



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

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

Hearing Date: February 18, 2021

To: Humboldt County Zoning Administrator

From: David J. R. Mack, AICP, Senior Planner

Subject: **Rabbit Ridge Ranch, LLC Special Permit**  
Record Number PLN-13081-SP  
Assessor's Parcel Numbers (APN) 107-232-008  
2020 Panther Gap Road, Honeydew area

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

## AGENDA ITEM TRANSMITTAL

| Hearing Date      | Subject        | Contact                |
|-------------------|----------------|------------------------|
| February 18, 2021 | Special Permit | David J. R. Mack, AICP |

**Project Description:** Rabbit Ridge Ranch, LLC, seeks a Special Permit (PLN-13081-SP) to permit a maximum of 10,000 square feet (SF) of cannabis cultivation. The existing cultivation area is 9,537 SF, comprised of a 2,835-SF outdoor cultivation area that occurs in two beds, and a 6,702-SF mixed light cultivation area that occurs in three greenhouses.

Irrigation water is sourced from an onsite groundwater well (permit No. 16/17-0710). Water storage consists of thirteen (13) high-density polyethylene (HDPE) storage tanks that hold a total of 21,000 gallons of water onsite. There are five (5) 300-gallon tanks, two (2) 600-gallon tanks, two (2) 1,200-gallon tanks, two (2) 3,000-gallon tanks, and two (2) 5,000-gallon tanks. Estimated annual water use is 170,000 gallons (17 gal/SF). The revised site plan (dated November 2020) shows a proposed rainwater catchment pond in the southwest corner of the property that has not been developed.

Drying and post-cultivation processing would occur onsite in two harvest storage units (360 SF and 160 SF). There would be an average of three (3) employees during peak harvest. Electricity is provided primarily through solar power, with PG&E providing electricity to the residence and shed.

**Project Location:** The project is located at 2020 Panther Gap Road, (APN: 107-232-008), in the unincorporated community of Honeydew in southern Humboldt County.

**Present Plan Land Use Designations:** Agriculture Exclusive (AE) and Timberland Production Zone (TPZ) Density: 40 - 160 acres per dwelling unit; Slope Stability: Moderate Instability.

**Present Zoning:** Unclassified (U)

**Record Number:** PLN-13081-SP

**Assessor's Parcel Number:** 107-232-008

**Applicant**

Rabbit Ridge Ranch, LLC  
Richard McLennan  
125 Presont Drive  
Cloverdale, CA 95425

**Owner**

Richard McLennan  
125 Presont Drive  
Cloverdale, CA 95425

**Agents**

Green Road Consulting  
Kaylie Saxon  
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:** No major issues/concerns were identified for this project.

**Rabbit Ridge Ranch**  
Record Number: PLN-13081-SP  
Assessor's Parcel Number: 107-232-008

**Recommended Commission Action**

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

*Adopt the Resolution to:*

*Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO), as described by Section §15164 of the State CEQA Guidelines; make the required findings for approval of the Special Permit; and approve the Rabbit Ridge Ranch, LLC Special Permit as recommended by staff subject to the recommended conditions.*

**Executive Summary:** Rabbit Ridge Ranch, LLC, seeks a Special permit (PLN-13081-SP) to permit a maximum of 10,000 square foot (SF) of cannabis cultivation. The existing cultivation area is 9,537 SF, comprised of 2,835 SF of outdoor cultivation and 6,702 SF of mixed light cultivation. Outdoor cultivation is comprised of two shaded beds (1,085 SF and 1,750 SF). The mixed light cultivation occurs in three greenhouses: Greenhouse 1 (1,856 SF), Greenhouse 2 (1,180 SF) and Greenhouse 3 (3,666 SF). Propagation occurs onsite in a storage container (360 SF) and a hoop house (1,150 SF).

The medical cannabis permit application is in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO), Zoning Clearance Certificate for Interim Permit (IP), and the Cultivation Area Verification (CAV) developed for the site. The site is zoned as Agricultural Exclusive (AE) and Timber Production Zone (TPZ) as defined in the Humboldt County 2017 General Plan Update.

The parcel, APN 107-232-008, measures approximately 85 acres in size. The property is at an elevation of approximately 2,400 feet and includes Class I and Class II watercourses that are tributaries of Dry Creek. Existing development on the site includes agricultural storage and a residence, which is occupied year round by the property owner and family. Drying and post-cultivation processing would occur onsite in two harvest storage units (360 SF and 160 SF). There would be an average of three (3) employees during peak harvest. Electricity is provided primarily by through solar power, with PG&E providing electricity to the residence and shed.

**Water Resources**

Irrigation water is sourced from an onsite groundwater well (permit No. 16/17-0710). The well extends 370 feet below surface and shows a static water level occurring at 270 feet, with an estimated yield of 2 gallons per minute (LSAA Agreement Supplemental Document). Water storage consists of thirteen (13) HDPE tanks that hold a total of 21,100 gallons of water onsite. There are five (5) 300-gallon tanks, two (2) 600-gallon tanks, two (2) 1,200-gallon tanks, two (2) 3,000-gallon tanks, and two (2) 5,000-gallon tanks. Annual water use is estimated at 170,000 gallons (17 gal/SF), with peak demand occurring from May through September that would use up to 900 gallons per day. The remainder of the year, there would be approximately 300 gallons of water used per day. The revised site plan (dated November 2020) shows a proposed rainwater catchment pond in the southwest corner of the property that has not been developed.

In order to protect the water resources of the project area, annual site inspection, monitoring, and reporting of Tier 2 discharges will be conducted and submitted to the North Coast Regional Water Quality Control Board (NCRWQC) by March 31 of each year (**Condition 11**). Waterways within the project area include a Class II and Class III watercourse; however, cultivation activities do not occur within the streamside management areas of these waterways. The applicant has applied for a Lake and Streambed Alteration Agreement (LSAA) to request a site assessment by the California Department of

Fish and Wildlife (CDFW). There are no projects proposed with the LSAA, and all cultivation areas are located outside of stream management areas or associated setbacks.

Based on the permitted well that will be used as the cannabis cultivation water source, the applicant does not need a SIUR (registration ID H506238 notice from the State Water Board), but will be required to comply with all requirements set forth in the Cannabis Cultivation Policy General Order.

### **Biological Resources**

A list of potential special species that could occur in the project area was generated in January 2021, using the following information systems: California Natural Diversity Database (CDFW 2019), Biogeographic Information and Observation system (BIOS), Norther Spotted Owl Viewer (CDFW 2019), and the U.S. Fish and Wildlife Service (USFWS Information for Planning and Consultation (IPaC)). There are no known biological resources occurring within the project area. There was an additional CNDDDB and CNPS search conducted by Jacobszoon & Associates, which identified species occurrences within a 5 mile radius of the project area, as shown below, none of which are close enough (at least 1.5 miles away) to be affected by project activities. Project activities are not expected to produce any adverse or cumulative effects to any special-species or habitat, due to the small size of the project area combined with the type of proposed activities. Therefore, impacts to biological resources are considered low and unlikely.

### **Tribal Cultural Resource Coordination**

A NWIC search was conducted and no results were returned; therefore an Arch report was not required for this project. NWIC recommended contacting local Native American Tribes to ensure project activities are outside of Tribal Territories. The Bear River Band was contacted and responded that the Inadvertent Discovery Protocol shall be implemented in the case of any accidental discovery of historical artifacts or human remains has been applied to the projects, which is standard practice for any archaeological resources encountered (**Condition 16**).

### **Timber Conversion Evaluation**

A Three-Acre Conversion Mitigation Plan was prepared by Stephan Hohman (RPF No. 2652), Hohman & Associates Forestry Consultants. Based on a field inspection of the current cultivation site and 1984 aerial photos, it was determined that the site was predominately grassland historically. A Timber Harvest Plan was prepared in 2015 (THP# 1-15-035), which authorized harvesting approximately 30 acres within the property. However, the property contains approximately 0.2 acres of timber conversion, which is below the 3-acre maximum Conversion Exemption allowed under CMMLUO. All conversion occurred prior to January 1, 2016, the established CEQA baseline for CMMLUO. Therefore, it can be assumed that all conversion was considered and mitigated identified in the environmental document prepared for CMMLUO.

### **Access**

The site is located off of Panther Gap Road, east of the Honeydew community in southern Humboldt County. The Humboldt County Department of Public Works (DPW) reviewed the project and determined that the entire road segment is developed to the equivalent of a road category 4 standard, and thus is adequate for the proposed use without further review. Nonetheless, DPW recommended standard conditions pertaining to fences and encroachments (**Condition 13**), county roads – driveway part 2 (**Condition 14**), and private road intersection visibility (**Condition 15**). In addition to the referral given by DPW, the Bureau of Land Management sent the applicant a letter requesting documentation of *'legal access that shows the use is not a trespass upon BLM lands'*, for a driveway used for accessing property from Panther Gap Road that crosses BLM lands. The letter states that the Humboldt County Ordinance requires a 600 foot setback for publicly owned lands managed for wildlife habitat purposes, in particular the Northern Spotted Owl (NSO) critical habitat and a historic NSO activity center, and that the driveway does not comply with these setback requirements. To bring the project into compliance, the applicant shall have their parcel surveyed by a professional land surveyor to ensure that no cultivation activities either trespass, cause resource damage to federal lands, or adversely impact NSO critical habitat in any way (**Condition 12**).

**CEQA**

Environmental review for this project was conducted through the analysis of all available documentation provided by the applicant. Based on the results of that analysis, staff finds that all aspects of the project have been considered in the Mitigated Negative Declaration (MND) that was adopted for the CMMLUO, and thus has prepared an addendum to the MND for consideration by the Zoning Administrator (**Attachment 2**).

**RECOMMENDATION:**

Staff recommends that the Zoning Administrator describe the application as a part of the consent agenda; survey the audience to see if any person would like to discuss the application; if no one requests discussion, make all the required findings based on the evidence in the record; and approve the application subject to the recommended conditions.

**Alternatives:** Several alternatives may be considered: 1) The Zoning Administrator could elect not to hear this item and put the decision making in front of the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Zoning Administrator could elect to add or delete conditions of approval; 3) The Zoning Administrator could deny approval of the requested permits if you are unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

**RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 20-**

**Record Number PLN-13081-SP**

**Assessor's Parcel Numbers: 107-232-008**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Rabbit Ridge Ranch, LLC, Special permit (13081).**

**WHEREAS, Rabbit Ridge Ranch, LLC,** submitted an application and evidence in support of approving a Special Permit for a maximum of 10,000 square feet (SF) of outdoor cannabis cultivation. The existing cultivation area is 9,537 SF, comprised of a 2,835 SF outdoor cultivation area that occurs in two beds, and a 6,702 SF mixed light cultivation area that occurs in three greenhouses.

**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 MND. No new information of substantial importance that was not known and could not be known at the time was presented, as described by §15162(c) of CEQA Guidelines; and

**WHEREAS,** the Humboldt County Zoning Administrator held a duly-noticed public hearing on **February 18, 2021**; reviewed, considered, and discussed the application for a Special Permit; and reviewed and considered all evidence and testimony presented at the hearing.

**Now, THEREFORE BE IT RESOLVED,** that the Zoning Administrator makes all the following findings:

- 1. FINDING:**                   **Project Description:** The application is for a Special Permit for a maximum of 10,000 square feet (SF) of cannabis cultivation. The existing cultivation area is 9,537 SF, comprised of a 2,835 SF outdoor cultivation area that occurs in two beds, and a 6,702 SF of mixed light cultivation area that occurs in three greenhouses.

**EVIDENCE:**           a) Project File: PLN-13081-SP
- 2. FINDING:**                   **CEQA.** The requirements of the California Environmental Quality Act (CEQA) have been met. The Humboldt County Zoning Administrator has considered the Addendum to and the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO), adopted by the Humboldt County Board of Supervisors on January 26, 2016.

**EVIDENCE:**           a) Addendum Prepared for the proposed project.  
b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could

not be known at the time was presented as described by §15162(c) of CEQA Guidelines.

- c) A biological resources report was not prepared for this project. However, a review was conducted by Harris & Associates in January 2021 of the following databases: California Natural Diversity Data Base (CNDDDB) California Natural Diversity Database (CDFW 2019), Biogeographic Information and Observation system (BIOS), Northern Spotted Owl Viewer (CDFW 2019), and the U.S. Fish and Wildlife Service (USFWS Information for Planning and Consultation (IPaC)). There were no species identified of special concern or sensitive status. However, according to a letter from the Bureau of Land Management (BLM), the driveway to access the project area is less than 600 feet from a Northern Spotted Owl (NSO) critical habitat and a historic NSO activity center. The applicant is conditioned to have their parcel surveyed in order to ensure that no cultivation activities trespass or cause resource damage to federal lands or impact NSO habitat in any way (**Condition 12**). Cannabis cultivation activities have been occurring on the subject property prior to the January 1, 2016, established CEQA baseline for CMMLUO. Therefore, it can be assumed that potential impacts to biological resources and required mitigation were identified in the environmental document prepared for CMMLUO 1.0.

Furthermore, the project is conditioned to adhere to Dark Sky Standards for greenhouse lighting and security lighting, refrain from using synthetic netting, ensure refuse is contained in wildlife-proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance, and would not negatively impact NSO or other sensitive species.

- d) A Less Than Three-Acre Timberland Conversion Plan was prepared by Hohman & Associates Forestry Consultants (Stephen Hohman, RPF No. 2652). A Timber Harvest Plan was prepared in 2015 (THP# 1-15-035), which authorized harvesting approximately 30 acres within the property. However, the property contains approximately 0.2 acres of timber conversion, which is below the 3-acre maximum Conversion Exemption allowed under CMMLUO. All timber conversion on the property occurred prior to January 1, 2016, the established CEQA baseline for CMMLUO. Therefore, it can be assumed that potential impacts of conversion were considered, and mitigation measures were identified in the environmental document prepared for CMMLUO.
- e) A cultural resources database search was requested of the Northwest Information Center (NWIC), and no results were returned. Therefore, a Cultural Resource Investigation was not performed for this project. The Bear River Band was contacted and responded that in order to protect unknown cultural resources, the Inadvertent Discoveries Protocol should be incorporated utilized, which has been set forth into the Conditions of Approval (**Condition 16**).
- f) Per the review referral from Humboldt County Department of Public Works (DPW), the entire road segment is developed to the equivalent

of a road category 4 standard, and thus is adequate for the proposed use without further review. DPW recommends standard conditions pertaining to fences and encroachments (**Condition 13**), driveways (**Condition 14**) and private road intersections (**Condition 15**).

### **FINDINGS FOR SPECIAL PERMIT**

- 3. FINDING** The proposed development is in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program.
- EVIDENCE**
- a) General agriculture is a use type permitted in the Residential Agriculture (RA) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.
- 4. FINDING** The proposed development is consistent with the purposes of the existing Agricultural Exclusive (AE) and Timber Production Zone (TPZ) in which the site is located.
- EVIDENCE**
- a) Agricultural Exclusive (AE) is intended to be applied to areas of the County where general agriculture residential uses are the desirable predominant uses. All general agricultural uses are principally permitted in the AE designation.
  - b) Timber Production Zones are intended to be applied to areas of the County in which timber production is the desirable predominant uses. All General agricultural uses are principally permitted in the (TPZ) zone.
  - c) Humboldt County Code (HCC) section 314-55.4.8.2.2 allows up to 10,000 SF of existing outdoor cannabis cultivation, and allows up to 10,000 SF of existing mixed-light cannabis cultivation on a parcel over 1 acre, subject to approval of a Special Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for a maximum of 10,000 SF of cannabis cultivation operation, consisting of a 2,835-SF outdoor area and 6,702-SF mixed-light area (greenhouses) on an 85 acre parcel is consistent with this and with the cultivation area verification prepared by the County.
- 5. FINDING** The proposed development is consistent with the requirements of the CMMLUO Provisions of the Zoning Ordinance.
- EVIDENCE**
- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned AE and TPZ (HCC 314-55.4.6.5).
  - b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration by deed recorded September 2, 1950, before the establishment of county and state subdivision regulations that would have applied to the creation of the parcel.



- c) Irrigation water is sourced from an onsite groundwater well (permit No. 16/17-0710). Water storage consists of thirteen (13) high-density polyethylene (HDPE) tanks that total 21,100 gallons of water storage onsite. There are five (5) 300-gallon tanks, two (2) 600-gallon tanks, two (2) 1,200-gallon tanks, two (2) 3,000-gallon tanks, and two (2) 5,000-gallon tanks.
- d) Humboldt County Department of Public Works (DPW) reviewed and inspected the access roadways in October of 2019, and concluded that the entire road segment is developed to the equivalent of a road category 4 standard, and thus is adequate for the proposed use without further review.
- e) The slope of the land where cannabis will be cultivated is less than 15%.
- f) A Timber Harvest Plan was prepared in 2015 (THP# 1-15-035), which authorized harvesting approximately 30 acres of timberland within the property. A field inspection of the cultivation area shows no timberland conversion, which is verified by aerial photos from 1984. Potential environmental impacts of timberland conversion were considered, and mitigated was identified in the environmental document prepared for CMMLUO.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any off-site residence, and more than 600 feet from any school, church, public park or Tribal Cultural Resource.

## 6. FINDING

The cultivation of 10,000 SF of cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

### EVIDENCE

- a) The site is located on a road that has been reviewed and cleared by the Department of Public Works to safely accommodate the amount of traffic of the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres, and many of the land holdings are very large. The proposed cannabis cultivation will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site, as well as the other sites which have been approved or are in the application process, will not change the character of the area due to the large parcel sizes in the area.
- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest offsite residence.
- d) The primary water source for irrigation consists of a permitted onsite well, located in the southwest quadrant of the cultivation area. Existing water storage is approximately 21,100 gallons of water storage within thirteen HDPE tanks. Estimated annual water usage is 170,000 gallons (17 gal/SF).
- e) Provisions have been made in the conditions to the applicant's permit to protect water quality and thus runoff to adjacent property, and infiltration of water to groundwater resources will not be

- affected.
- 7. FINDING** The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.
- EVIDENCE** a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element, but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

### **DECISION**

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

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special Permit for Rabbit Ridge Ranch LLC (13081), based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

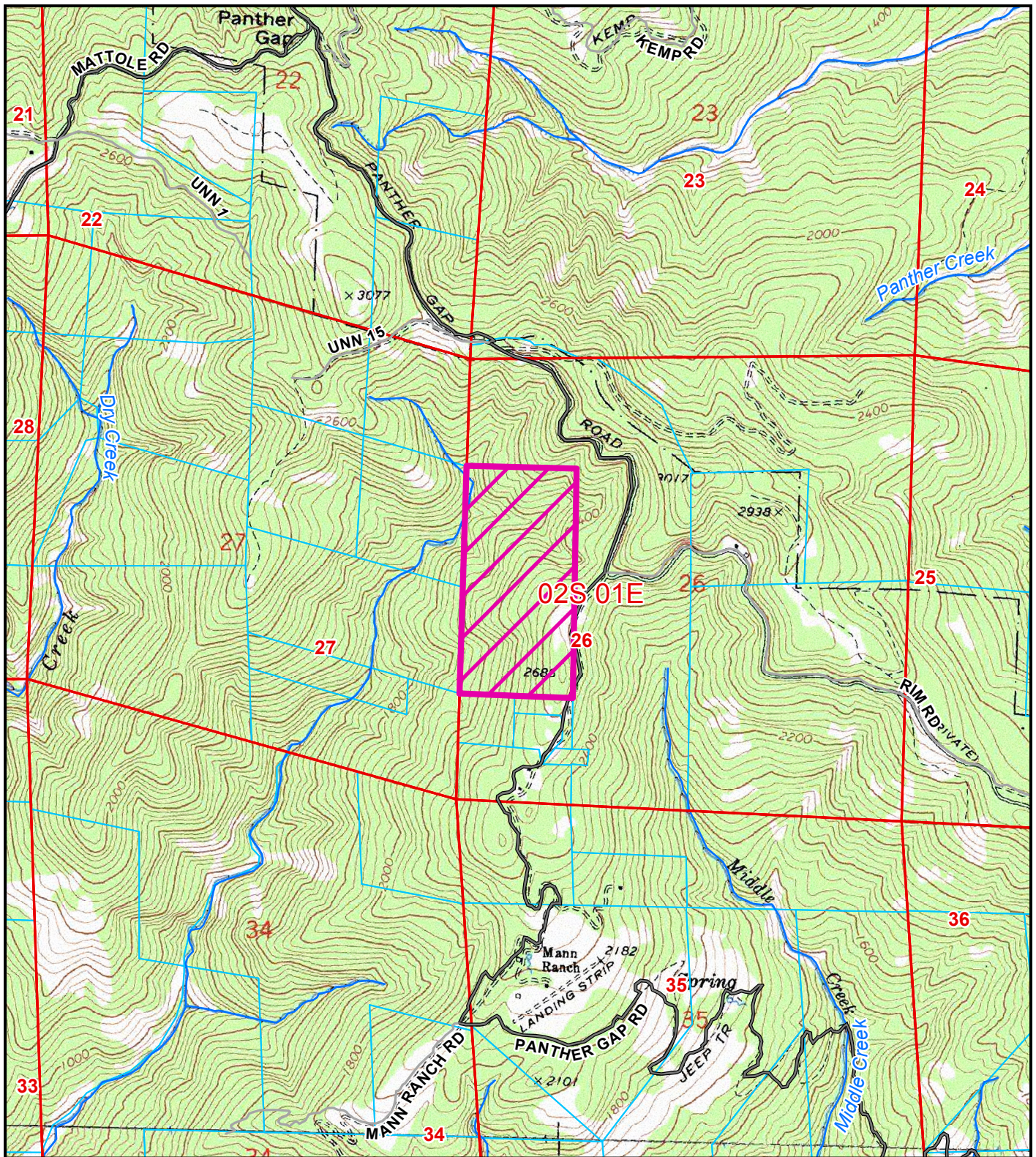
Adopted after review and consideration of all the evidence on **February 18 2021**

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

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John H. Ford, Zoning Administrator  
Planning and Building Department





**TOPO MAP**  
**PROPOSED RABBIT RIDGE RANCH, LLC**  
**HONEYDEW AREA**  
**CUP-16-979**  
**APN: 107-232-008-000**  
**T02S R01E S26 HB&M (BULL CREEK)**

Project Area =

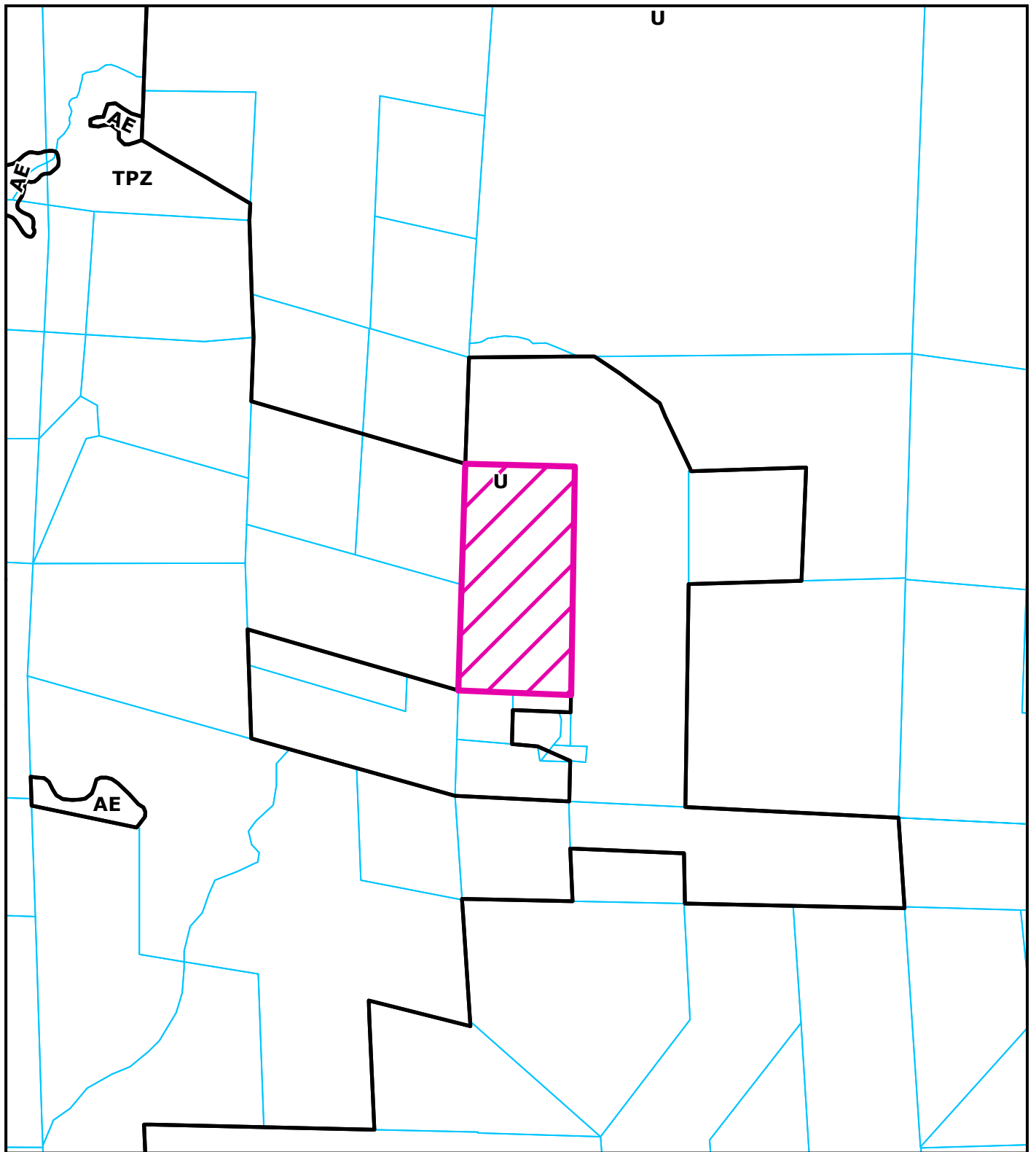


This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

0 1,000 2,000 4,000 Feet







Project Area = 

**ZONING MAP**  
**PROPOSED RABBIT RIDGE RANCH, LLC**  
**HONEYDEW AREA**  
**CUP-16-979**  
**APN: 107-232-008-000**  
**T02S R01E S26 HB&M (BULL CREEK)**

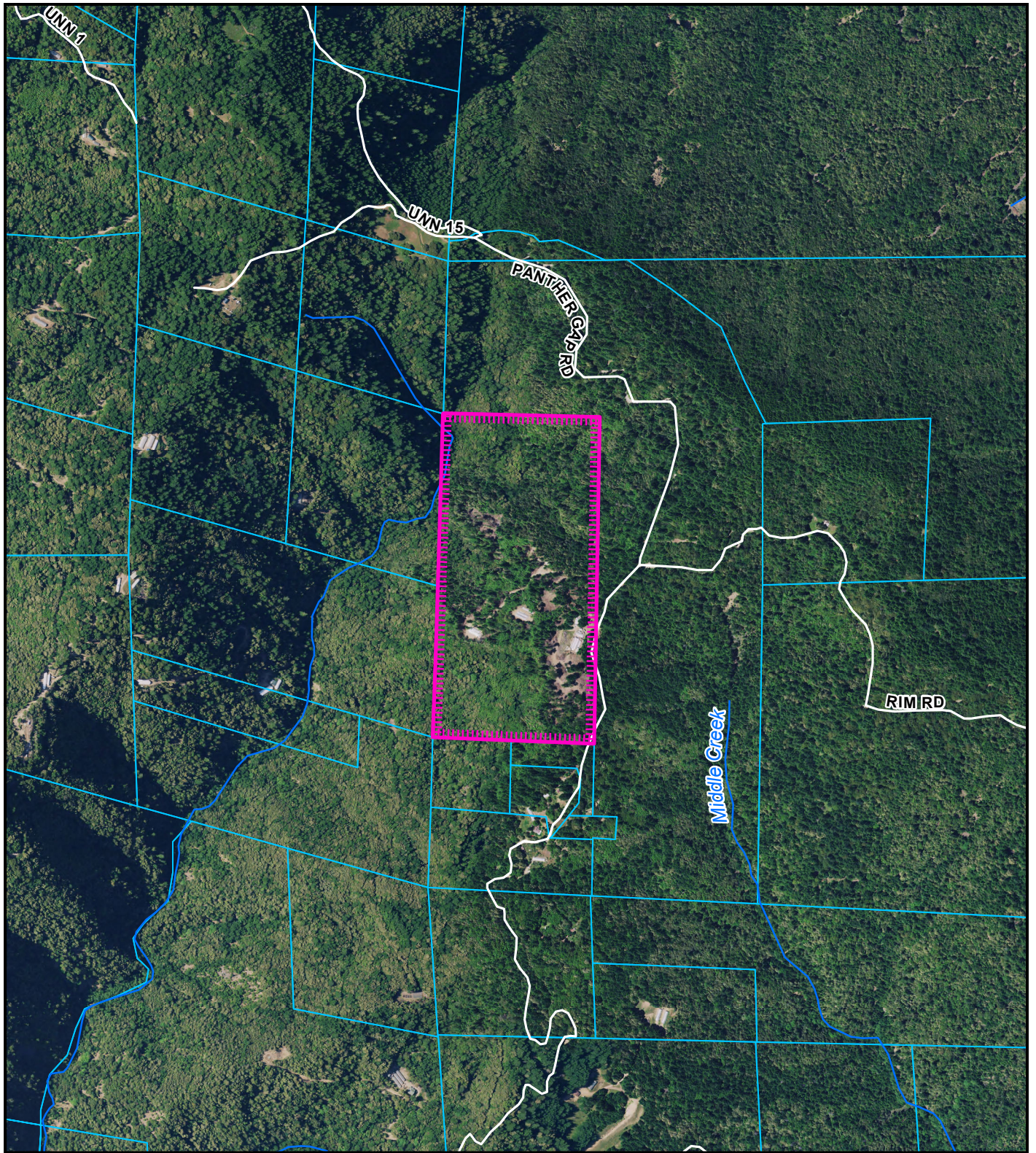


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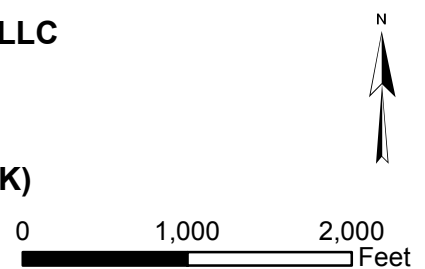




**AERIAL MAP**  
**PROPOSED RABBIT RIDGE RANCH, LLC**  
**HONEYDEW AREA**  
**CUP-16-979**  
**APN: 107-232-008-000**  
**T02S R01E S26 HB&M (BULL CREEK)**

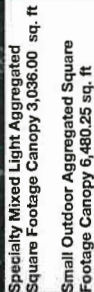
Project Area = 

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13081



## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

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

##### A. General Conditions:

1. The Applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The Applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges, as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated, prior to release of building permit or initiation of use and at the time of annual inspection. A conformance review deposit, as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750), shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, the Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department, detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #17. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The Applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity including, but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons, existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
7. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.
8. The Applicant shall contact the local fire service provider (Honeydew Volunteer Fire Department) and furnish written documentation from that agency of the available emergency response, fire suppression services, and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. If emergency response and fire suppression services

are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees, as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors, will be required.

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 shall execute and file with the Planning Division the statement titled "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County" ("Right to Farm" ordinance), as required by the HCC and available at the Planning Division.
11. The Applicant shall contract a professional hydrologist (or a person of equivalent expertise) to implement annual site inspection, monitoring, and reporting of any Tier 2 discharges to the North Coast Regional Water Quality Control Board (NCRWQC). Reporting shall be submitted to the NCRWQC by March 31<sup>st</sup> of each year, to ensure that all waterways within the project area are in accordance with the water quality measures set forth in the Cannabis Cultivation General Order.
12. The Applicant shall contract a professional land surveyor in order to ensure that the driveway that provides access to the cultivation area is adequately set back from Northern Owl Critical Habitat. This condition is in response to the BLM letter stating that the driveway trespasses without proper legal access onto federally managed BLM land, and must be satisfied within 6 months of the Special Permit being granted.
13. COUNTY ROAD – FENCES & ENCROACHMENTS: All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road, so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations,
14. COUNTY ROADS – DRIVEWAY (PART2): Any existing roads or proposed driveways, that will serve as access for the proposed project and connect to a county maintained road, shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works, prior to commencement of any work in the County maintained right of way. If the County road is an unpaved surface at the location of the driveway, the driveway apron shall be paved for a minimum width of 18-feet and a length of 50-feet.
15. COUNTY ROADS – DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY: All driveways and private road intersections onto the County road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
16. The Applicant shall implement the Inadvertent Discovery Protocol, in the event of the accidental discovery of historical artifacts or human remains. A qualified professional Archaeologist shall be contacted immediately, in order to inspect and clear the site for all further activities.
17. The applicant shall secure permits for all unpermitted grading and structures 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. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. A letter or similar



communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.

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

1. The combination of background, generator and greenhouse fan, or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species, as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1 and B.2, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and/or noise levels have been repaired, inspected, and corrected as necessary.
3. The applicant shall ensure all generators are located on stable surfaces with a minimum 200-foot buffer from all waterways, measured horizontally from the outer edge of the riparian drip zone, per CDFW referral comments received January 4, 2018.
4. The use of synthetic netting is prohibited. To minimize the risk of wildlife entrapment, the applicant shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. The applicant shall contain all refuse in wildlife-proof storage containers at all times, and ensure refuse is disposed at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services, titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
9. All components of 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. If offsite processing is chosen to be the preferred method of processing, the applicant shall be consult with Humboldt County to identify and document the offsite licensed facility.
10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of

issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.

12. The applicant shall possess a current, valid required license or licenses issued by any agency of the State of California, in accordance with the MAUCRSA and regulations promulgated thereunder, as soon as such licenses become available.
13. The applicant shall comply with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
14. The applicant shall confine the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
15. The applicant shall maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. The applicant shall comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
17. The applicant shall comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CalFIRE), if applicable.
18. The applicant shall consent to an annual onsite compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
19. The applicant shall refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
20. The applicant shall pay all applicable application, review for conformance with conditions, and annual inspection fees.
21. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

#### Performance Standards for Cultivation and Processing Operations

24. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
25. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
26. Cultivators engaged in processing shall comply with the following Processing Practices:
  - a. Processing operations must be maintained in a clean and sanitary condition, including all work surfaces and equipment.
  - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
  - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition, as applicable to their job function.
  - d. Employees must wash hands sufficiently when handling cannabis or use gloves.
27. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
  - a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
    - (1) Emergency action response planning as necessary;
    - (2) Employee accident reporting and investigation policies;
    - (3) Fire prevention;
    - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
    - (5) Materials handling policies;
    - (6) Job hazard analyses; and
    - (7) Personal protective equipment policies, including respiratory protection.
  - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list, which includes at a minimum:
    - (1) Operation manager contacts,
    - (2) Emergency responder contacts, and
    - (3) Poison control contacts.
  - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
  - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
28. All cultivators shall comply with the approved processing plan, including:
  - a. Processing practices,
  - b. Location where processing will occur,
  - c. Number of employees, if any,
  - d. Employee Safety Practices,
  - e. Toilet and handwashing facilities,
  - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage,
  - g. Drinking water for employees,
  - h. Plan to minimize impact from increased road use resulting from processing, and

i. On-site housing, if any.

29. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted, and the permittees and the permitted site have been found to comply with all conditions of approval.
30. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing of the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a re-inspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request re-inspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period or final determination of the appeal, if an appeal has been timely filed pursuant to Section 55.4.13.
31. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place, and may require the submittal of additional information to ensure that new standards are met.
32. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation, under any clearance or permit issued, in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.
33. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include:
- Information for the new owner(s) and management, as required in an initial permit application;
  - A written acknowledgment by the new owner in accordance with the initial permit application;
  - The specific date on which the transfer is to occur;
  - Acknowledgement of full responsibility for complying with the existing permit; and
  - Execution of an Affidavit of Non-diversion of Medical Cannabis.
34. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

#### **Informational Notes:**

- Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity, but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of

the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.

2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #A.5 has been executed, and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #29 and 31 of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) shall be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

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

**ATTACHMENT 2**

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

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

**APN 107-232-008; 2020 Panther Gap Road, Honeydew  
County of Humboldt**

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

**January 2021**

## **BACKGROUND**

### **Purpose of Addendum**

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

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

### **Project History**

The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. These regulations were developed in concert with the MND that was adopted for the CMMLUO, in order to implement the mitigation measures of the MND. The MND addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The MND specified that the regulations established in the CMMLUO would mitigate the impacts of existing cannabis operations, by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. Commercial cannabis cultivation in existence as of December 31, 2015, was included in the environmental baseline for the MND. The MND states 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.

### **Modified Project Description**

The modified project involves a Special Permit (PLN-13081-SP) to permit a maximum of 10,000 square feet (SF) of outdoor cannabis cultivation operation. The existing cultivation area is 9,537 SF, comprised of a 2,835 SF outdoor cultivation area and a 6,702 SF mixed light cultivation area (greenhouses).

Propagation occurs onsite in a storage container (360 SF) and a greenhouse (1,150 SF). Drying and post-cultivation processing occur onsite in two harvest storage units (360 SF and 160 SF). There would be an

average of three (3) employees during peak harvest. Power is provided primarily by solar energy and by PG&E providing electricity to the residence and shed.

Irrigation water is sourced from an onsite groundwater well (Permit No. 16/17-0710). Water storage consists of thirteen (13) high-density polyethylene (HDPE) tanks that total 21,100 gallons of water storage onsite. Annual water use is estimated at 170,000 gallons. The project area contains a Class II and Class II waterway, but no cultivation activities are within Streamside Management Areas, and there are no projects proposed within these waterways, so a LSAA is not required. In order to protect the water resources of the project area, annual site inspection, monitoring, and reporting of Tier 2 discharges will be conducted and submitted to the North Coast Regional Water Quality Control Board (NCRWQC) by March 31 of each year (**Condition 11**).

A list of potential special status species was generated using the following information systems: California Natural Diversity Database (CDFW 2019) and Biogeographic Information and Observation system (BIOS), Norther Spotted Owl Viewer (CDFW 2019), and US Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) database. There are no known biological resources occurring within the project area. Therefore, impacts to biological resources are considered unlikely.

A cultural resources database search was requested of the Northwest Information Center (NWIC), and no results were returned; therefore, a cultural resources investigation report was not required for this project. However, the NIWC recommended contacting local Native American Tribes to ensure project activities are outside of Tribal Territories. The Bear River Band was contacted and responded that the Inadvertent Discovery Protocol should be implemented in the case of any accidental discovery of historical artifacts or human remains. Therefore, this condition has been applied to the project, which is standard practice (**Condition 16**).

The modified project is consistent with the adopted MND for the CMMLUO, because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. These include ensuring supplemental lighting and security lighting adheres to Dark Sky Association standards, and ensuring project related noise does not harass nearby wildlife, which will limit impacts to biological resources as a result of light and noise.

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

No changes are proposed for the original MND recommended mitigation measures. The proposal to authorize a maximum of 10,000 SF, including the continued operation of an existing cannabis cultivation site ( 9,537 SF) is fully consistent with the impacts identified and adequately mitigated in the original MND. The project, as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

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

- Site Plan prepared by Trinity Valley Consulting Engineers, created November 2018
- McLennan Lake and Streambed Alteration Agreement Supplemental Application Document, prepared by Lowell Cottle, Water Quality Inspector with Jacobszoon and Associates, 117 Clara Ave, Ukiah, CA. Created on 8/30/2018
- Less Than 3-Acre Conversion Mitigation Plan, prepared by Stephen Hohman (RPF #2652) with Hohman & Associates Forestry Consultants, PO Box 733 Hydesville CA, received by 5/22/2018
- Cultivation and Operations Plan, created by Rabbit Ridge Ranch LLC and received 4/10/2018
- Well Completion Report (permit 16/17-0710) completed on 5/25/2018
- NWIC search by Bryan Mulch, 11/19/2018
- Bear River Tribe response by Jesse Lopez, 8/19/2019



## **Other CEQA Considerations**

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

For every environmental topic analyzed in this review, the potential environmental impacts of the current project proposal, Rabbit Ridge Ranch, would be the same or similar, with no substantial increase in severity, than the initial CMMLUO project for which the MND was adopted. Based upon this review, the following findings are supported:

### **FINDINGS**

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

### **CONCLUSION**

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

### **ATTACHMENT 3**

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

Attachment 3 includes a listing of all written evidence, which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance, from the location of such features to the nearest point of the cultivation area, is at least 600 feet. (Site Plans prepared by Trinity Valley Consulting Engineers, dated November 2018 and revised November 2020 – Attached)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for: water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; a description of cultivation activities (outdoor, indoor, mixed light); the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable; and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan prepared by Rabbit Ridge Ranch, April 10, 2018 - Attached).
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (SIUR registration ID H506238 notice from the State Water Board, dated February 2019 - Attached)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan, item 4 above)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board, demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Not on file, Conditioned)
8. If any onsite or offsite component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (McLennan Lake and Streambed Alteration Agreement Supplemental Application Document, 8/30/2018 – Attached)
9. If the source of water is a well, a copy of the County well permit, if available (Permit No. 16/17-0710 On-file)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or

timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CalFIRE). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided by showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Less Than 3-Acre Conversion Mitigation Plan, prepared by Stephen Hohman (RPF #2652) with Hohman & Associates Forestry Consultants, 5/22/2018 – Attached)

11. Consent for onsite inspection of the parcel by County officials at prearranged date and time, in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power, how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation, under any clearance or permit issued in accordance with this Section, in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
14. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
15. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On file)

**CULTIVATION PLAN  
RABBIT RIDGE RANCH, INC.  
APN 107-232-008  
APPLICATION NO. 13081**

1. The water source for the project is the well identified on the site plan prepared by Jacobszoon & Associates, and filed herewith. The water sources are also referred to in the Division of Environmental Health Attachment as being well permit number 16/17-0710.

Water will be stored as follows:

- Two 5,000 gallon poly tanks
- Two 3,000 gallon poly tanks
- Two 1,200 gallon tanks, one poly, one fiberglass
- Two 600 gallon poly tanks
- Five 300 gallon poly tanks

Total Storage: 21,100

The tanks are identified on the site plan as "(T)". The project will use 800 to 900 gallons of water per day.

2. Drainage from the site will be minimal owing to the use of drip irrigation. Berms and fabric barriers will be used if necessary. Owing to the topography of the property there is little chance of irrigation drainage reaching a water course.

3. Fertilizers, pesticides, or other regulated products will be brought on-site only when they are about to be applied. Only minimal remaining products are envisioned and these will be kept in enclosed plastic containers and locked in a steel storage unit. There will be no nutrients or sprays stored in large quantities. No more than 10 gallons of fuel will be stored on site and this will be in locked steel containers.

4. Outdoor cultivation will take place in two outside beds shaded in light gray on the current site plan. The beds total 2,915 sq. ft. Outdoor planting will start on May 15 and be harvested by October. Trimming of the outdoor crop will be conducted October through December.

Greenhouse cultivation will be conducted in three greenhouses totaling 7,085 sq. ft. They are shaded dark gray on the site plan. One greenhouse will be used for plants grown in deprivation cycles.

Deprivation Cycle 1: Deprivation Cycle 1 starts with an April planting in the greenhouses. Weeding and soil cultivation continues through the beginning of June. Harvest is July 15, with drying and trimming will be conducted July 15

through the end of August.

Deprivation Cycle 2: Deprivation Cycle 2 starts with a July 15 planting. Planting in the greenhouse starts the beginning of July. Weeding and soil cultivation proceeds through the end of August or the beginning of September. Harvest is in the beginning of September. Trimming and drying is conducted through the end of September.

Full Term: Full term cultivation will be conducted in two greenhouses. The plants will be planted by May 15 and harvested by October. Trimming will be conducted between October and December.

5. Processing will be limited to drying and flower trimming.
6. There will be one outdoor cultivation cycle per year and two light deprivation/full term growing greenhouse-cycles per year.
7. Security will be provided by secure fencing and direct observation by residents of the residence on the property.
8. The applicant's family members will conduct the cultivation operation. They do not anticipate any other employees.

Rabbit Ridge Inc

Apps 13081, APN 107-232-008, Case No.: CUP 16-979

**Addendum to Rabbit Ridge Ranch, Inc Operations Plan**

1. The proposed project does not anticipate a relocation of any existing cultivation. Thus no remediation plan is necessary and we have not prepared a remediation plan.
2. No grading of the parcel was required beyond that included in the Timber Harvest Plan, a copy of which is in your file.
3. The projected water use for the project is 800-900 gallons per day for the months May through September, 300 gallons per day for the balance of the remaining 7 months of the year. The total annual water use for the 5 month growing season is 120,000 to 135,000 and 42,000 for the balance of the year. The total annual water use is 162,000 to 177,000 gallons.
4. The power source for the project is primarily solar power but is backed up by PG&E service.
5. My clients spread hay around their growing area every 60 days to ensure nearby watershed and habitat are protected. Once per year pathways and near site roadways are covered in wood chips.
6. My client s process mature cannabis buds by air drying them in a 20x15 foot outbuilding that is identified on the site plan with an "X". Only fans are used in the drying process.



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## State Water Resources Control Board

# Notice of Receipt for Cannabis Small Irrigation Use Registration

Registration ID: H506238

### THIS NOTICE OF RECEIPT IS NOT A WATER RIGHT

Based on the response provided for your cannabis cultivation water source, you do not need to file for a Small Irrigation Use Registration. You may use your existing water source for cannabis cultivation. Be aware - you may still need coverage under the Cannabis General Order. Even if you do not need a water right for your project, you are still required to comply with the Cannabis Cultivation Policy and all other state and local requirements that pertain to your water source. The Cannabis Cultivation Policy has additional requirements for your diversions including groundwater wells, and discharges.

If you feel you have reached this page in error, please contact the Cannabis Registration Unit at [cannabisreg@waterboards.ca.gov](mailto:cannabisreg@waterboards.ca.gov) or 916-319-9427.

---

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)



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# INVOICE

## Annual Permit Fees Required by Sections 13260 & 13269 of the California Water Code

**FACILITY ID (WDID):** 1B161703CHUM  
**FACILITY NAME:** RICHARD MCLENNAN - 18010107020  
2020 PANTHER GAP  
HONEYDEW, CA 95545

**INVOICE NO:** WD-0154782  
**BILLING PERIOD:** 07/01/18 - 06/30/19  
**INVOICE DATE:** 1/9/2019  
**INDEX NO:** 363102

**RICHARD MCLENNAN**  
125 PRESTON DRIVE  
CLOVERDALE, CA 95425



**Total Amount Due by**  
**Friday, February 8, 2019**

**\$ 1,750.00**

Invoice details are shown on the back

### STATE WATER RESOURCES CONTROL BOARD Annual Permit Fee

**Facility ID: 1B161703CHUM**

**Billing Period: 07/01/18 - 06/30/19**

**Invoice No: WD-0154782**

**Amount Due:**

**\$ 1,750.00**

**Due By: Friday, February 8, 2019**

PLEASE REMIT YOUR PAYMENT ON OR BEFORE THE DUE DATE SHOWN ABOVE. LATE PAYMENT COULD RESULT IN PENALTIES UNDER PROVISIONS OF THE WATER CODE SECTION 13261. THESE ACTIONS COULD INCLUDE DAILY PENALTIES IN ADDITION TO YOUR FEE OR OTHER ACTIONS DEEMED APPROPRIATE BY THE REGIONAL BOARD.

**Make your check payable to State Water Resources Control Board**

**If you have any questions about this invoice, please call the Water Board at 707-576-2656.**



Retain this portion for your records

Please detach and return this portion with your payment

☐ CHECK HERE FOR ADDRESS CORRECTION ON THE BACK

**INVOICE NO: WD-0154782**

**INDEX NO: 363102**

(Please print the above number on check or money order)

**RICHARD MCLENNAN**  
125 PRESTON DRIVE  
CLOVERDALE, CA 95425

**SWRCB**  
**PO BOX 1888**  
**SACRAMENTO, CA 95812-1888**

**AMOUNT DUE: \$1,750.00**  
**BILLING PERIOD: 07/01/18 - 06/30/19**  
**DUE BY: 2/8/19**  
**FACILITY ID (WDID): 1B161703CHUM**  
**FACILITY NAME: RICHARD MCLENNAN - 18010107020**  
2020 PANTHER GAP  
HONEYDEW, CA 95545





reports due based on your site conditions.

All technical reports shall be submitted electronically to the North Coast Regional Water Board office at the following email address: [NorthCoast@waterboards.ca.gov](mailto:NorthCoast@waterboards.ca.gov) and shall include "Cannabis General Order" in the email subject line and your WDID Number and the Cannabis General Order Application Number. Your WDID Number will be assigned upon issuance of the Notice of Applicability and the Cannabis General Order Application Number can be found on the top-right hand corner of this Notice. Refer to the Cannabis General Order for additional information regarding submittal of these technical reports.

Based on the information you provided, your site conditions are:

**Tier 1 Moderate Risk.**

List of Technical Reports Due:

- 1) Site Management Plan - **due within 90 days of application submittal**
- 2) Site Erosion Sediment Control Plan - **see Cannabis General Order for due date**

## **Compliance with Best Practicable Treatment or Control (BPTC) Measures**

You have certified that your site qualifies as a Tier 1 Moderate Risk site and that you will complete improvements to achieve compliance by the onset of the winter period following submittal of this application. Winter period is defined in Attachment A of the Cannabis General Order.

## **Native American Tribe Authorization**

This section does not apply to you.

For additional information regarding your application, please contact the North Coast Regional Water Board office. Current contact information for the North Coast Regional Water Board office:

5550 Skylane Blvd, Suite A

Santa Rosa, CA 95403

(707) 576-2220

[northcoast.cannabis@waterboards.ca.gov](mailto:northcoast.cannabis@waterboards.ca.gov)

If you notice any errors in your application, please contact the North Coast Regional Water Board office for more information on providing the correct information. **Do not resubmit your application or begin a new application for the purposes of correcting errors, unless you are instructed to do so by the State Water Board or Regional Water Board.**

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

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1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)



# APPLICATION FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEM PERMIT

Application is hereby made to the Humboldt County Health Officer for a permit to construct or repair a sewage disposal system as described below in compliance with the laws and standards of Humboldt County and the State of California.

Owner's Name RONALD E. COPENHAVER, ET AL.

Residing Address 355 TIMBER LANE

City GARBERVILLE Telephone 923-2882

Installer GEORGE MULLINS

Assessor's Parcel No. 107-232-08

General Area WEST SIDE OF PANTHER GAP RD.

APPROX 2 miles South of MATOLE RD.

Previous Application: New System ☒ Repair ☐

YES ☐ NO ☒ Existing System ☐

Installation will serve: Residence ☒ Commercial ☐

Multiple Housing ☐ Mobilehome Park ☐ Mobilehome ☐

Other ☐ - Specify: \_\_\_\_\_

| No. of Units | No. of Rooms Usable as Bedrooms | Garbage Disposal Unit   |
|--------------|---------------------------------|---|
| <u>1</u>     | <u>23</u>                       | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |

Water Supply: Lot Size: 80 ACRES

Private ☒ Public ☐ 1/4 mile x 1/2 mile

I agree to obtain inspection of installation prior to covering. I agree to construct this disposal system in accordance with all of the provisions of county and state law.

It is understood that the issuance of a permit in no way indicates that a guarantee of perfect and indefinite operation of this system is made by the Humboldt County Health Department.

Signature RLE Cpld

Date \_\_\_\_\_ Owner ☐ Owner's Agent ☐

HUMBOLDT COUNTY HEALTH DEPARTMENT  
Division of Environmental Health  
529 "I" St., Eureka, CA 95501 445-7613

SDS-1, Rev. 7/78

| Legal Reference | Fee          | Receipt No.   | Permit No.               |
|-----------------|--------------|---------------|--------------------------|
| <u>9d 39-82</u> | <u>60.00</u> | <u>#42176</u> | <u>A.P. # 107-232-08</u> |

On attached sheet, applicant is to draw TO SCALE the appropriate septic tank system, location on property, and all pertinent setbacks.

DETAILED DIRECTIONS TO PARCEL: FROM Hwy 101 AT THE HONEY DEW EXIT GO WEST ON MATOLE RD. APPROX 15 MILES TO PANTHER GAP RD. GO SOUTH ON PANTHER GAP RD. APPROX 2 miles TO THE END OF COUNTY RD. AT THIS POINT THERE'S A FORK IN THE ROAD AND A DRIVEWAY TO THE RIGHT OF THE RIGHT FORK. THIS DRIVE IS THE ENTRANCE TO MY PARCEL.

Note Plot Plan Revision 6-2-82

IMPORTANT: 24 HOUR NOTICE REQUIRED BEFORE FINAL INSPECTION

| Septic Tank Size | No. of Lines | Length of Lines | Trench Depth |
|------------------|--------------|-----------------|--------------|
| <u>1800</u>      | <u>6</u>     | <u>50ft</u>     | <u>5ft</u>   |

Layout Plan Prepared by \_\_\_\_\_ Date \_\_\_\_\_

IMPORTANT: Any deviation in construction from the above plan must have prior approval in writing by the Health Department.

HEALTH DEPARTMENT USE ONLY

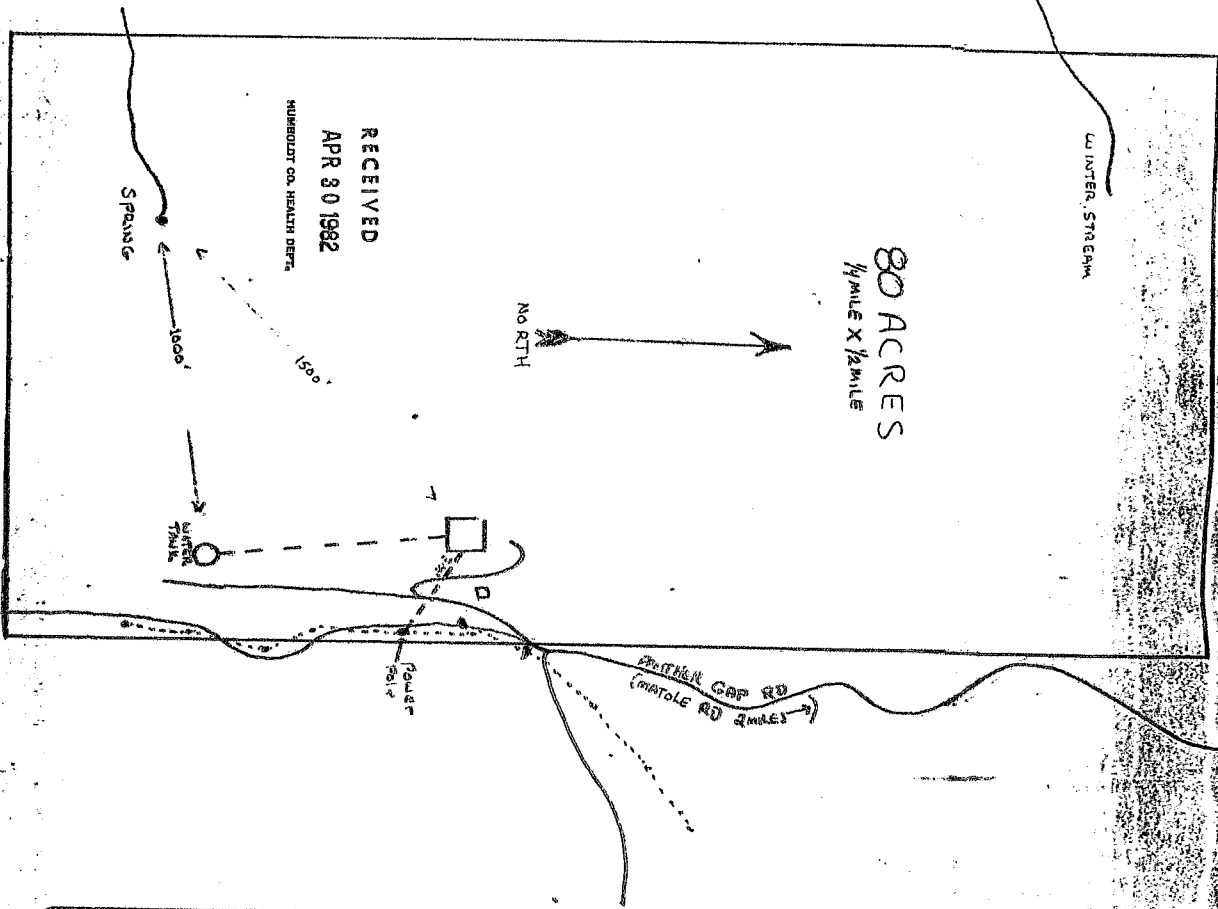
| Layout Plan Approved By | Date          | Construction Approved By | Date           |
|-------------------------|---------------|--------------------------|----------------|
| <u>[Signature]</u>      | <u>6-2-82</u> | <u>[Signature]</u>       | <u>8-10-82</u> |

Expiration Date of Permit 6-2-83

WHEN VALIDATED, THIS IS YOUR PERMIT.

RECEIVED  
APR 30 1982

HUMBOLDT CO. HEALTH DEPT.



RECEIVED  
APR 30 1982  
HUMBOLDT CO. HEALTH DEPT.

Accepted per  
page 1 of 2  
dtd 6-2-82

AP # 107-232-08

OWNER: RONALD E. COPELANDER, ET AL.  
ADDR: 355 TIMBER LANE  
CARBONVILLE, OH. 45740  
PHONE: 325-2082

LOCATION of PARCEL:  
APPROX 2 MILES SOUTH of THE  
MAYTOL RD. ON PANTHER GAP RD.  
PROPERTY IS SITUATE BEW AND WEST of  
PANTHER GAP RD.

PAGE 1 of 2



## ATTACHMENT 4

### REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

| Referral Agency  | Response | Recommendation                               | Location                             |
|--|----------|--|--------------------------------------|
| Building Inspection Division   | ✓        | Memo – Approved with Conditions (11/5/2018)  | Attached                             |
| Department of Health & Human Services  | ✓        | Memo – Approved with Conditions (11/9/2018)  | Attached                             |
| Public Works, Land Use Division  | ✓        | Memo – Approved with Conditions (11/15/2018) | On file                              |
| CalFIRE  | ✓        | Memo (6/3/2019)                              | Attached                             |
| Northwest Information Center (NWIC)  | ✓        | Email (11/19/2018)                           | On file and Confidential             |
| California Department of Fish & Wildlife, Notification of Lake or Streambed Alteration | ✓        | Memo (7/8/2019)                              | Attached separately as Attachment 3a |
| US Department of the Interior, BLM   | ✓        | Memo (6/5/2019)                              | Attached                             |

## PRE-SITE

### Project Started

☐ Yes ☐ No

### AOB Inspection

☐ Yes ☐ No

### Soil Required Due to

### Project is in flood zone A

☐ Yes ☐ No

### 2nd Flood Certificate Required

☐ Yes ☐ No

### SRA requirements apply

☐ Yes ☐ No

### SRA water storage requirements apply

☐ Yes ☐ No

### Grading permit required

☐ Yes ☐ No

### Erosion and sediment control measures required

### Lot created prior to 1992

☐ Yes ☐ No

### Incomplete Submittal Construction Plan

☐ Yes ☐ No

 Standard Comment

### Plans Stamped by Licensed Prof Required

☐ Yes ☐ No

### Soil Report Required

☐ Yes ☐ No

### FIRM panel number

(Text)

### Flood elevation certificate required

☐ Yes ☐ No

### Project appears to be within wet area

### Appr.SRA req. need to be shown on plot plan

☐ Yes ☐ No

### Driveway slope appears to be

### Submit engineered foundation for

### Applicant must locate property lines

☐ Yes ☐ No

### Plot plan incomplete, must be revised

☐ Yes ☐ No

### Other concerns exist

☐ Yes ☐ No

1. Site plan is incomplete, 5 structures not shown
  - a. 3 cargo containers
  - b. Residential accessory greenhouse for vegetables
  - c. small shed
2. Have no problem w/ greenhouse locations or going Ag Exempt
3. Have no issue w/ cargo containers associated with the cannabis operation going Ag Exempt
4. Applicant states there will be no employees, family run operation only
5. Processing/Drying structure cannot go Ag Exempt due to interior finishes; could be permitted as an AOB accessory structure following AOB as-built procedures
6. Will need electrical plans and permit for any electrical system associated w/ the cannabis operation

**check spelling**





## Division of Environmental Health

100 H Street - Suite 100 - Eureka, CA 95501

Phone: 707-445-6215 - Toll Free: 800-963-9241

Fax: 707-441-5699

[envhealth@co.humboldt.ca.us](mailto:envhealth@co.humboldt.ca.us)

### Attachment for Commercial Medical Marijuana (CMM) Clearances/Permits

Applications for CMM Clearances and/or Permits are reviewed by the Division of Environmental Health (DEH) for compliance with regulations intended to protect public health and the environment. Individuals preparing a CMM Permit Application are encouraged to provide information addressing the items listed below, as applicable, to assist DEH with a timely review. If the requested information is already provided in a complete operations manual submitted to the Planning Division, provide the page and section numbers where it is located.

Name of Business: Rabbit Ridge Inc.

Site Address: 2020 Panther Gap Rd.

APN: \_\_\_\_\_

Primary Contact Person: Richard McEannan

Phone: (707) 471-4957

Email: lr-mceannan@hotmail.com

General Project Description (cultivation, processing, manufacturing; seasonal vs year round etc.)

Cultivation, processing, and manufacturing year round.

#### Wastewater (page \_\_\_\_\_ section \_\_\_\_\_)

- Connected to public sewer \_\_\_\_\_ Onsite waste water system ☒
- Number of Employees: average 3 peak operations: 3
- Hours of Operation/shifts per day: average 8 peak operations: 10
- Additional flow from processing: 200 GPD. Description of effluent grey water and black water: toilet, shower, washing machine
- Describe the proposed and existing wastewater generating structures and method(s) of effluent disposal.

One residential restroom one service restroom.

#### Water Source (page \_\_\_\_\_ section \_\_\_\_\_)

- Describe and show the water source(s) available on the property and what they serve.

☐ Public Water System

☒ Well Permit Number(s):

16/17-0710

☐ Unpermitted Well

☐ No Existing Water Source

☒ Spring

☐ Approved Surface

Water/Description \_\_\_\_\_

☐ Unapproved Surface

Water/Description \_\_\_\_\_

☐ Other: \_\_\_\_\_

- Describe the approximate daily water demand for the current and projected uses on the property and method used to calculate demand: 600-700 gallons per day. Project under modern efficient drip system. 600-700 high estimations

#### Consumer Protection (page \_\_\_\_\_ section \_\_\_\_\_)

- List/Describe any food production or service: no food production

- Describe and show on site plan, any existing or proposed kitchen infrastructure: Kitchen located in existing residence.

Note: DEH does not currently regulate edible cannabis products. Any other food production may require a Plan Check and permitting.

**Hazardous Materials** (page \_\_\_\_ section \_\_\_\_)

- List/describe production/cultivation machinery (e.g. generator, tractor, OHV, trimmer, heaters etc.): generators, solar panels, trimmers, fire places, fans (solar)
- Equipment Maintenance/Service (e.g., changing oil, antifreeze, etc.): Onsite or Offsite
- List/describe fuel/oil(s) used or produced onsite (e.g. gasoline, diesel, propane, other?); Provide amounts and storage method(s): gasoline and propane, no more than 20 gallons, locked in enclosed workshop.
- List/describe all compressed gases, cleaners, solvents and sanitizers (including, but not limited to, household chemicals, bleach and alcohol). Provide amounts and storage method(s): household chemicals, bleach and alcohol, pure citrus based cleaners. Totalling 3-4 gallons combined at any given time in residence pantry.
- List/describe fertilizers, soil amendments and biocides (including organic ones). Provide amounts and storage method/area(s): worm casings, bat guano, chicken manure, trace minerals, oyster shell, feather, and all purpose maxi. 15-20 gallons combined located in workshop

**Solid Waste/Recycling** (page \_\_\_\_ section \_\_\_\_)

- List/describe the different anticipated solid waste/recycling, composting products and anticipated amounts: residents garbage/recycling bottles, cans, plastics. 500 pounds of waste monthly.
- Describe, and show on the site plan, the designated area for storage of recycling and solid waste (containers stored outside must be covered): designated area for waste is near residence in trailer
- Describe waste removal plan including frequency and destination
  - Garbage (1x/week) one time every two weeks
  - Recycling(x/month) 1x/2 weeks (avoid nuisances including odors and vermin.)
  - Hauling via Garbage/Recycling Service: \_\_\_\_\_ or Self Haul X
- Preferred permitted solid waste/recycling facility: Fortuna, CA

Note: Spent growth medium with no further agricultural use is considered solid waste. It must be stored under cover until it can be hauled to a waste facility.

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

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

**Forester Comments:**

Date:

Name:

**Battalion Chief Comments:**

**Summary:**



**United States Department of the Interior**  
**BUREAU OF LAND MANAGEMENT**

Arcata Field Office  
1695 Heindon Road  
Arcata, CA 95521-4573  
[www.blm.gov/california](http://www.blm.gov/california)



6/5/2019

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

Dear Sir or Madam:

In response to Application APP(S) # PLN-13081-CUP APN: 107-232-008-000

The Northern Spotted Owl (NSO) continues to suffer population loss across its range due, in part, to habitat loss and human encroachment. The BLM is concerned about the close proximity of this cannabis operation to NSO critical habitat and a historic NSO activity center

The Humboldt County Ordinance No. 2559, Performance Standards for all Commercial Medical Marijuana Land Use Ordinance, Cultivation and Processing Operations section 55.4.11 item d, requires a 600 foot setback for publicly owned lands managed for open space and/or wildlife habitat purposes. The BLM is concerned about a reduced setback because of the potential impacts to wildlife habitat.

It appears the driveway used for accessing the property from Panther Gap Road crosses BLM lands. The BLM has no record of legal access for the driveway. The applicant should provide documentation of legal access that shows the use is not a trespass upon BLM lands. In Addition, The applicant should have their parcel surveyed by a professional land surveyor so that their operations do not trespass upon or cause resource damage to federal lands.

Any activity or resource damage related to cannabis operations on public land such as the cultivation, production, transportation or distribution of supplies or product will violate the Controlled Substances Act and may be subject to federal criminal and/or civil action.

Sincerely,

Molly Brown  
Field Manager

**From:** [PGE Plan Review](#)  
**To:** [Planning Clerk](#)  
**Subject:** PLN-13081-CUP  
**Date:** Thursday, November 15, 2018 12:10:12 PM  
**Attachments:** [Initial Response Letter 18 11 15.pdf](#)

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To Whom It May Concern,

Thank you for submitting the PLN-13081-CUP plans. The PGE Plan Review Team is currently reviewing the information provided. As we have just received your plans through hard copy mail, we require additional time to review. Should we find the possibility this project may interfere with our facilities, we will respond to you with specific comments. Attached is general information regarding PGE facilities for your reference. **If you do not hear from us, within 45 days of this email, you can assume we have no comments at this time.**

This email and attachment does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed.

**\*\*\*Please note the process for PG&E Plan Reviews has changed and are no longer processed at our local offices. To avoid delays [please update your records](#) and send requests to the below physical or email address\*\*\***

Thank you,  
Plan Review Team  
6111 Bollinger Canyon Rd., 3<sup>rd</sup> Floor  
Mail Stop Y3370A  
San Ramon, CA 94583  
[pgeplanreview@pge.com](mailto:pgeplanreview@pge.com)

**\*This is a notification email only. Please do not reply to this message.**