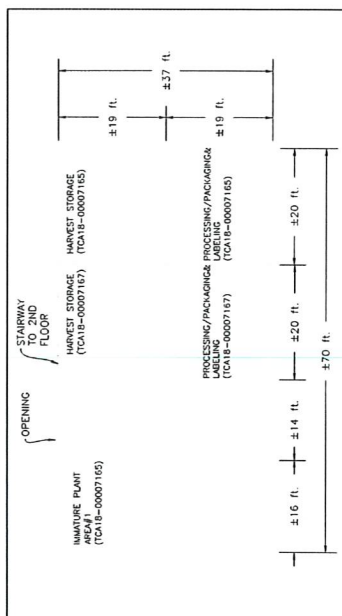
POWER SOURCE

28KW GENERATOR, 300W GENERATOR

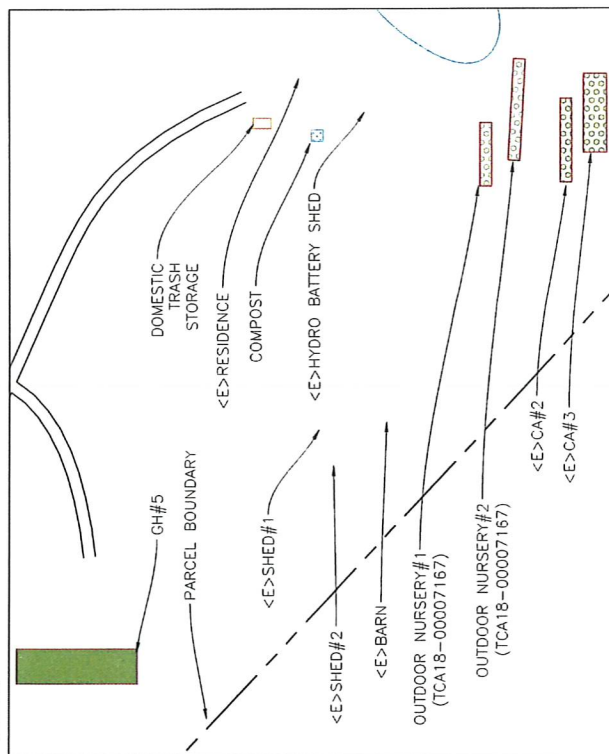
BARN 2ND FLOOR SPECIFICATIONS



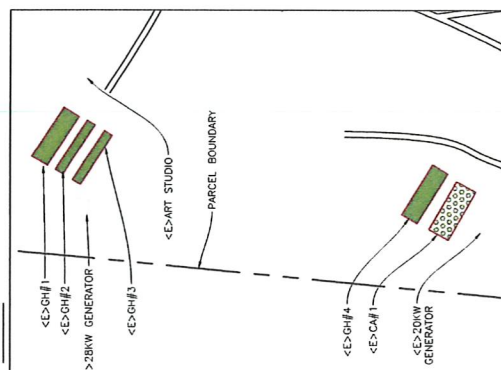
BARN 1ST FLOOR SPECIFICATIONS



INSET B



INSET A



PROJECT INFORMATION

PROPERTY OWNER
ADDRESS
APN: 522-073-002
PARCEL OVERVIEW

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DATE	12/1/19
DRAWN	DD
SCALE	AS SHOWN
SHEET	5

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

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

Applicant Name: BB Ranch, LLC APN: 522-073-002

Planning & Building Department Case/File No.: CUP16-757

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

From Road (Cross street): Blannan Mountain Rd

To Road (Cross street): Beebe Ranch Rd

Length of road segment: 5.6 miles Date Inspected: 4/24/18

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

Check one of the following:

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

Box 2 ☒ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

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

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

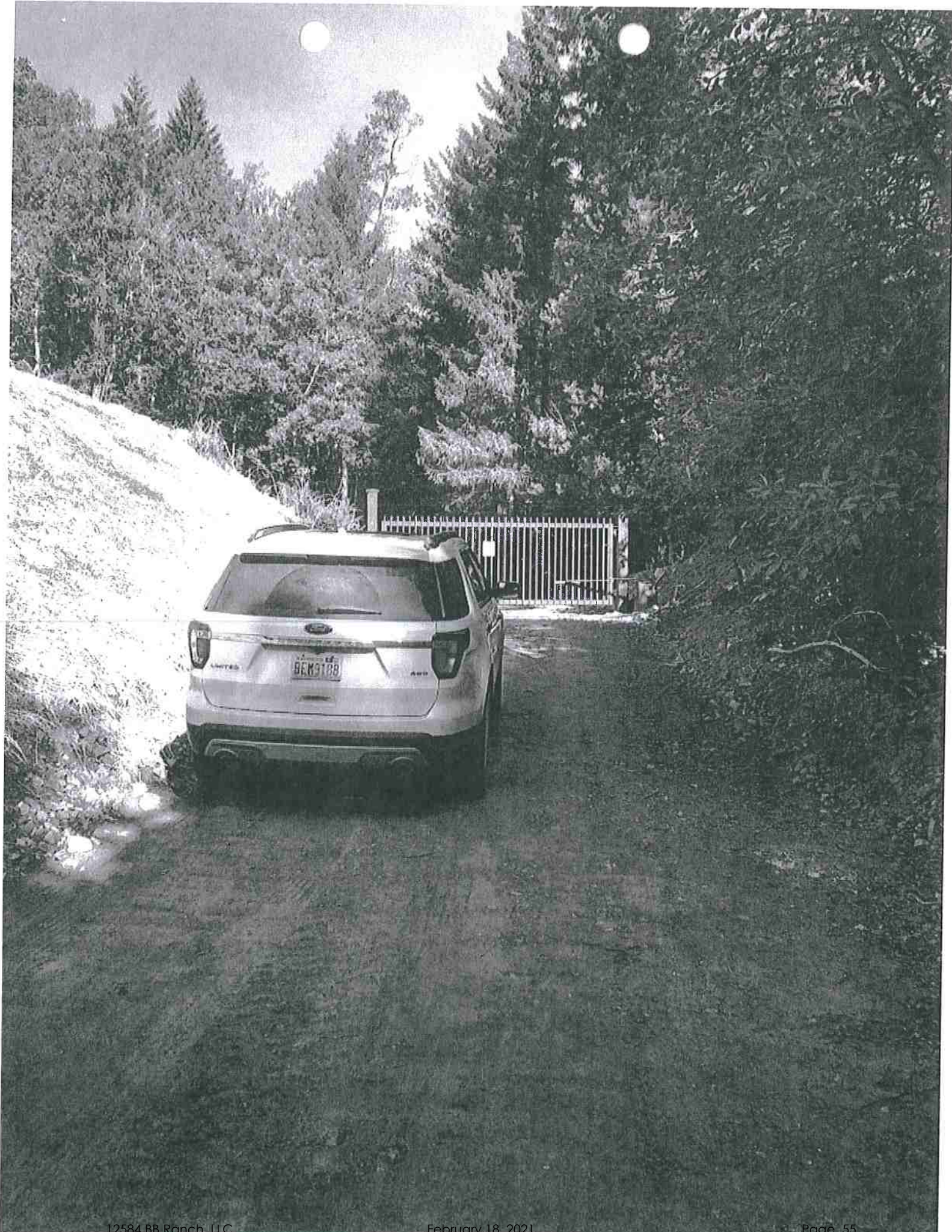
The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

Signature

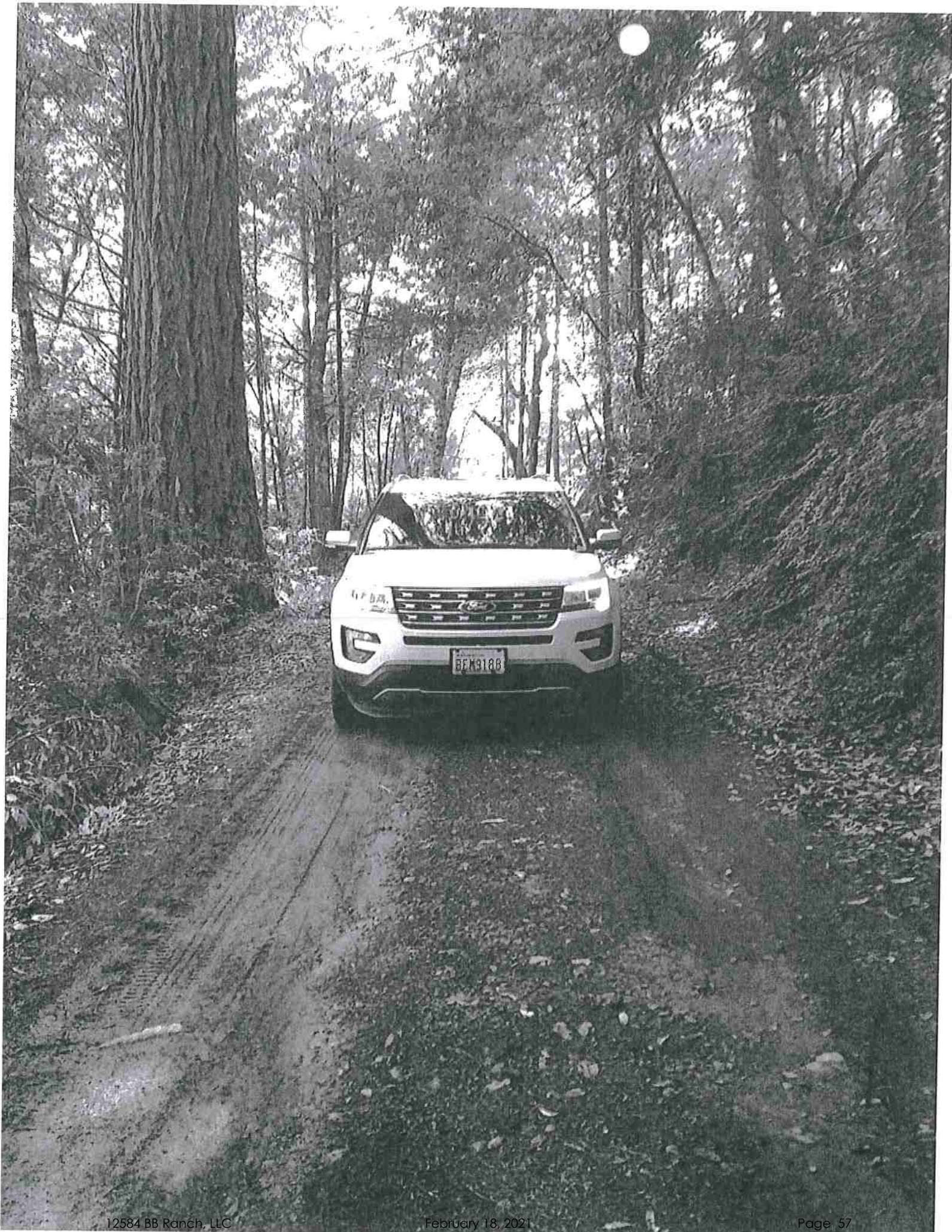
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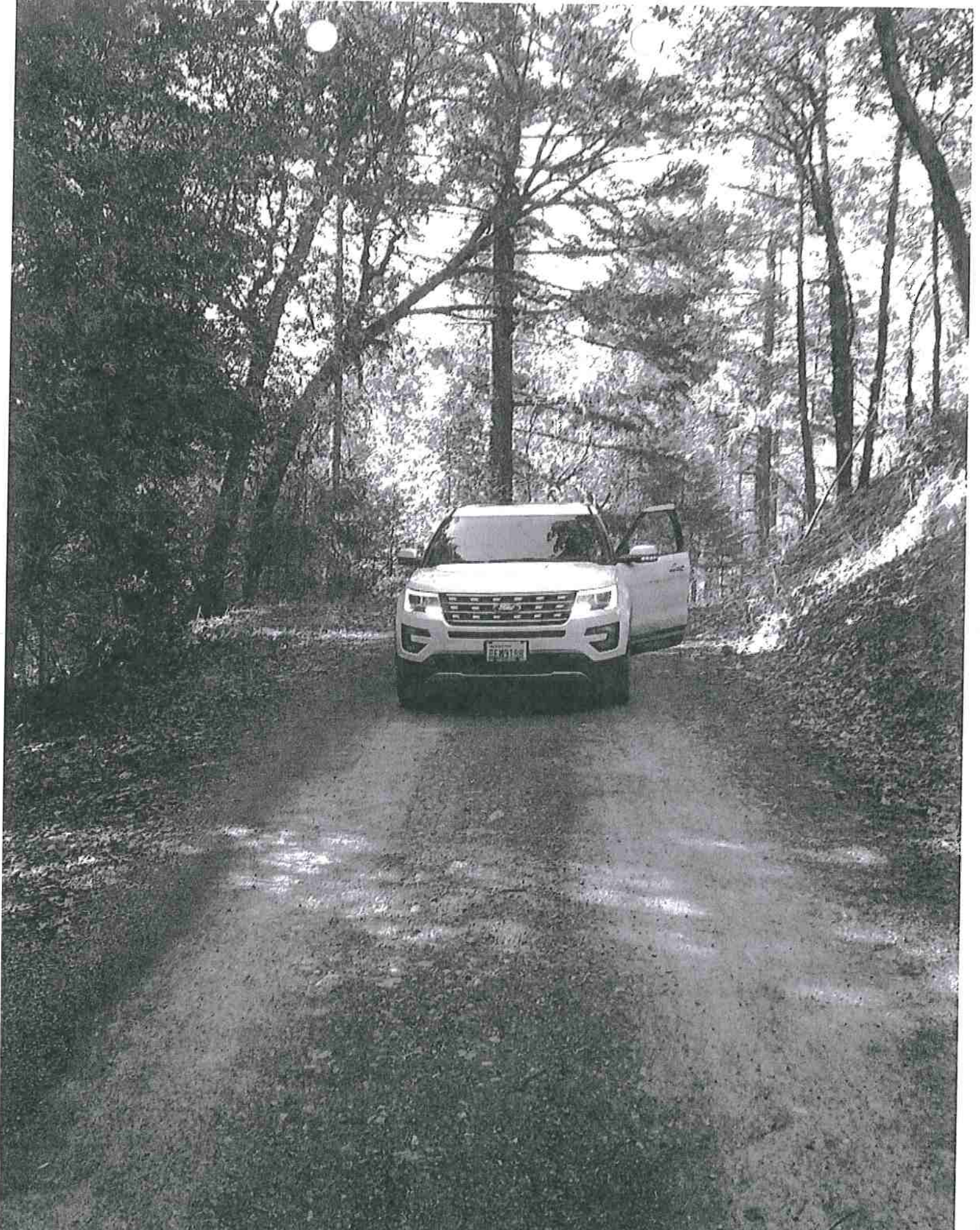
Name Printed

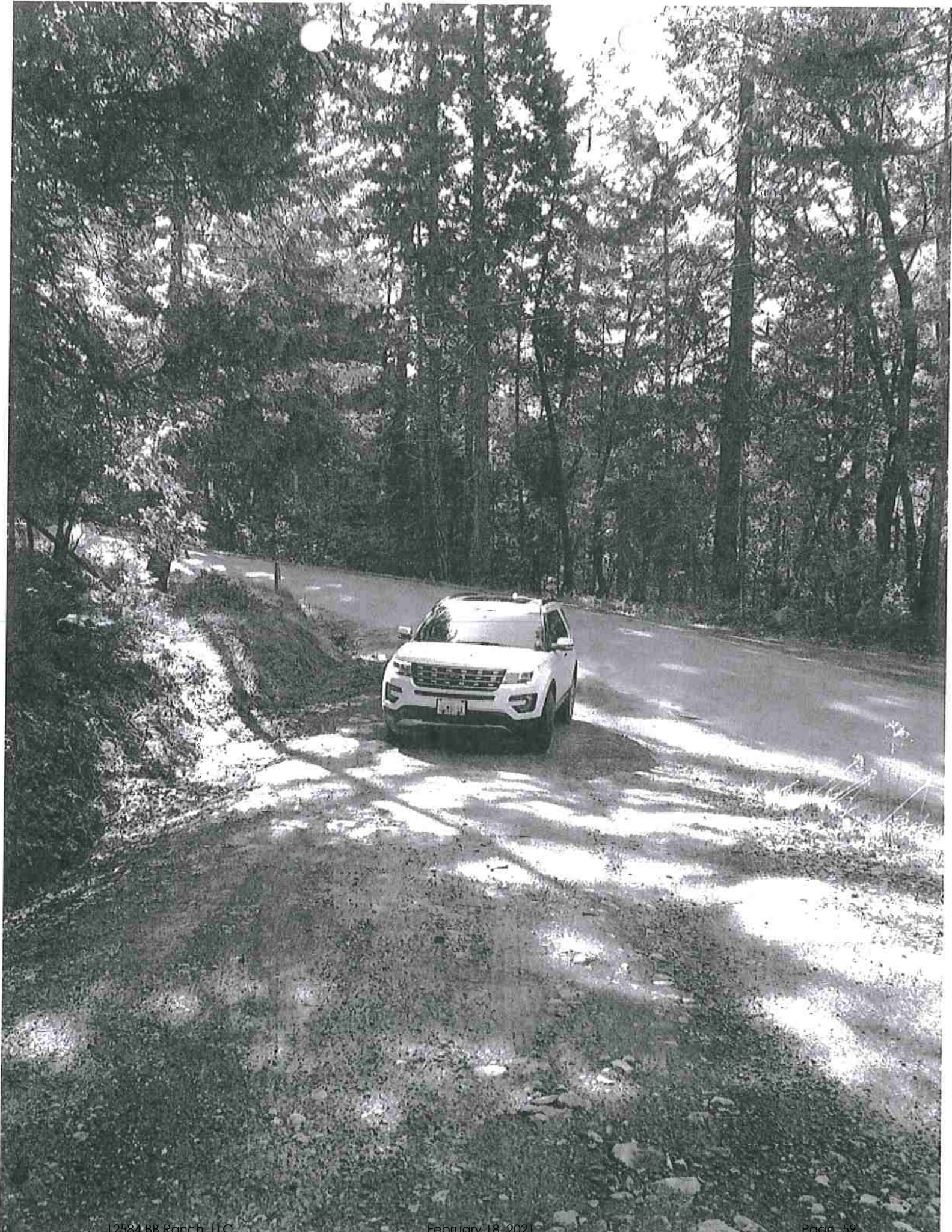
Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.

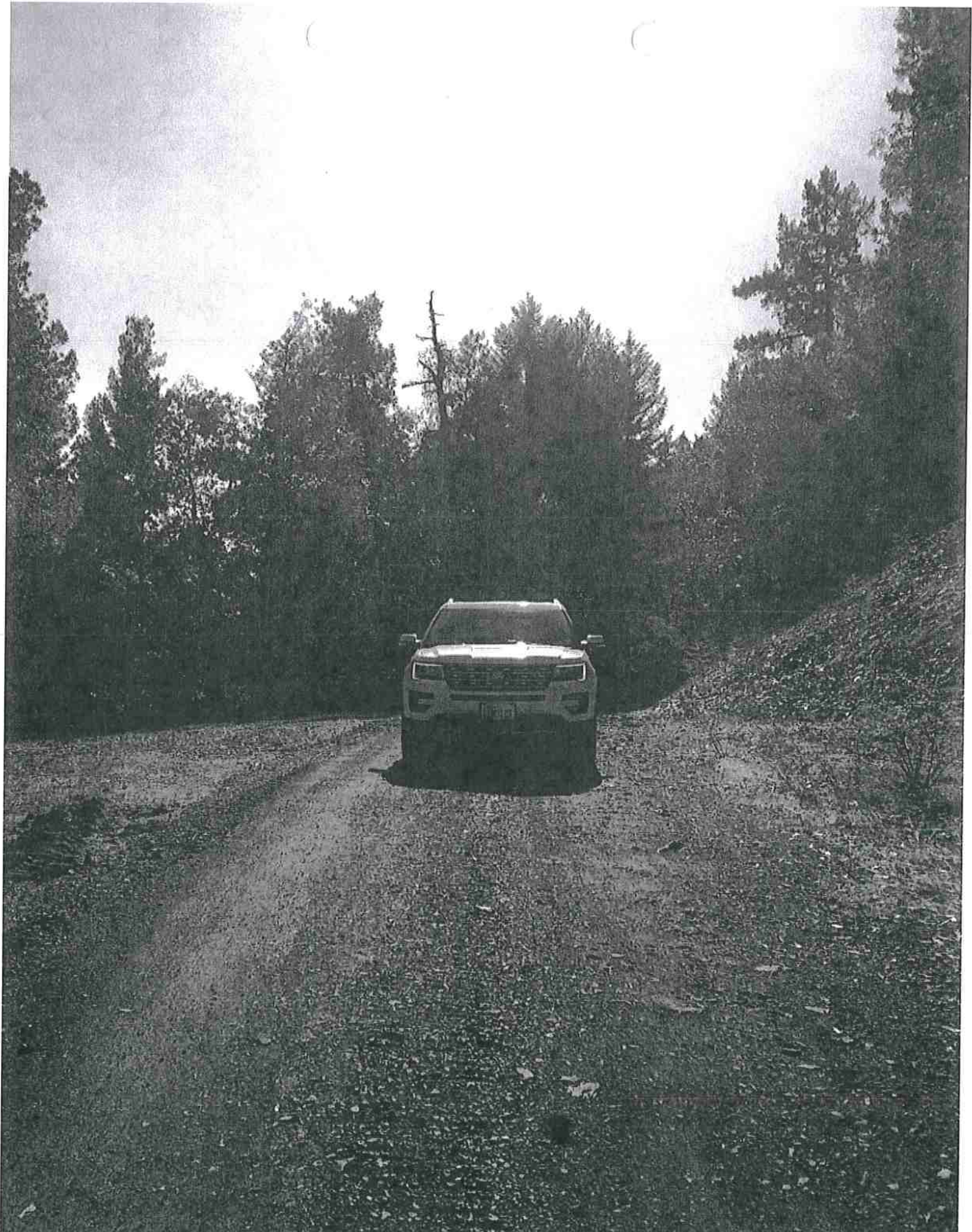




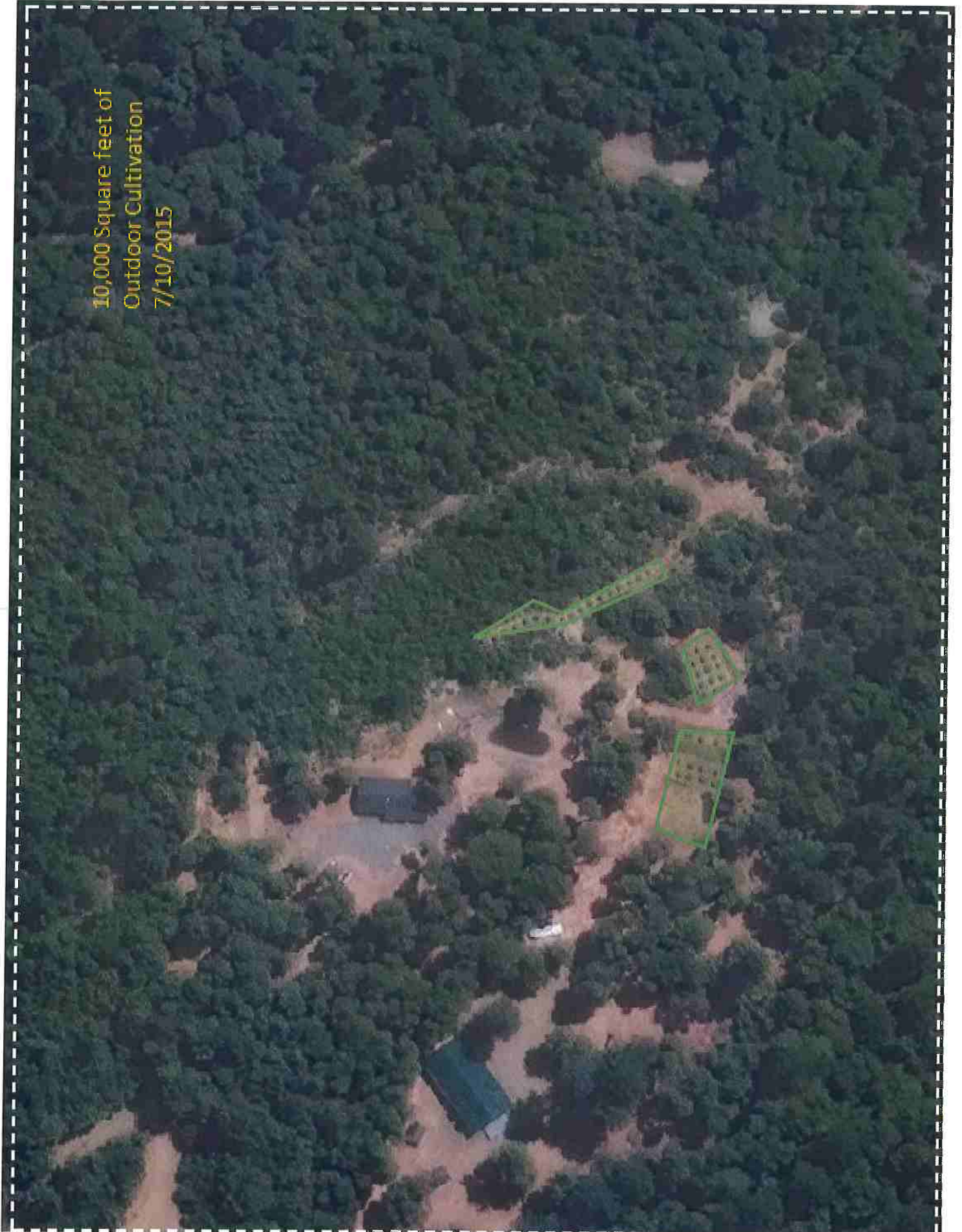








10,000 Square feet of
Outdoor Cultivation
7/10/2015





7124 322 0 100 1 -
Brandon Montan
Timberland
Resource
Consultants

165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

Jens and Claire Sund Trust
2811 E Street Suite B
Eureka, CA 95501

February 11, 2014

RE: 1-13EX-063 HUM

Dear Jens,

Enclosed you will find a Completion Report for the Less Than 3 Acre Conversion Exemption that Chris Carroll prepared for you. Per Title 14, California Code of Regulations (CCR, Section 1104.1(a)(5) timberland owners are required to file a completion report for Less Than 3 Acre Conversion Exemptions within one month from the completion of conversion exemption timber operations, which includes all slash disposal work. Please note that the expiration date of this exemption is 4-3-14. Please call our office if you should have any questions.

Sincerely,

Laurie Kepon

Laurie Kepon
Timberland Resource Consultants

Enclosure

INFORMATION FOR COMPLETION AND STOCKING REPORTS

This form is intended to serve as a completion report, or a stocking report, or a combination completion and stocking report depending upon the circumstances. Check one or more of the boxes as needed to indicate the type of report.

Completion Report

1. Public Resources Code (PRC) Section 4585 requires within one month after completion of the work described in a Timber Harvesting Plan (THP) or a Nonindustrial Timber Management Plan's "Notice of Timber Operations," a report that all work has been completed shall be filed by the timber owner or his agent with the Department of Forestry and Fire Protection (CAL FIRE). The section also states that an annual completion report may be filed with respect to a portion of the area covered by the THP, which has been completed before completion of the entire plan. Only one annual completion report per calendar year per THP may be filed. The portion completed shall be adequately identified on a map submitted with the report.
2. Title 14, California Code of Regulations (CCR), Section 1104.1(a)(5) requires timberland owners to file a completion report for **Less Than Three Acre Conversion Exemptions** within one month from the completion of conversion exemption timber operations, which includes all slash disposal work.
3. 14 CCR § 1052, requires operations under **Emergency Notices** to comply with all provisions of the Forest Practice Act and rules applicable to THPs, i.e., PRC § 4585 Completion Reports and PRC § 4587 Stocking Reports.

Stocking Reports

PRC § 4587 establishes that within five years after completion of timber operations on an area identified in a completion report, a report of stocking shall be filed with CAL FIRE. **Note: Only one stocking report can be filed for an area after submission of the completion report for the area.** Also, the Forest Practice Rules, where certain regeneration methods or intermediate treatments were specified in the THP, may require that a stocking report be filed within six months of completion of timber operations. Review of the THP and the Forest Practice Rules is necessary to make this determination. A report of stocking indicates that the stocking requirements of the rules and Forest Practice Act have been met either by use of one of the sampling procedures adopted by the Board of Forestry and Fire Protection or by a request for a waiver of stocking sampling procedures because the area is obviously stocked.

When a sampling procedure is used the following information described in 14 CCR Section 1075 must be attached to the stocking report:

1. The name of the person who performed the sampling.
2. A map showing the area(s) sampled by sampling procedure (if more than one procedure is used), the location of each plot established, indicate status as stocked or non-stocked. If the least stocked 40 acres were sampled, please identify the area.
3. The acreage of each sampling area.
4. The number of plot centers installed by sampling area and procedures.
5. The number of stocked plots by sampling area and procedure.
6. The plot reference data, per 14 CCR § 1072.2.

Department of Forestry and Fire Protection
COMPLETION AND STOCKING REPORT
Instructions, page two of two.

When a waiver of sampling procedure is requested, the timber owner or timberland owner, or a registered professional forester (RPF) acting as an agent of the timber owner or timberland owner, must examine the area after completion of timber operation and believes that those harvest areas, for which a waiver of sampling is being requested, obviously meet the stocking requirements of the Forest Practice Act and the applicable rules or regulations of the Board of Forestry and Fire Protection.

A report requesting a waiver of stocking sampling must include a map indicating the area for which a waiver is being requested.

Substantially damaged timberlands (14 CCR § 1080.4) and those areas prescribed for rehabilitation [14 CCR § 913.4(b) [933.4(b), 953.4(b)], must be delineated on maps accompanying the stocking report.

Complete the form as indicated. Submit the report to the CAL FIRE Review Team Office where the timber harvesting plan, non-industrial timber management plan, emergency notice, less than three acre conversion exemption, or the original harvest document was filed. These offices are:

Forest Practice Program
Manager
CAL FIRE
135 Ridgway Ave.
Santa Rosa, CA 95401
(707) 576-2959

Forest Practice Program
Manager
CAL FIRE
6105 Airport Road
Redding, CA 96002
(530) 224-2445

Forest Practice Program
Manager
CAL FIRE
1234 Shaw Avenue
Fresno, CA 93710
(559) 222-3714

A copy of this form will be returned to the timber owner or the agent thereof when the Director determines that all timber operations work has been completed. If deficiencies are noted, you will be contacted following such a determination, and this form will be found not in compliance and returned. The report must then be resubmitted as quickly as the required work is completed.

Admin Use Only

Area: _____

Date Received: _____

Date Approved: _____

Date Sent to B.O.E.: _____

TIMBER OPERATIONS WORK COMPLETION AND/OR STOCKING REPORT
(As per Div. 4, Chap. 8, Sections 4585 and 4587 PRC, and Title 14 CCR Sections 1070-1075)

Certification By Timber Owner or Agent: I certify that the declarations herein are true and correct to the best of my knowledge and belief. I am notifying the Department of Forestry and Fire Protection of the status of compliance with the completion and stocking requirements of the Forest Practice Act and rules of the Board of Forestry and Fire Protection for:

Harvest Document Number:

Harvest document includes a Timber Harvesting Plan (THP), a Nonindustrial Timber Management Plan's Notice of Timber Operations (NTO), a Less Than Three Acre Conversion Exemption (EX), or an Emergency Notice (EM). For Timberland Conversion Permits (TCP), include the THP Number above, as well as the Conversion Permit No.: 1-13 EX - 063 HUN

Completion Report

- ☐ **Final Completion Report.** On (date): _____ all work on the operation was completed, and no further harvesting shall be conducted.
- ☐ **Partial Completion Report.** On (date): _____ all work on a part of the plan as shown on the attached map was completed. Additional harvesting is anticipated on the remaining portion of the logging area. **Only one partial completion report may be accepted by the CAL FIRE during any calendar year.**
- ☐ **NTMP-NTO Completion Report.** On (date): _____ all work on this NTO was completed for this calendar year. Additional harvesting is anticipated in following years.
- ☒ **EX Completion Report.** On _____ all work on this Less Than Three Acre Conversion Exemption was completed. No stocking report is required.
- ☐ **TCP Completion Report.** On (date): _____ all work on this Timberland Conversion Permit was completed. No stocking report is required.

Stocking Report: The area declared as complete in this report or a previously approved completion report meets all of the stocking requirements of the Forest Practice Act and rules of the Board of Forestry and Fire Protection. The stocking status after completion of timber operations was determined by:

- ☐ One of the sampling procedures adopted by the Board of Forestry and Fire Protection. The identification of the person sampling, plot data, and a map of the area sampled are attached.
- ☐ Physical examination of the area by the timber owner or the agent thereof after completion of timber operations determined that the area's stocking obviously meet the requirements of the Forest Practice Rules and a waiver of stocking sampling is requested.
- ☐ As stated in the harvest document, the area was **substantially damaged** as per 14 CCR § 1080.1, and only dead, down, or dying trees were salvaged, or the Site Class is IV or V, hence no restocking is required.

This is a stocking report for the:

- ☐ Entire operating area covered by the harvest document.
☐ Entire operating area covered by this completion report or the completion report previously submitted on (date): _____
☐ Part of the operating area for which this completion report is submitted.

A map indicating the area completed (if the actual area harvested is less than approved) and/or stocked must be submitted with this report. Additional information can be found in the Instruction pages of this form.

Signature

Date

Print Name

Address
Code

City

State

Zip

Telephone Number (with Area Code)

DIRECTOR'S CERTIFICATION

Report In Conformance

- ☐ The Director has determined that all of the requirements of the Forest Practice Act and rules of the Board of Forestry and Fire Protection have been completed except stocking for the area described in this report. Erosion control maintenance is required for at least one year following the submission of this report, or until stocking is met, whichever is later, and it may be extended to three years.
- ☐ The area described by this report has been found to meet all of the requirements of the Forest Practice Act and forest practice rules including stocking as shown on the attached map. Erosion control maintenance is required for at least one year following the submission of this report or until stocking is met for the entire area of the harvest document, whichever is later, and it may be extended to three years.
- ☐ The area described by this report has been found to meet all of the requirements of the Forest Practice Act and Forest Practice Rules including stocking for the entire area as shown on the THP (or other harvest document) map. Erosion control maintenance is required for at least one year following the submission of this report, and it may be extended to three years.

Maintenance Period

The prescribed maintenance period for erosion control shall be:

- ☐ **One Year.** Ending date: _____
- ☐ **Three Years.** Ending date: _____
- ☐ **Other.** Specify length: _____ years and ending date: _____

Report Not In Conformance

- ☐ The area described by this report has been found not to be in compliance with the Forest Practice Act and Forest Practice Rules. See attached documents for further information. A new completion and/or stocking report must be submitted upon completion of the work required in the documents attached.
- ☐ The Director has determined that the stocking requirements of the Forest Practice Act and forest practice rules have not been met. See attached documents for further information. A new completion and/or stocking report must be submitted upon completion of the work required in the documents attached.

Other Reports

- ☐ **Conversion Permit.** The Completion Report is necessary, but a stocking report is not required.
- ☐ **Less Than Three Acre Conversion Exemption.** The Completion Report is necessary, but a stocking report is not required.
- ☐ **Emergency Notice or a THP with Substantially Damaged Timberland** as per 14 CCR § 1080.1, where a stocking report is not required.

For the selection from Other Reports above, the Director has determined that all of the requirements of the Forest Practice Act and Forest Practice Rules:

- ☐ Have been completed.
- ☐ Have not been completed and are not in compliance with the regulations and/or the rules. See attached documents for further information. A new completion report must be submitted upon completion of the work required in the documents attached.

Director, California Department of Forestry and Fire Protection

By: _____
Signature _____ Print Name _____

Title _____ RPF # _____ Date _____

App# 12584

RECEIVED



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

OCT 16 2017

CDFW - EUREKA



STREAMBED ALTERATION AGREEMENT

NOTIFICATION No. 1600-2017-0253-R1

Unnamed Tributary to Kirkham Creek, Tributary to the Trinity River,
Tributary to the Klamath River and the Pacific Ocean

Ms. Iliyana Hoisova

APN-522-073-002 Water Diversion and Stream Crossings Project
8 Encroachments

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

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) Section 1602, the Permittee initially notified CDFW on May 10, 2017, 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 accept 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 Trinity River watershed, approximately four miles northwest of the town of Willow Creek, County of Humboldt, State of California. The project is located in Section 13, T7N, R4E, Humboldt Base and Meridian; in the Willow Creek U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 522-073-002; latitude 40.9852 N and longitude -123.6753 W at the point of diversion (POD).

PROJECT DESCRIPTION

The project is limited to eight encroachments (table 1). One encroachment is for water diversion from an Unnamed Tributary to Kirkham Creek. Water is diverted for domestic use. Work for the water diversion will include repair, use and maintenance of the water

diversion infrastructure. The seven other proposed encroachments are to rock armor existing culverts and upgrade failing and undersized culverts. Work for these encroachments will include excavation, removal of the failing culverts, and replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
Crossing-1	40.2843, -123.8110	Rock armor 24" diameter culvert at inlet and outlet
Crossing-2	40.2822, -123.8112	Rock armor 24" diameter culvert at inlet and outlet
Crossing-3	40.2818 -123.8128	Replace failing 24" diameter culvert with minimum 24" diameter culvert
Crossing-4	40.2836, -123.8127	Replace failing 30" diameter culvert with minimum 30" diameter culvert
Crossing-5	40.2850, -123.8124	Replace 30" diameter culvert with minimum 36" diameter culvert
Crossing-6	40.2852, -123.8125	Rock armor 24" diameter culvert at inlet and outlet
Crossing-9	40.9839, -123.6692	Replace failing 30" diameter culvert with minimum 30" diameter culvert
POD	40.9852, -123.6753	Water diversion/facility retrofit on a Class II watercourse

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*), Green Sturgeon (*Acipenser medirostris*), Pacific Lamprey (*Entosphenus tridentatus*), Foothill Yellow-legged Frog (*Rana boylei*), Pacific Giant Salamander (*Dicamptodon tenebrosus*), Northern Red-legged Frog (*Rana aurora*), Tailed Frog (*Ascaphus truei*), Western Pond Turtle (*Actinemys marmorata marmorata*), and amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

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

Impacts to water quality:

- increased water temperature;
- reduced instream flow;
- temporary increase in fine sediment transport;

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

- loss or decline of riparian habitat;
- direct impacts on benthic organisms;
- increase of bank erosion during construction;

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

- cumulative effect when other diversions on the same stream are considered;
- diversion of flow from activity site;

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

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

The Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. The Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. The Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of the Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Adherence to Existing Authorizations. All water diversion facilities that the Permittee owns, operates, or controls shall be operated and maintained in accordance with current law and applicable water rights.
- 1.4 Change of Conditions and Need to Cease Operations. If conditions arise, or change, in such a manner as to be considered deleterious by CDFW to the stream or wildlife, operations shall cease until corrective measures approved by CDFW are taken. 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.
- 1.5 Notification of Conflicting Provisions. The Permittee shall notify CDFW if the Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact the Permittee to resolve any conflict.
- 1.6 Project Site Entry. The Permittee agrees to allow CDFW employees access to any property it owns and/or manages for the purpose of inspecting and/or monitoring the activities covered by this Agreement, provided CDFW: a) provides 24 hours advance notice; and b) allows the Permittee or representatives to participate in the

inspection and/or monitoring. This condition does not apply to CDFW enforcement personnel.

- 1.7 CDFW Notification of Work Initiation and Completion. The Permittee shall contact CDFW within the seven-day period preceding the beginning of work permitted by this Agreement. Information to be disclosed shall include Agreement number, and the anticipated start date. Subsequently, the Permittee shall notify CDFW no later than seven days after the project is fully completed.

2. Avoidance and Minimization Measures

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

- 2.1 Permitted Project Activities. Except where otherwise stipulated in this Agreement, all work shall be in accordance with the Permittee Notification received on May 10, 2017, with revisions received on August 17, 2017, and September 8, 2017, together with all maps, BMP's, photographs, drawings, and other supporting documents submitted with the Notification.
- 2.2 Work Period. All work, not including diversion of water, shall be confined to the period **June 15 through October 1** of each year. Work within the active channel of a stream shall be restricted to periods of **dry weather**. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Construction activities shall cease and all necessary erosion control measures shall be implemented prior to the onset of precipitation.
- 2.3 Work Completion. The proposed work, not including diversion of water, shall be completed by no later than **October 1, 2018**. A notice of completed work, with supplemental pictures, shall be submitted to CDFW **within seven (7) days** of project completion.

Water Diversion and Facility Retrofit

- 2.4 Maximum Diversion Rate. The maximum instantaneous diversion rate from the water intake shall not exceed **3 gallons per minute (gpm)** at any time.
- 2.5 Bypass Flow. The Permittee shall **pass 90% of flow** at all times to keep all aquatic species including fish and other aquatic life in good condition below the point of diversion.
- 2.6 Seasonal Diversion Minimization. No more than **200 gallons per day** shall be diverted during the low flow season from **May 15 to October 30** of any year. Water shall be diverted only if the Permittee can adhere to conditions 2.3 and 2.4 of this Agreement.

- 2.7 Measurement of Diverted Flow. The Permittee shall install a device acceptable to CDFW for measuring the quantity of water diverted to and from the POD. This measurement shall begin as soon as this Agreement is signed by the Permittee. The Permittee shall record the quantity of water diverted on a weekly basis.
- 2.8 Water Management Plan. The Permittee shall submit a Water Management Plan no later than **sixty days** from the time this Agreement is made final that describes how compliance will be achieved under this Agreement. The Water Management Plan shall include details on water storage, water conservation, or other relevant material to maintain water needs in coordination with forbearance and bypass flow requirements. The Water Management Plan shall include a brief narrative describing water use on the property, photographs to support the narrative, and water use calculations to ensure compliance with this Agreement. The Water Management Plan shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501.
- 2.9 Intake Structure. No polluting materials (e.g., particle board, plastic sheeting, bentonite) shall be used to construct or screen, or cover the diversion intake structure.
- 2.10 Intake Screening. Openings in intakes shall not exceed 1/8 inch diameter (horizontal for slotted or square openings) or 3/32 inch for round openings. The Permittee shall regularly inspect, clean, and maintain screens in good condition.
- 2.10.1 The water intake screens shall be securely attached (e.g., threaded or clamped) to the intake line and have a minimum wetted area of 0.25 square feet and a minimum open area of 27%.
- 2.10.2 A water intake screen with round openings shall not exceed 3/32-inch diameter; a screen with square openings shall not exceed 3/32-inch measured diagonally; and a screen with slotted openings shall not exceed 0.069 inches in width. Slots must be evenly distributed on the screen area.
- 2.10.3 The water intake screen may be constructed of any rigid material, perforated, woven, or slotted. Stainless steel or other corrosion-resistant material is recommended to reduce clogging due to corrosion. Care should be taken not to use materials deemed deleterious to aquatic species.
- 2.10.4 The water intake screen shall be placed in fast moving water with the long axis of the screen parallel to the streamflow. The water intake shall not be placed in pool habitat.
- 2.11 Intake Shall Not Impede Aquatic Species Passage. The water diversion structures shall be designed, constructed, and maintained such that they do not constitute a barrier to upstream or downstream movement of aquatic life.

- 2.12 Water Conservation. The Permittee shall make best efforts to minimize water use, and to follow best practices for water conservation and management.
- 2.13 Water Storage Maintenance. Storage tanks shall have a float valve to shut off the diversion when tanks are full to prevent overflow from being diverted when not needed. The Permittee shall install any other measures necessary to prevent overflow of tanks resulting in more water being diverted than is used.
- 2.14 State Water Code. This Agreement does not constitute a valid water right. The Permittee shall comply with State Water Code sections 5100 and 1200 et seq. as appropriate for the water diversion and water storage. The application for this registration is found at http://www.swrcb.ca.gov/waterrights/publications_forms/forms/docs/sdu_registration.pdf.

Invasive Species

- 2.15 Bullfrog Management Plan. The Permittee shall comply with the **Bullfrog Management Plan** (Exhibit A). All reporting requirements shall be submitted no later than **December 31** of each year.

Stream Crossings

- 2.16 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.
- 2.17 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.
- 2.18 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.

- 2.19 Stream Diversion. When work in a flowing stream is unavoidable, Permittee shall divert the stream flow around the work area during construction operations.
- 2.20 Coffer Dams. Prior to the start of construction, Permittee shall divert the stream around or through the work area and the work area shall be isolated from the flowing stream. To isolate the work area, water tight coffer dams shall be constructed upstream and downstream of the work area and water diverted, through a suitably sized pipe, from upstream of the upstream coffer dam and discharge downstream of the downstream coffer dam. Cofferdams shall be constructed of a non-erodible material which does not contain soil or fine sediment. Cofferdams and the stream diversion system shall remain in place and functional throughout the construction period. Cofferdams or stream diversions that fail for any reason shall be repaired immediately.
- 2.21 Excavated Fill. Excavated fill material shall be placed in upland locations where it cannot deliver to a watercourse. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be tractor contoured (to drain water) and tractor compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.
- 2.22 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.
- 2.23 Culvert Installation.
- 2.23.1 Existing fill material in the crossing shall be excavated down vertically to the approximate original channel and outwards horizontally to the approximate crossing hinge points (transition between naturally occurring soil and remnant temporary crossing fill material) to remove any potential unstable debris and voids in the older fill prism.
- 2.23.2 Culvert shall be installed to grade, aligned with the natural stream channel, and extend lengthwise completely beyond the toe of fill. If culvert cannot be set to grade, it shall be oriented in the lower third of the fill face, and a downspout or energy dissipator (such as boulders, rip-rap, or rocks) shall be installed above or below the outfall as needed to effectively control stream bed, channel, or bank erosion (scouring, headcutting, or downcutting).
- 2.23.3 Culvert bed shall be composed of either compacted rock-free soil or crushed gravel. Bedding beneath the culvert shall provide for even distribution of the load over the length of the pipe, and allow for natural

- 3.4 **Bullfrog Management Plan.** The Permittee shall submit all required documents described in the **Bullfrog Management Plan** (condition 2.15) no later than **December 31** of each year. The Bullfrog Management Plan shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501.
- 3.5 **Project Inspection.** The Permittee shall submit the **Project Inspection Report** (condition 2.25) to CDFW, LSA Program at 619 Second Street, Eureka, CA 95501.

CONTACT INFORMATION

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

To Permittee:

Ms. Iliyana Hoisova
367 W. 61 Street
Willowbrook, IL 60527
224-628-5271
ihoisova@yahoo.com

To CDFW:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Attn: Lake and Streambed Alteration Program
Notification #1600-2017-0253-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 Ms. Iliyana Hoisova



Iliyana Hoisova

10-13-17
Date

FOR DEPARTMENT OF FISH AND WILDLIFE



Scott Bauer
Senior Environmental Scientist Supervisor

11/6/17
Date

Prepared by: Kalyn Bocast, Environmental Scientist, September 12, 2017, revised September 21, 2017



Joshua T. McKnight, CE60687
TRINITY VALLEY CONSULTING ENGINEERS, INC

67 Walnut Way, Willow Creek, CA 95573
P: (530) 629-3000 F: (530) 629-3011

Job No.

November 13, 2018

Caitlin Castellano, Planner
Cannabis Services, Planning & Building
Humboldt County, CA
3015 H Street
Eureka, CA 95501

Project Reference: Humboldt County Parcel 522-073-002 located off Brandon Mountain Road referred to as Beebe Ranch in the NE 1/4 Section 13, Township 7 North, Range 4 East Humboldt Meridian.

Ms./Mrs. Castellano,

I conducted a site visit on November 19, 2018 of the said parcel to verify and conclude that the Humboldt County Building setbacks for the existing green houses are in compliance. The westerly and southerly property line of said parcel is adjoining public lands Six Rivers National Forest (S.R.N.F), and therefore heavily blazed, painted and posted with "Property Boundary, National Forest Land Behind This Sign". I have included photos of the boundary evidence for your review. I witnessed the thirty foot setback with 42" lathes and pink flagging.

The Humboldt County web GIS is mildly shifted to the east from the survey boundaries on the ground. Should you have any questions please contact me to discuss. I appreciated you time and attention regarding this matter.

Sincerely,

Anthony J. O'Rourke
CA, Land Surveyor No. 9348

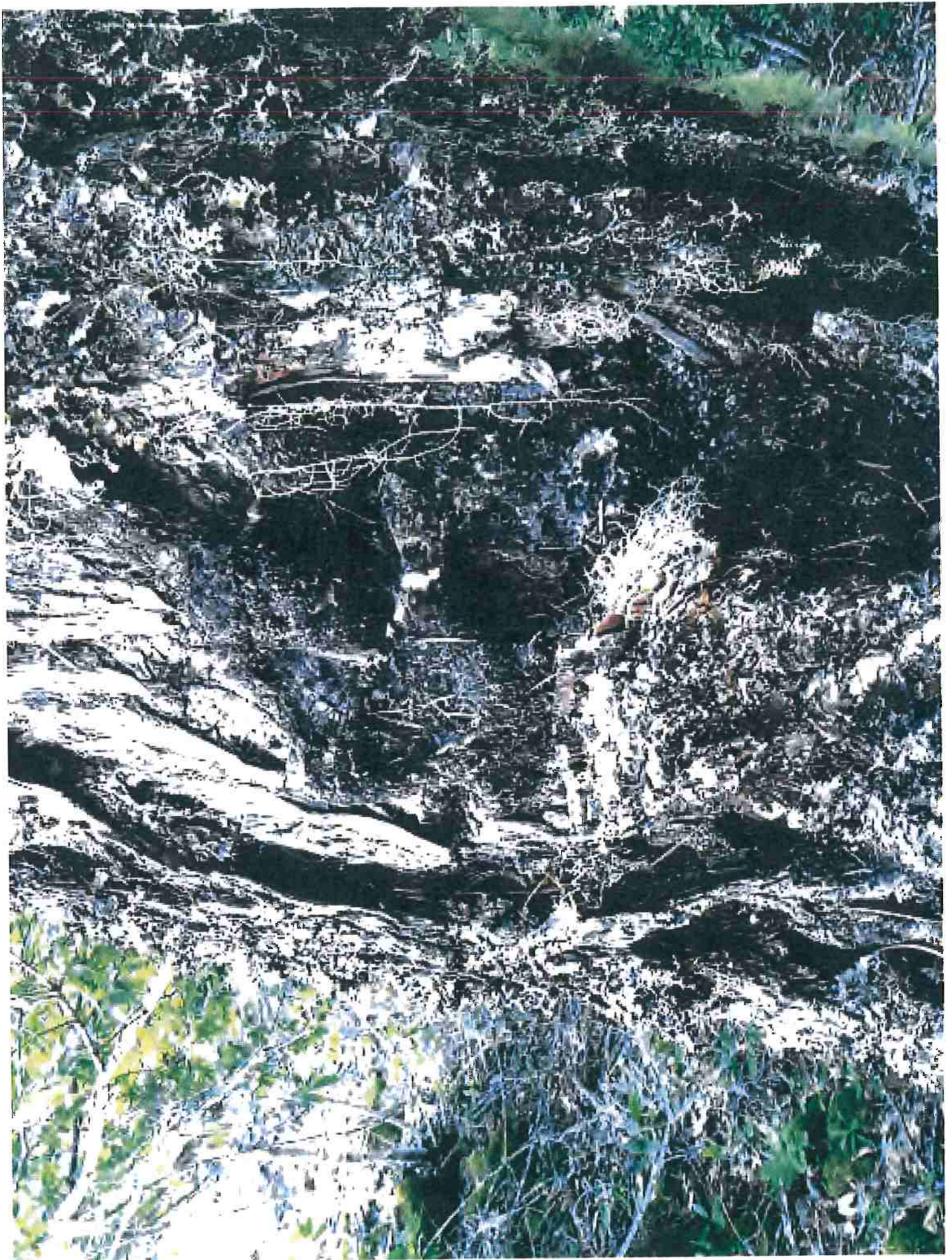










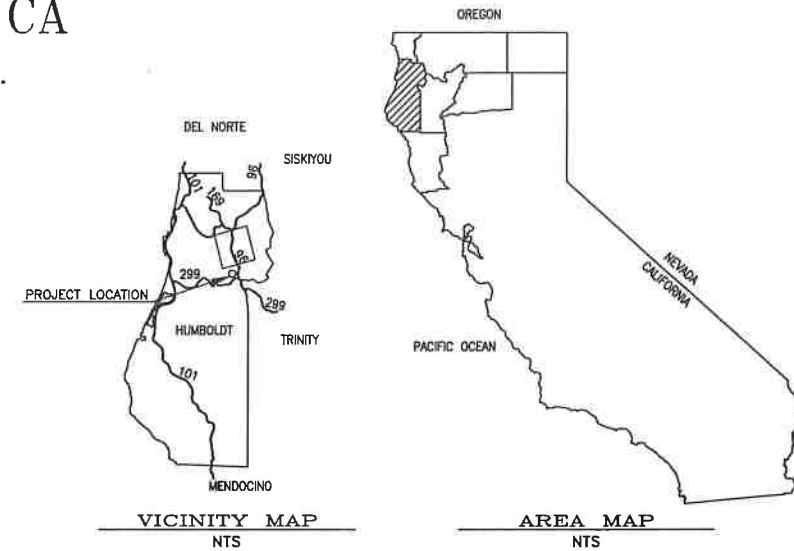




BEEBE RANCH ROAD, WILLOW CREEK, CA

A PORTION OF SECTION 13, TOWNSHIP 7 NORTH, RANGE 4 EAST, H.B.&M.
APN: 522-073-002
FOR
ILIYANA HOISOVA
WILLOW CREEK, CA 95573

RECEIVED
JAN 21 2021
Humboldt County
Cannabis Svcs.



VICINITY MAP
NTS

AREA MAP
NTS

EXISTING STRUCTURES

- RESIDENCE (±2,150 SF) - ALTERNATE OWNER BUILDER
- BARN (±2,600 SF) - AG EXEMPT
- CABIN (±400 SF) - ALTERNATE OWNER BUILDER
- SHED #1 (±192 SF) - ALTERNATE OWNER BUILDER - HYDRO ELECTRIC
- SHED #2 (±208 SF) - ALTERNATE OWNER BUILDER - FUEL STORAGE
- SHED #3 (±150 SF) - ALTERNATE OWNER BUILDER - GENERATOR SHED
- GENERATOR
- WATER STORAGE
- POND
- GREENHOUSE
- TEMPORARY GREENHOUSE

TOTAL GRADING ACTIVITY

NUMBER	PRE GRADE		DISTURBANCE (ACRES)
	CUT	FILL	
SITE 1	1,180.75	1,180.75	0.63
SITE 2	548.56	548.56	0.60
SITE 3	435.95	435.95	0.46
TOTAL	2,165.26	2,165.26	1.69

GREENHOUSES

LABEL	SIZE	AREA
GREENHOUSE A	30'x100'	3,000SF
GREENHOUSE B	15'x100'	1,500SF
GREENHOUSE C	15'x100'	1,500SF
GREENHOUSE D	30'x100'	3,000SF
GREENHOUSE E	30'x100'	3,000SF

TOTAL AREA: 12,000 SF

EARTHWORK QUANTITIES:

CUT (CY): 2,165.26
FILL (CY): 2,165.26
NOTE:
CUT AND FILL QUANTITIES ONSITE TO BE
PERMANENT

GRADING ACTIVITY:

TOTAL ACREAGE: 122± Ac
ACRES DISTURBED: 7.0± Ac
ACRES UNDISTURBED: 115± Ac
PERCENTAGE OF UNDISTURBED AREA: 94.3%

GENERAL NOTES:

WATER: WELL
WASTEWATER: (P) OWTs
POWER: GENERATOR
PHONE: NONE
CREEKS/STREAMS: KIRKHAM CREEK
TREES TO BE REMOVED: NONE
GRADING: PREVIOUSLY PERFORMED



REV	DATE	DESCRIPTION
1	02/20/13	PRELIMINARY DESIGN
2	05/13/13	PLAT PLAN - NEW PROPERTY OWNER
3	06/20/15	PLAT PLAN - REVISIONS PER OWNER
4	06/19/17	PLAT PLAN - REVISIONS PER OWNER
5	04/05/18	PLAT PLAN - REVISIONS PER OWNER
6	07/12/19	PLAT PLAN - REVISIONS PER OWNER

ILIYANA HOISOVA
APN: 522-073-002
BRANNON MOUNTAIN
PLOT PLAN
WILLOW CREEK, HUMBOLDT COUNTY, CALIFORNIA

DESIGNED BY: A. DOMINICK	DATE OF ISSUE: JANUARY 2021
CHECKED BY: J. MCKNIGHT	SCALE: AS SHOWN
APPROVED BY: J. MCKNIGHT	PROJECT NO: 602
DRAWING NO: C01	

TRINITY VALLEY CONSULTING ENGINEERS, INC.

12584 BB Ranch, LLC February 18, 2021



Humboldt County Department of Health and Human Services
DIVISION OF ENVIRONMENTAL HEALTH

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

FEB 11 2013

11/12-0916

WATER WELL APPLICATION
CONSTRUCTION - REPAIR - DESTRUCTION

Instructions:

1. Complete both pages of the application and submit the required fee with the Well Permit application, including Well Driller's signature.
2. The Well Permit will be returned to the property owner by mail when approved by the Humboldt County Division of Environmental Health (DEH).
3. Work on the well shall not be started prior to approval of the Well Permit Application by DEH.
4. Any changes made to the location of a new well shall be approved by DEH prior to commencement of drilling.
5. DEH shall be notified by the Well Driller a minimum of 24 hours prior to sealing the annular space.

2-26-13
Faxed
Fisch Drilling
per Adam D.

Site Address BB Ranch Road

APN 522-073-002

City/State/Zip Willow Creek CA 95573

Directions to Site _____

Property Owner Patrick Murphy

Jens & Claire Sund

Mailing Address P.O. Box 1643

2811 E St. Eureka, CA 95501

City/State/Zip Willow Creek

CA 95573

Phone 707-502-6818

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

444-9290

Drilling

Contractor FISCH DRILLING

C - 57

License # 683865

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

Well Driller Signature: _____

Type of Application:

- ☒ Construction \$ 365.-
☐ Repair \$116.00
☐ Destruction \$116.00

Estimated Work Dates:

Feb 2013 Start
____ Completion

Construction:

Estimated Depth (ft.) 200+-

Diameter (in.) 10

Depth of Seal (ft.) 20

Sealing Material Bentonite

Casing:

Diameter (in.) 5

Material: CL200 PVC

Intended Use:

- ☒ Domestic - private
☐ Community Supply
☐ Irrigation
☐ Other _____

Type of Sewage System:

- ☐ Community Sewer
☐ Septic System

Distance from well site to septic system(s) N/A

FOR OFFICE USE ONLY

Fee: \$ 365.00

Date: 2-7-13

Receipt: 154980

By: JML

Approved by: _____

Permit Number _____

Site Approved By: AM 2/25/13

Site Finaled By: _____

Sealed to Depth of: _____

Seal Observed: ☐ Yes ☐ No

Date Approved: _____

ATTACHMENT 5

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Division Environmental Health	✓	Approval	Attached
Humboldt County Sheriff	✓	Approval	On file with Planning
NCRWQCB	✓	Approval	Attached
Klamath Trinity Joint Unified School District	✓	Approval	Attached
Public Works - Land Use Division	✓	Conditional Approval	Attached
Building Inspection Division	✓	Conditional Approval	Attached
California Department of Fish and Wildlife		No Response	
Northwest Information Center	✓	Standard letter recommending contacting local tribes.	On file with Planning
Tsnungwe Council	✓	Approval	On file with Planning
Hoop Valley Tribe		No Response	
Humboldt County Agricultural Commissioner		No response	
County Counsel		No response	
District Attorney		No Response	
US Forest Service		No Response	
North Coast Unified Air Quality Management District		No Response	
CAL FIRE		No Response	
SWRCB - Division of Water Rights		No Response	

PLN-12584-CUP

LOC >

STATUS

> Staff Report

BB Ranch, LLC - CUP FOR 14,200 sf ML a...

A Conditional Use Permit for 14,200 square ... 07/15/2019 by Issac Hansen

Cancel Help

Summary

Project Description

Task Environmental Health Due Date 02/18/2019 Assigned Date 02/07/2019

Workflow

Assigned to Department Environmental Health Assigned to LandUse1 DEH Status Approved

Action by Department Environmental Health Action By Ben Dolf Status Date 02/08/2019

1 Referral Assignments

Start Time End Time Hours Spent 0.0

2 Planning Information

Billable No Overtime No Comments

3 GP / Zoning Information

Time Tracking Start Date Est. Completion Date In Possession Time (hrs)

Display E-mail Address in ACA ☒ Display Comment in ACA ☒ Comment Display in ACA ☒ All ACA Users

4 CEQA

☒ Record Creator

5 Cannabis

☒ Licensed Professional

Project Tracking

☒ Contact

☒ Owner

6 Referral Task Log (2)

Workflow Calendar

Estimated Hours 0.0

Action Updated

Fee (5)

North Coast Regional Water Quality Control Board

CEQA Project Review and Comment Cannabis Program Project Name: BB Ranch, LLC WDID No. (1B16437CHUM) Date: 2/13/19			
APN: 522-073-002	County: Humboldt	Case, File or Appl. No. PLN-12584-CUP	RWB Reviewer: A. Piscitelli
Date Referral Received: 1/29/19		Date Comments Requested By: 2/14/19	
Site Location and Landowner Information			
Physical Site Address: 4056 Beebe Ranch Rd. Willow Creek, CA 95573		Mailing Address: BB Ranch LLC Co 367 W 61st St C/O Iliyana Hoisova Willowbrook IL 60527	
CEQA Lead Agency Contact		Document Type	
Humboldt County		CEQA: <input type="checkbox"/> CE <input type="checkbox"/> NOP <input type="checkbox"/> IS <input type="checkbox"/> ND <input type="checkbox"/> MND <input type="checkbox"/> DEIR Other: <input type="checkbox"/> General Plan <input checked="" type="checkbox"/> Project Referral	
Project Description			
BB Ranch, LLC - CUP FOR 12,232 sf ML and 5,730 sf OD An application for a Conditional Use Permit for 12,232 square feet of existing mixed light, and 5,730 square feet of existing outdoor medical cannabis cultivation. The applicant projects two cultivation cycles per year. Water for irrigation is sourced from an existing on-site well, as well as a surface water diversion. Water is stored in seven tanks totaling 27,700 gallons. Processing, including drying and trimming would occur on-site in an existing barn. Number of individuals required for operations is unknown. Electricity is sourced from generator power.			
Cannabis Program Enrollment			
North Coast Regional Water Quality Control Board Order No. R1-2015-0023 Enrolled? <input checked="" type="checkbox"/> Yes, <input type="checkbox"/> No Enrollment Tier <input type="checkbox"/> Tier 1, <input checked="" type="checkbox"/> Tier 2, <input type="checkbox"/> Tier 2*, <input type="checkbox"/> Tier 3		State Water Board Cannabis Program Order No. WQ-2017-0023-DWQ Enrolled? <input type="checkbox"/> Yes, <input type="checkbox"/> No, <input type="checkbox"/> Exempt (Personal Use), <input type="checkbox"/> Conditionally Exempt Enrollment Tier	

	<input type="checkbox"/> Tier 1, <input type="checkbox"/> Tier 2 Risk Level <input type="checkbox"/> Low, <input type="checkbox"/> Medium, <input type="checkbox"/> High
Tribal Authorization, for cultivation within 600 feet of tribal lands (PRC section 21073)	
<input type="checkbox"/> Authorized <input type="checkbox"/> Request for authorization denied by Tribe <input type="checkbox"/> Authorization required <input checked="" type="checkbox"/> Not applicable (Cultivation not within 600 feet of tribal lands)	
CEQA Document Review and Project Proposal Comments	
<input checked="" type="checkbox"/> No Comment at this time <input type="checkbox"/> Recommend Conditions be Applied to the Project (See requirements below) <input type="checkbox"/> Recommend Environmental Impact Report <input type="checkbox"/> Additional Information Requested or Potential Permits Required (see comments below)	
Regional Water Board Authority	
<p>The North Coast Regional Water Quality Control Board (Regional Water Board) implements the Porter Cologne Water Quality Control Act and Federal Clean Water Act, and is a responsible agency for this project, with jurisdiction over the quality of ground and surface waters (including wetlands) otherwise known as Waters of the State and United States and the protection of the beneficial uses associated with those waters. We regulate the discharge of waste to land and waters of the state as well as implement the federal Clean Water Act in California.</p> <p>The Regional Water Board's Water Quality Control Plan for the North Coast Basin (Basin Plan) and the California Water Code define waters of the state as follows: "Waters of the state' refers to any surface water or groundwater, including saline waters, within the boundaries of the state (Water Code §13050 (e))." This definition is broader than that of "waters of the United States" and consequently should always be acknowledged and considered when determining impacts upon water resources.</p> <p>Any adverse impacts to, or loss of, natural or constructed wetlands and their beneficial uses due to development and construction activities must be fully permitted and mitigated.</p> <p>Any impacts to waters of the State should first be adequately evaluated to determine if the impacts can be avoided or minimized. Project proponents are required to first avoid and second to minimize impacts to waters of the State, such efforts must be fully exhausted prior to deciding to mitigate for their loss. If a project's impacts to waters of the State are deemed unavoidable, then compensatory mitigation (for acreage, function and value) will be necessary for any unavoidable impacts. Our staff may require greater than 1:1 mitigation ratio as a condition of approval for this project.</p> <p><u>Antidegradation Policy</u></p> <p>The federal antidegradation policy requires that state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law.</p>	

Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. Therefore, projects are not authorized to discharge increased concentrations of pollutants, increased volumes of treated wastewater, or adversely modify an ecosystem that may result in degradation of high quality waters.

Please consider the following water quality concerns identified below when adding conditions of approval to a project or conducting a CEQA analysis of potential impacts.

Watershed	Section 303 d Listings
<p>Trinity River, Lower Trinity River, Willow Creek Cal Water (version 2.2) – Willow Creek, Campbell Ridge, Brimer Creek 1106.120201 HUC 12 – Horse Linto Creek-Trinity River, Campbell Creek-Trinity River 180102111206</p>	
Section 303 d Listings	
<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Sediment <input checked="" type="checkbox"/> Siltation <input type="checkbox"/> Nutrients <input type="checkbox"/> Temperature <input type="checkbox"/> Aluminum <input type="checkbox"/> Oxygen, Dissolved <input type="checkbox"/> Mercury <input type="checkbox"/> Indicator Bacteria <input type="checkbox"/> PCBs <input type="checkbox"/> Microcystin <input type="checkbox"/> Phosphorous <input type="checkbox"/> pH (High) <input type="checkbox"/> Turbidity <input type="checkbox"/> Manganese <input type="checkbox"/> Specific Conductivity <input type="checkbox"/> Organic Enrichment/Low Dissolved Oxygen <input type="checkbox"/> Diazinon <input type="checkbox"/> Dioxins Toxic Equivalents <input type="checkbox"/> Biostimulatory Conditions 	
TMDL Projects	
<ul style="list-style-type: none"> <input type="checkbox"/> NONE <input type="checkbox"/> Total Maximum Daily Load Implementation Policy for Sediment Impaired Receiving Waters <input type="checkbox"/> Albion River <input type="checkbox"/> Big River <input type="checkbox"/> Eel River, North Fork <input type="checkbox"/> Eel River, Upper Main <input type="checkbox"/> Eel River, Middle Main 	

<input type="checkbox"/> Eel River, Middle Fork <input type="checkbox"/> Eel River, Lower Main <input type="checkbox"/> Eel River, South Fork <input type="checkbox"/> Elk River <input type="checkbox"/> Freshwater Creek <input type="checkbox"/> Garcia River <input type="checkbox"/> Gualala River <input type="checkbox"/> Klamath River <input type="checkbox"/> Laguna De Santa Rosa <input type="checkbox"/> Lost River, Upper <input type="checkbox"/> Lost River, Lower <input type="checkbox"/> Mad River <input type="checkbox"/> Mattole River <input type="checkbox"/> Navarro River <input type="checkbox"/> Noyo River <input type="checkbox"/> Redwood Creek <input type="checkbox"/> Russian River <input type="checkbox"/> Salmon River <input type="checkbox"/> Scott River <input type="checkbox"/> Shasta River <input type="checkbox"/> Stemple Creek <input type="checkbox"/> Ten Mile River <input checked="" type="checkbox"/> Trinity River <input type="checkbox"/> Trinity River, South Fork <input type="checkbox"/> Van Duzen River	
Beneficial Uses	
<input checked="" type="checkbox"/> MUN--Municipal and Domestic Supply <input checked="" type="checkbox"/> AGR--Agricultural Supply <input checked="" type="checkbox"/> IND--Industrial Service Supply <input checked="" type="checkbox"/> PRO--Industrial Process Supply <input checked="" type="checkbox"/> GWR--Groundwater Recharge <input checked="" type="checkbox"/> FRSH--Freshwater Replenishment <input checked="" type="checkbox"/> NAV--Navigation <input checked="" type="checkbox"/> POW--Hydropower Generation <input checked="" type="checkbox"/> REC-1--Water Contact Recreation <input checked="" type="checkbox"/> REC-2--Non-Contact Water Recreation <input checked="" type="checkbox"/> COMM-- Commercial and Sport Fishing <input type="checkbox"/> WARM--Warm Freshwater Habitat <input checked="" type="checkbox"/> COLD--Cold Freshwater Habitat <input type="checkbox"/> ASBS--Preservation of Areas of Special Biological Significance <input type="checkbox"/> SAL--Inland Saline Water Habitat	<input checked="" type="checkbox"/> WILD--Wildlife Habitat <input checked="" type="checkbox"/> RARE--Rare, Threatened, or Endangered Species <input type="checkbox"/> MAR--Marine Habitat <input checked="" type="checkbox"/> MIGR--Migration of Aquatic Organisms <input checked="" type="checkbox"/> SPWN--Spawning, Reproduction, and/or Early Development <input checked="" type="checkbox"/> SHELL--Shellfish Harvesting <input type="checkbox"/> EST--Estuarine Habitat <input checked="" type="checkbox"/> AQUA--Aquaculture <input type="checkbox"/> CUL--Native American Culture <input type="checkbox"/> FLD--Flood Peak Attenuation/ Flood Water Storage <input type="checkbox"/> WET--Wetland Habitat <input type="checkbox"/> WQE--Water Quality Enhancement <input type="checkbox"/> FISH--Subsistence Fishing

Threatened and Endangered Species	
<input type="checkbox"/> Tidewater Goby <input type="checkbox"/> Lost River Sucker <input type="checkbox"/> Modoc Sucker <input type="checkbox"/> Bull Trout <input type="checkbox"/> Eulachon <input type="checkbox"/> Longfin Smelt <input checked="" type="checkbox"/> Green Sturgeon <input checked="" type="checkbox"/> Chinook Salmon California Coastal ESU <input type="checkbox"/> Coho Salmon Central California Coast ESU <input checked="" type="checkbox"/> Coho Salmon Southern Oregon Northern California Coastal ESU <input checked="" type="checkbox"/> Steelhead Trout Northern California Distinct Population Segment (DPS) <input type="checkbox"/> Steelhead Trout Central California Coast DPS <input type="checkbox"/> California Tiger Salamander <input type="checkbox"/> California Red Legged Frog <input type="checkbox"/> Scott Bar Salamander <input type="checkbox"/> Shasta Salamander <input type="checkbox"/> Siskiyou Mountains Salamander <input type="checkbox"/> Southern Torrent Salamander <input type="checkbox"/> Point Arena Mountain Beaver <input type="checkbox"/> Freshwater Shrimp <p>This is not a comprehensive account of listed species, please refer to the CA Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and NOAA-National Marine Fisheries Service for a complete list.</p>	
Documentation Required to Assess Project Compliance with the Water Code	
<input type="checkbox"/> Project designs/Maps/Diagrams inclusive of existing on-site roads, access roads and easements <input type="checkbox"/> Low Impact Development Strategy <input type="checkbox"/> Waste Characterization/Disposal Strategy <input type="checkbox"/> Riparian/Stream/Wetland Avoidance Strategy <input type="checkbox"/> Water Rights Documentation <input type="checkbox"/> Proof of Enrollment in State Water Resources Control Board Cannabis Regulatory Program <input type="checkbox"/> Water Resource Protection Plan <input type="checkbox"/> Cleanup and Restoration Plan <input type="checkbox"/> Evidence of Consultation with Army Corps of Engineers <input type="checkbox"/> Evidence of Consultation with Dept. of Fish and Wildlife <input type="checkbox"/> Cumulative Impact Assessment for Project Sub Watershed <input type="checkbox"/> Other, described as follows:	

Permits and Mitigations Likely Required for Project Compliance

- ☐ Federal Clean Water Act section 401 State Water Quality Certification
https://www.waterboards.ca.gov/water_issues/programs/cwa401/
- ☐ Cannabis Regulatory Program Enrollment
https://www.waterboards.ca.gov/water_issues/programs/cannabis/
- ☐ Waste Discharge Requirements / Water Quality Certification for Instream Work
https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/190125/180731_031616_401_R1-2015-0023-Application.pdf
- ☐ Construction Storm Water General Permit (for disturbed area greater than one acre)
https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html
- ☐ Industrial Storm Water Permit
https://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.html
- ☐ National Pollutant Discharge Elimination System Permit (NPDES)
Describe NPDES permit required:

Additional Comments or Recommendations

In the event the project proponent or lead agency has already addressed requested information please provide the information identified above or develop such information to demonstrate compliance with the Water Code. In the event that the project applicant determines the requested information is not necessary, please provide justification to support the project's compliance with the Water Code.

If future instream work (affecting waters of the state) is proposed Water Quality Certification will be needed.

Discharger will need to transition into State Cannabis Order (WQ 2017-0023-DWQ) by July 1, 2019. Once under the State Order additional activities needed may include winterization measures, review State Order requirements and conditions. SIUR may be needed.

Signature Block

Amanda Piscitelli

Date: 2/13/19



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



1/30/2019

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, US Forest Service, RWQCB, NCUAQMD, **Klamath - Trinity JUSD:School District**, Cal Fish & Wildlife, CalFire, Hoopa Valley Tribe, NWIC, Tsnungwe Council, SWRCB - Division of Water Rights:Other

Applicant Name BB Ranch, LLC **Key Parcel Number** 522-073-002-000

Application (APPS#) PLN-12584-CUP Historic Planning **Assigned Planner** Caitlin Castellano

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: 2/14/2019

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

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

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

Other Comments: _____

DATE: 2-4-19

PRINT NAME: Missie Ammon

ATTACHMENT 6

Bullfrog Monitoring & Management Plan

EXHIBIT A.

BULLFROG MONITORING AND MANAGEMENT PLAN FOR CEQA-2017-0055-R1

GENERAL BULLFROG INFORMATION

The American bullfrog (*Lithobates catesbeianus* = *Rana catesbeiana*); hereafter bullfrog, is an invasive non-native species in California and poses a significant threat to California's native fish and wildlife resources. Bullfrogs were introduced in California over 100 years ago from eastern parts of the United States as a food supply, but have since caused substantial ecological consequences. Bullfrogs are considered highly invasive and are well documented to be prey upon a variety of fish and wildlife species, including some that are rare, threatened, and endangered. Human modifications to the environment provide favorable condition to bullfrogs such as artificially created agricultural ponds, canals and ditches where warm still water occurs. As a result bullfrogs have spread throughout California.

Efforts to control bullfrogs have been met with varying degrees of success because: 1) bullfrogs can be difficult to detect and go dormant from fall through winter, 2) bullfrogs often take cover in difficult areas to manage (e.g. dense vegetation), 3) they can travel long distances to colonize and re-colonize areas, 4) they have high reproductive output, 5) they are weary and readily flee perceived threats, and 6) they can survive physical trauma remarkably well. CDFW scientific staff recognizes there is an urgent and immediate need to develop improved bullfrog management strategies to protect California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. Public support and implementation of bullfrog control in California is an important conservation strategy that will help protect natural resources for future generations.

MONITORING

The Project reservoir(s) shall be monitored for bullfrog presence on an annual basis with a minimum of five total surveys, no less than two weeks apart, throughout the months of May-July

- All pond survey effort must be made by a person knowledgeable in bullfrog identification (see Appendix A for reference photos);
- Survey efforts shall include listening for bullfrog calls and slowly walking the complete perimeter of the pond at night* (dusk or later) while shining a flashlight to detect movement and eye-shine

If bullfrogs are not detected upon completion of five total surveys, or at any other time of the year incidentally, removal efforts are not required that year.

*Day time monitoring can also be conducted to aid detection but is not required under this plan.

SUCCESS CRITERIA

The level of effort needed to successfully manage bullfrog populations varies with infestation levels. This plan shall be considered successfully implemented if sufficient effort is provided to prevent adult bullfrogs from reproducing in the reservoir(s) each year, and no bullfrog life-stages can be detected. Bullfrogs are capable of traveling long distances over-land, and on-going

efforts will be required to ensure dispersing bullfrogs do not colonize the reservoir(s) at a future time.

MANAGEMENT METHODS

Two removal methods may be employed for controlling bullfrogs under this plan and include:

- Manual direct removal
- Reservoir de-watering (Hydro-modification)

Implementing both reservoir de-watering and manual direct removal is currently believed to be the most effective method of managing bullfrog infestations. Prior to conducting reservoir dewatering activities, please coordinate with CDFW Environmental Scientist Kalyn Bocast by email at kalyn.bocast@wildlife.ca.gov.

Direct Removal

All direct removal efforts must be made by a person knowledgeable in bullfrog identification.

- Removal efforts must occur during, but are not be limited to the active/breeding season, occurring May – July;
- A minimum of **two** efforts throughout the season are considered necessary;
- Direct removal efforts are typically most effective when conducted at night with use of lights but can also be conducted during the day;
- Direct removal must include working the entire perimeter of the reservoir;
- A rubber raft or small boat may be necessary to successfully remove some individuals;
- A team of two individuals or more is often helpful, one person for shining lights and/or operating a boat and the other person to perform removal efforts;
- Bullfrog tadpoles must be removed and dispatched and must not be relocated or kept as pets.

Management Authorization

Take of bullfrogs is specifically allowed in the California Code of Regulations (CCR), Title 14 (T-14) section 5.05(a)(28), under the authority of a sport fishing license. There is no daily bag limit, possession limit or hour restriction, but bullfrogs can only be taken by hand, hand-held dip net, hook and line, lights, spears, gigs, grabs, paddles, bow and arrow or fish tackle.

Alternatively, FGC Section 5501 allows CDFW, as limited by the commission, to issue a permit to destroy fish that are harmful to other wildlife. The regulations have addressed this under Section CCR T-14 226.5 Issuance of Permits to Destroy Harmful Species of Fish in Private Waters for Management Purposes. This allows the CDFW to issue free permits to destroy harmful aquatic species by seining and draining.

Pond Dewatering

In order to prevent and/or control infestations, annual pond dewatering may be appropriate, under the condition that the reservoir can be successfully dewatered without adversely affecting

stream resources. Careful planning and coordination with CDFW, is necessary to ensure potential impacts to stream resources can be addressed, prior to commencing with pond draining. Discharge of polluted water to waters of the state may require permitting from other agencies with permitting authority, such as the Regional Water Quality Control Board.

In general, bullfrog tadpoles require two years to develop into frogs, whereas native amphibians only require one year. Therefore, draining a reservoir every year is intended to interrupt bullfrog tadpole development, dramatically decrease bullfrog populations and allow for reduced efforts as a measure of adaptive management. Typically in Northern California, reservoir draining should occur in September through October to avoid impacts to sensitive native amphibian and fishery resources. While draining occurs, direct removal efforts should be employed as described above if possible.

REPORTING

A written log shall be kept of monitoring and management efforts and shall be provided to CDFW **each year** by December 31. The written log shall include: 1) date and time of each monitoring and management effort, 2) approximate number of each bullfrog life stage detected and/or removed per effort, and 3) amount of time spent for each monitoring and management effort.

APPENDIX A. BULLFROG REFERENCE PHOTOS



This is a photo of a Bullfrog tadpole. (Photo taken by Mike van Hatten).



The photos shown in this Appendix demonstrate a medium sized adult bullfrog that was removed from Ten Mile Creek, Mendocino County. Note the bullfrog has a large tympanum, (circular ear drum shown with an arrow) and **does not** have distinct ridges along its back (dorsolateral folds). Photo taken by Wes Stokes.



The bullfrog has somewhat distinct mottling and the underside of the bullfrogs hind legs are not shaded pink or red.