



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: April 15, 2021

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Organnabliss Farms, Special Permit**
Record Number PLN-12587-SP
Assessor's Parcel Number (APN) 219-081-004
on the east side of Lower Thomas Road, approximately 2.39 miles south
from the intersection of Thomas Road and Lower Thomas Road, on the
property known to be in Section 19 of Township 03 South, Range 03 East,
Humboldt Base & Meridian, Miranda area

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Please contact Christopher Alberts, Planner, at (707)-268-3771 or by email at calberts@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
April 15, 2021	Special Permit	Christopher Alberts

Project Description: A Special Permit for an existing commercial medical cannabis operation consisting of 9,940 square feet of outdoor cannabis cultivation within ten (10) hoop houses. The project includes 700-square-feet of nursery space located within two (2) hoop houses. Water for domestic and irrigation uses are provided by two points of diversion from two (2) unnamed Class III streams located on the subject parcel as well as two (2) rainwater catchment ponds. Water for irrigation is stored in two (2) ponds that have a total capacity of 160,000 gallons and five (5) hard water tanks with a total capacity of 12,025 gallons for a total onsite water storage capacity of 172,025 gallons. Water is pumped from the ponds into separate storage tanks for processing before irrigation. The estimated annual irrigation water use is 120,000 gallons. Processing activities including drying and curing occurs on-site in existing outbuildings, trimming and packaging activities occur offsite at a permitted processing facility. The Applicant anticipates hiring up to five (5) full-time employees. Access to the site is a dirt road off of Lower Thomas Road. Power is provided by generators. The applicant proposes to transition to an alternative renewable energy source in the future.

Project Location: The project is located in the Miranda area, on the east side of Lower Thomas Road, approximately 2.39 miles south from the intersection of Thomas Road and Lower Thomas Road, on the property known to be in Section 19 of Township 03 South, Range 03 East, Humboldt Base & Meridian.

Present Plan Land Use Designations: Residential Agriculture (RA40) General Plan 2017, Density: 160 acres to 5 acres per dwelling unit as specified on map, Slope Stability: High Instability (3).

Present Zoning: Forest Recreation (FR), Special Building Site combining zone specifying a minimum parcel size of 40 acres (B-5(40))

Record Number: PLN-12587-SP

Assessor's Parcel Number: 219-081-004

Applicant	Owners	Agent
Organnabliss Farms Attn: Andy Butts 185 Spruce Street Eureka, CA 95503	Andrew Butts and Marjorie Ribeiro 185 Spruce Street Eureka, CA 95503	N/A

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

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

Major Issues: None

Organnabliss Farms
Record Number: PLN-12587-SP
Assessor's Parcel Number: 219-081-004

Recommended Zoning Administrator Action

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

Find that the Zoning Administrator has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving the Organnabliss Farms Special Permit as recommended by staff subject to the recommended conditions.

Executive Summary: Organnabliss Farms seeks a Special Permit to allow the continued operation of an existing 9,940 square foot outdoor cultivation operation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The site is designated as Residential Agriculture (RA40) in the Humboldt County 2017 General Plan Update and zoned Forest Recreation (FR). Cultivation will occur on the southern central portion of the parcel. Currently existing cultivation occurs in ten (10) greenhouses. The applicant is proposing to consolidate cultivation into five (5) proposed greenhouses. The cultivation will occur in the following greenhouses listed below:

Structures in Nexus to Cannabis	Size (sq ft)
Cultivation & Propagation Structures	
Area 1	
Two (2) Greenhouse (P)	24'x100' (2,400 square feet)
One (1) Greenhouse (P)	20'x65' (1,300 square feet)
Two (2) Greenhouses (E)	17'x60' (2,040 square feet)
One (1) Greenhouse (E)	12'x50' (600 square feet)
Area 2	
Two (2) Greenhouses (P)	24'x80' (1,920 square feet)
Two (2) Greenhouses (E)	12'x40' (960 square feet)
Two (2) Greenhouses (E)	12'x36' (864 square feet)
Three (3) Greenhouses (E)	12'x100 (3,600 square feet)
Additional Structures	
One (1) Nursery	10'x50' (500 square feet)
One (1) Nursery	10'x25' (250 square feet)
One (1) Drying Shed	16'x36' (576 square feet)
One (1) Storage Shed	12'x16' (192 square feet)
One (1) Storage Shed	16'x20' (320 square feet)
One (1) Proposed Metal Building	24'x40' (960 square feet)

Artificial lighting used for ancillary propagation will adhere to shielding and International Dark Sky Association standards as set forth in the CMMLUO. Processing such as drying and curing will take place in the 576-square-foot drying shed. Further processing such as trimming, and packaging will take place off-site at a licensed third-party processing facility. The applicant anticipates on hiring a maximum of five (5) employees. According to the Operations Plan, there will be two cultivation cycles annually occurring during the months of July and September/October. Power for the

project will be provided by generators. The applicant proposes to transition to an alternative renewable energy source in the future.

Water Resources

Water for irrigation will be provided by two rainwater catchment ponds (1-60,000-gallon pond and 1-100,000-gallon pond). Both rainwater catchment ponds will be supplemented by a surface diversion. The applicant has secured a Streambed Alteration Agreement (1600-2015-0110-R1) for the diversion. Water will be stored in the following rainwater catchment ponds and tanks below:

Water Storage in Nexus to Cannabis	Gallons
One (1) Rainwater Catchment Pond	60,000-gallons
One (1) Rainwater Catchment Pond	100,000-gallons
One (1) Hard tank	2,875-gallons
One (1) Hard tank	2,650-gallons
One (1) Hard tank	1,550-gallons
Two (2) Hard tanks	2,500-gallons
Total Water Storage	172,075 gallons

Proposed water storage totals 172,075 gallons. The applicant anticipates 120,000 gallons of water will be required for irrigation annually.

The applicant submitted a *Water Resource Protection Plan (WRPP)* prepared by Timberland Resource Consultants dated August 13, 2016. The applicant is a Tier 2 discharger (WDID: 1B16413CHUM). According to the WRPP the project is out of compliance with the following standard conditions: site maintenance, erosion, and drainage features; stream crossing maintenance; riparian and wetland protection and management; spoils management; petroleum products and other chemicals; cultivation-related waste; and refuse and human waste.

Biological Resources

According to the California Natural Diversity Database (CNDDDB) there are no mapped threatened or endangered species located on the parcel. The project site is located approximately 0.82 miles northwest of a known Northern Spotted Owl (NSO) Activity Center and an NSO sighting was mapped approximately 0.5 miles northeast from the project site. Marbled murrelet habitat is mapped approximately 4.19 miles southeast from the project site. The generators that will be used as the power source for the project will be contained in generator sheds. Within 1-mile of the project site there are six (6) approved commercial cannabis farms that are utilizing solar as the sole source of power. The project is not likely to cause an accumulative noise impact to any threatened or endangered species including the Northern Spotted Owl. The project is conditioned for combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels.

The applicant submitted a *R2 Soils Report* prepared by DTN Engineering dated December 2018. The report provided recommendations and evaluated the proposed grading and proposed building slab. According to the report all proposed grading and erosion control features will meet the grading requirements of the County of Humboldt Grading, Excavation, Erosion, and Sediment Control Ordinance. The project is conditioned for the applicant to adhere and implement all recommendations found within the R2 Soils Report.

Timberland Conversion

The applicant submitted a Timberland Evaluation Report prepared by Timberland Resource Consultants dated August 22, 2018. Regrading of an old landing and development for cultivation purposes occurred between the years 2005 and 2006. An expansion to the site occurred in 2009 for an off-stream pond. According to the evaluation report approximately 1.44-acres of unauthorized conversion for cultivation-related purposes was observed on the parcel. This total area does not exceed the three-acre conversion maximum. The applicant submitted a Restocking Plan prepared by Timberland Resources Consultants dated August 21, 2018. According to the Restocking Plan, the Registered Professional Forester (RPF) recommends the applicant to plant Douglas-fir and/or incense cedar seedlings at a spacing no less than 10 feet by 10 feet or 435 trees per acre. The area shall be planted located near the Class III stream approximately 0.48-acres in size, not including the footprint of the pond, which shall require approximately 209 conifer seedlings. The project is conditioned for the applicant to adhere and implement all recommendations found within the Timberland Evaluation Report and the Restocking Plan.

Tribal Consultation

The project is located in the Bear River and Sinkyone Aboriginal Ancestral Territories. The project was referred to the Northwest Information Center, Bear River Band, and Sinkyone. No Cultural Resource Evaluation was requested. Standard Inadvertent Archaeological Discovery Protocol will be implemented during any project construction activities.

Access

The property is accessed via Lower Thomas Road from Thomas Road and Salmon Creek Road. The Department of Public Works received a portion of Road Evaluation Reports that lead up to the subject parcel (APN 219-081-004). According to the Department of Public Works Salmon Creek Road and Thomas Road are maintained by the County of Humboldt and are adequate as is; the roads meet category 4 standards. The Department of Public Works states the applicant shall apply for and obtain an encroachment permit for the improvements at the intersection of Upper Thomas Road and the County maintained road pursuant to Department of Public Works memo dated June 8, 2017 (see attachment 4).

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

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 and, 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 21-
Record Number PLN-12587-SP
Assessor's Parcel Number: 219-081-004**

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Organnabliss Farms, LLC, Special Permit.

WHEREAS, Organnabliss Farms, LLC, submitted an application and evidence in support of approving a Special Permit for the continued operation of an existing 9,940 square foot (SF) outdoor cannabis cultivation operation with appurtenant propagation and drying activities;

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

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on April 15, 2021, and 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 a Special Permit to allow 9,940 square foot (SF) outdoor cannabis cultivation operation with appurtenant propagation and drying activities. Power is provided by generators. Water for irrigation will be provided by two rainwater catchment ponds (1-60,000-gallon pond and 1-100,000-gallon pond. Both rainwater catchment ponds will be supplemented by a surface diversion. The applicant has secured a Streambed Alteration Agreement (1600-2015-0110-R1) for the diversion.

EVIDENCE: Project File: PLN-12587-SP

- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. 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 Water Resources Protection Plan dated August 13, 2016 was prepared by Timberland Resource Consultants to show compliance with the North Coast Regional Water Quality Control Board Order No. 2015-0023(WDID: 1B16413CHUM).
- d) A Timberland Conversion Evaluation was prepared by Timberland Resources Consultants dated August 22, 2018 which states approximately 1.44-acres of unauthorized conversion for cultivation-related purposes was observed on the parcel. This total area does not exceed the three-acre conversion maximum.
- e) A Restocking Plan was prepared by Timberland Resources Consultants dated August 22, 2018 which provides recommendations to mitigate for the historic timber conversions.
- f) A Soils Report dated December 13, 2018 was prepared by DTN Engineering which demonstrates there is a low possibility for potential liquefaction, surface rupture, soil strength loss, or faulting at this site and no special mitigation hazards are necessary.

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 Forest Recreation (FR) zone in which the site is located.

EVIDENCE

- a) The Forest Recreation or FR Zone is intended to be applied to forested areas of the County in which timber production and recreation are the desirable predominant uses and agriculture is the secondary use, and in which protection of the timber and recreational lands is essential to the general welfare.
- b) All general agricultural uses are principally permitted in the FR zone.
- c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 10,000 square feet of existing outdoor cannabis and up to 10,000 square feet of existing mixed-light cannabis on a parcel over 1 acres subject to approval of a Special Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 10,000 square feet of mixed-light cultivation on a 20-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 U (HCC 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration per PM22 and 1PM34.
- c) The project will forbear from using the POD to supplement the rainwater catchment ponds from April to October.
- d) The Department of Public Works reviewed portions of Road Evaluations prepared by neighboring properties that led up to the subject property which indicated a majority of the access road: Salmon Creek Road, Thomas Road, and Upper Thomas Road is adequate as is and meets category 4 road standards.
- e) The slope of the land where cannabis will be cultivated is less than 15%.
- f) The cultivation of cannabis will not result in the net conversion of timberland.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, church, public park or Tribal Cultural Resource.

6. FINDING

The cultivation of 9,940 square feet of outdoor cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The site is located on road that is developed to the equivalent of a road category 4 standard and will safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size is over 20 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
- d) Irrigation water will be provided by two rainwater catchment ponds (1-60,000-gallon pond and 1-100,000-gallon pond. Both rainwater catchment ponds will be supplemented by a surface diversion. The applicant has

secured a Streambed Alteration Agreement (1600-2015-0110-R1) for the diversion. Water for irrigation is stored in two (2) ponds that have a total capacity of 160,000 gallons and five (5) hard water tanks with a total capacity of 12,025 gallons for a total onsite water storage capacity of 172,025 gallons.

- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

7. FINDING

The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

EVIDENCE

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

8. FINDING

The proposed project will not have an impact to sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species. (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources).

EVIDENCE

- a) According to the California Natural Diversity Database (CNDDDB) there are no mapped threatened or endangered species located on the parcel. The project site is located approximately 0.82 miles northwest of a known Northern Spotted Owl (NSO) Activity Center and an NSO sighting was mapped approximately 0.5 miles northeast from the project site. Marbled murrelet habitat is mapped approximately 4.19 miles southeast from the project site.
- b) The applicant submitted a Water Resource Protection Plan (WRPP) prepared by Timberland Resource Consultants, dated August 13, 2016. The applicant is a Tier 2 Discharger and will include a monitoring element and will submit an annual report each year by March 31 that documents implementation and effectiveness of the management measures during the previous year. The applicant shall implement and adhere to all recommendations and corrective actions found within the WRPP. The applicant shall submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents with the State Water Resources Control Board, including, but not limited to a Notice of Applicability and Site Management Plan.
- c) The applicant submitted a Timberland Conversion Evaluation was prepared by Timberland Resources Consultants dated August 22, 2018 which states approximately 1.44-acres of unauthorized conversion for cultivation-related purposes was observed on the parcel. This total area does not exceed the three-acre conversion maximum.
The applicant submitted a Restocking Plan was prepared by Timberland Resources Consultants dated August 22, 2018 which provides recommendations to mitigate for the historic timber conversions.

DECISION

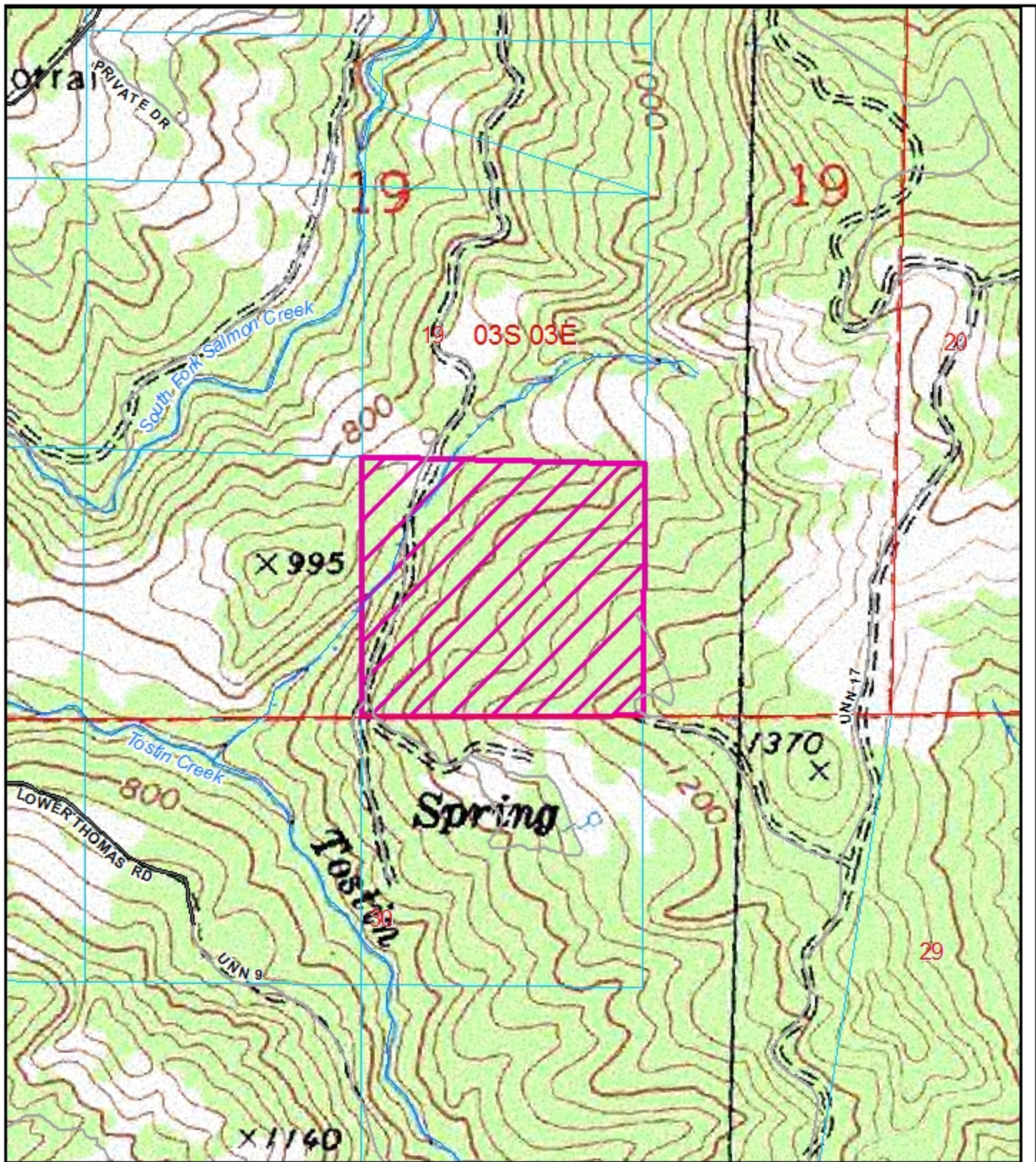
NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:


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

Adopted after review and consideration of all the evidence on May 6, 2021.

I, John 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.

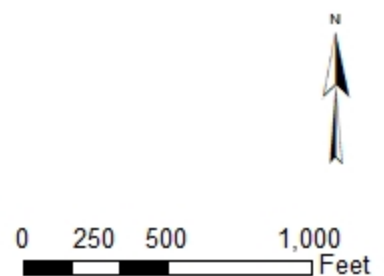
John H. Ford, Zoning Administrator,
Planning and Building Department

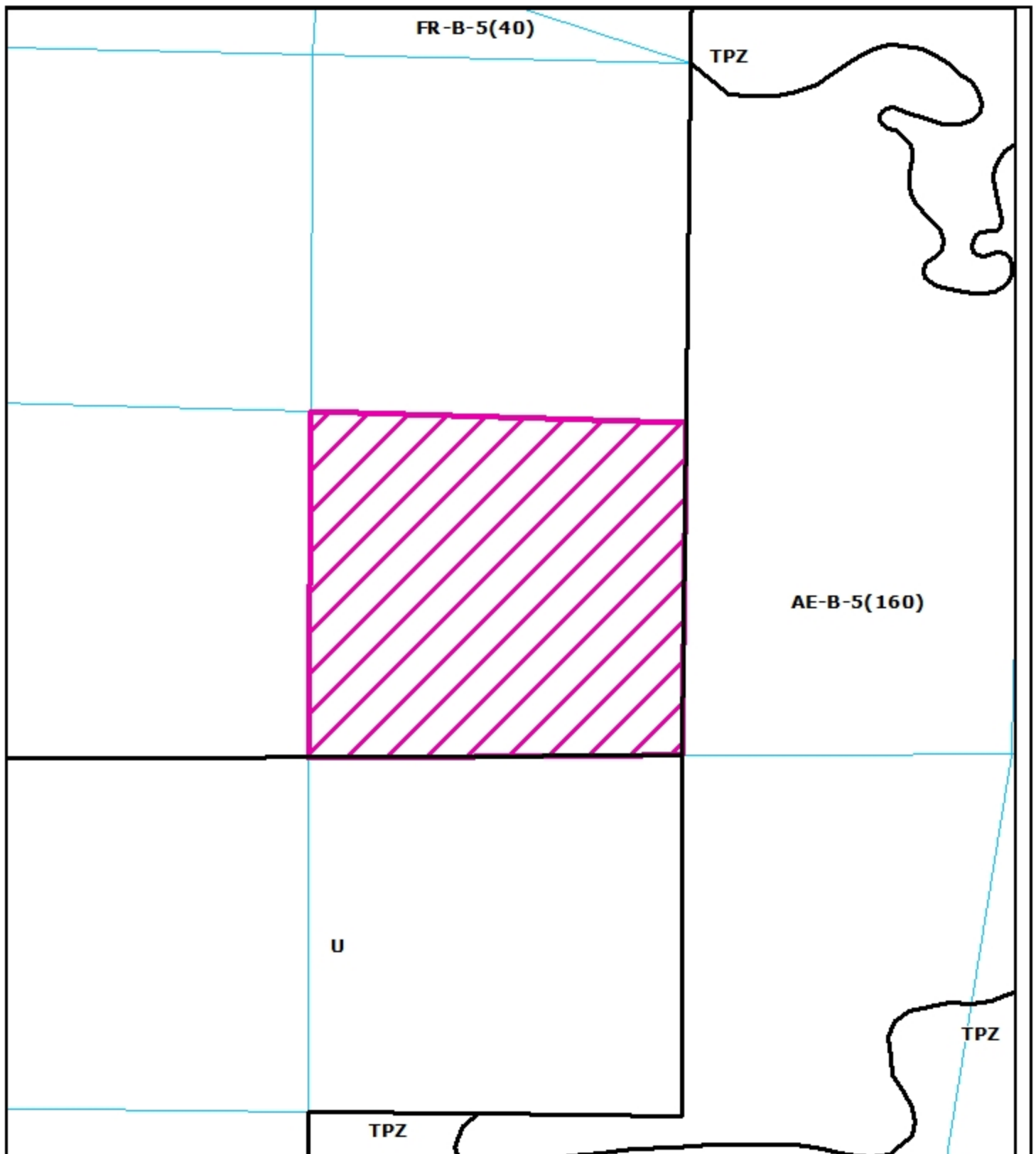


Project Area = 

**TOPO MAP
PROPOSED ORGANNABLISS FARMS
MIRANDA AREA
SP-16-578 & SP-16-579
APN: 219-081-004
T03S R03E S19 HB&M (ETTERSBURG)**

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

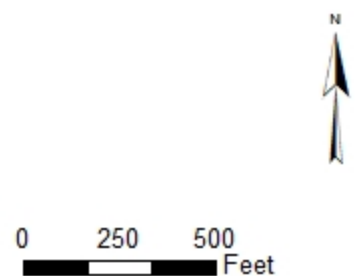


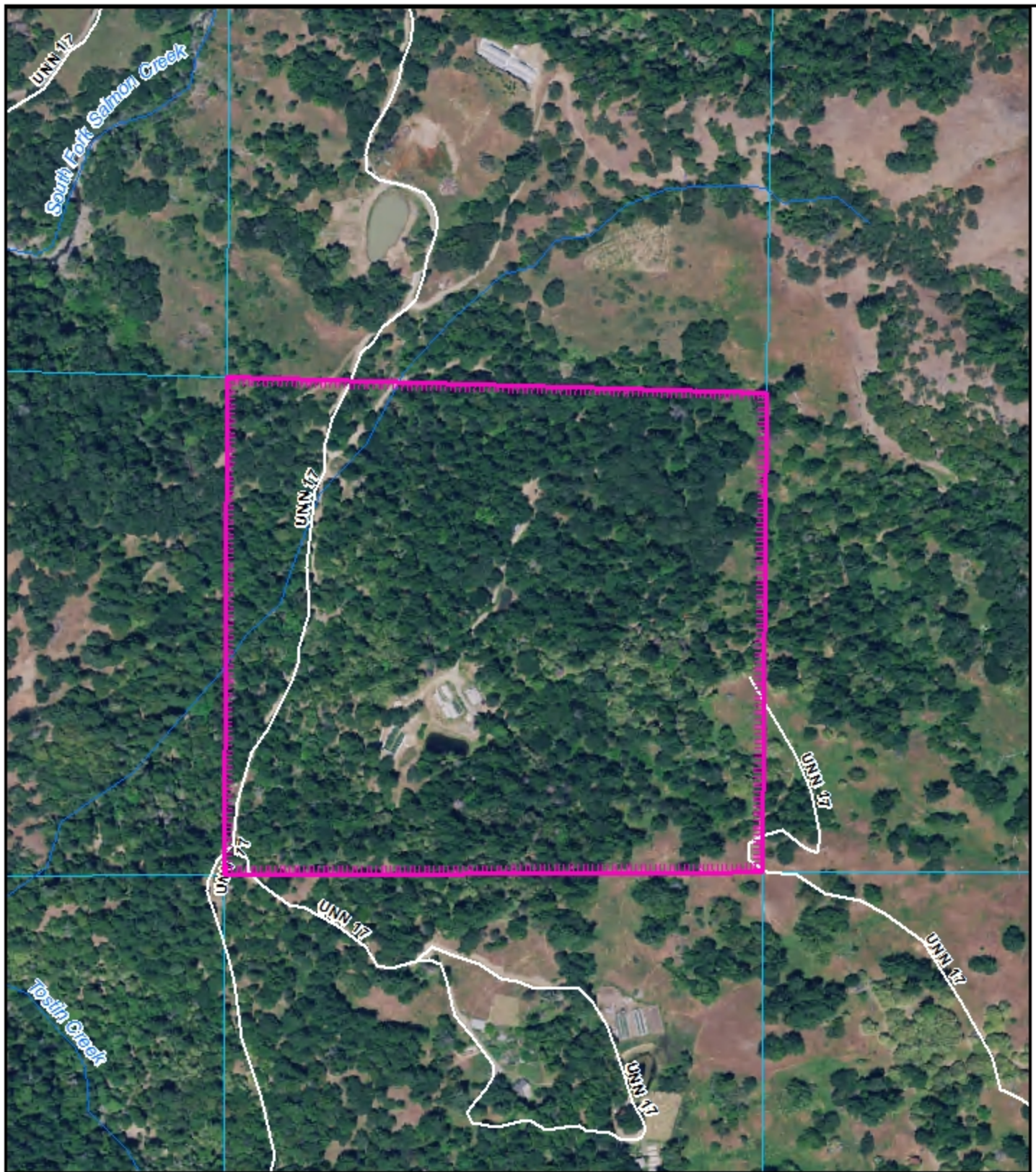


Project Area = 

**ZONING MAP
PROPOSED ORGANNABLISS FARMS
MIRANDA AREA
SP-16-578 & SP-16-579
APN: 219-081-004
T03S R03E S19 HB&M (ETTERSBURG)**

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**AERIAL MAP
PROPOSED ORGANNABLISS FARMS
MIRANDA AREA**

SP-16-578 & SP-16-579

APN: 219-081-004

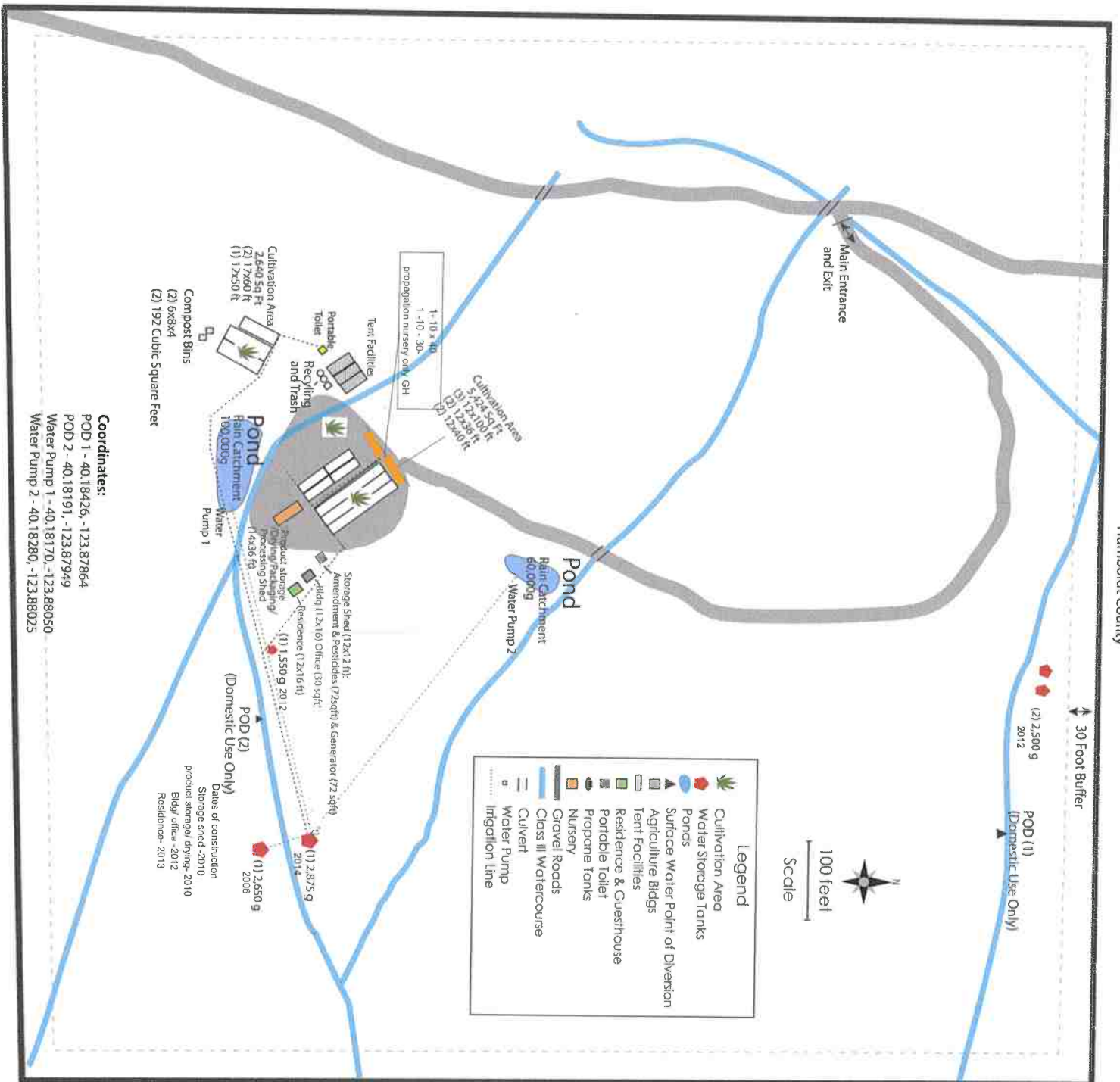
T03S R03E S19 HB&M (ETTERSBURG)

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.



0 250 500
Feet



ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOD and will charge this cost to the project.
5. The applicant shall submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Applicability and a Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB. Should the site qualify for an exemption, the applicant shall provide proof of a SWRCB exemption status.
6. 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 #7 through #16. 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.

7. The applicant shall provide the Planning Department of copy of the Site Management Plan developed for the parcel prepared pursuant to Tier 2 enrollment under the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy, General Order. The applicant shall provide substantial evidence that all corrective actions detailed within the Site Management Plan have been completed.
8. 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.
9. The applicant shall apply and obtain an encroachment permit for the improvements at the intersection of Upper Thomas Road and the County maintained road pursuant to the Department of Public Works memo dated June 8, 2017. Confirmation from the Department of Public Works that the work has been done will satisfy this condition.
10. The applicant shall adhere and implement all recommendations found within the Timberland Evaluation Report prepared by Timberland Resource Consultants dated August 22, 2018. Final signoff from the Planning Department will satisfy this condition.
11. The applicant shall adhere and implement all recommendations found within the Restocking Plan prepared by Timberland Resources Consultants dated August 21, 2018. Confirmation from a Registered Professional Forester that the work has been done will satisfy this condition.
12. The applicant shall submit confirmation of approval from the Department of Environmental Health for the Septic Site Suitability Analysis prepared by DTN Engineering prior to processing onsite. Final signoff from the Planning Department will satisfy this condition.
13. The applicant shall adhere and implement all recommendations found within the Water Resource Protection Plan (WRPP) prepared by Timberland Resources Consultants dated August 2016. Final sign-off from the Planning Department will satisfy this condition.
14. The applicant shall install water monitoring device on each source – rainwater catchment ponds if/when utilized and storage tanks applicable - to monitor water used for cannabis irrigation separate from domestic use.
15. The applicant shall hire a qualified professional to conduct a full two-year, six visit, protocol level surveys for the Northern Spotted Owl. If the survey results in positive detections of NSO presence, then applicant shall work with CDFW in order to modify the project to reduce the potential impacts of the NSO. Confirmation from CDFW that the work has been done will satisfy this condition.
16. The applicant shall contact the local fire service provider [Salmon Creek VFC] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION

SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.

17. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
18. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial lighting in greenhouses shall be limited to 6 watts per square foot with no wattage limit in the ancillary propagation greenhouse. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
4. For any future grading, the applicant shall adhere and implement all recommendations found within the R2 Soils Report prepared DTN Engineering dated December 2018.
5. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.

6. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
10. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
11. 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.
12. 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.
13. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
14. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
15. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
16. 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.

17. 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).
18. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
19. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
20. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
21. Pay all applicable application, review for conformance with conditions and annual inspection fees.
22. 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.
23. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
24. 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

25. 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."
26. 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).
27. 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.
28. 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.
29. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
 - b. Location where processing will occur
 - c. Number of employees, if any
 - d. Employee Safety Practices
 - e. Toilet and handwashing facilities
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
 - g. Drinking water for employees
 - h. Plan to minimize impact from increased road use resulting from processing
 - i. On-site housing, if any
30. 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.
31. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.

32. 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.
33. 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.
34. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- Identifying information for the new owner(s) and management as required in an initial permit application;
 - A written acknowledgment by the new owner in accordance as required for 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.
35. 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.
- This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #6 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #26 and 27 of the Ongoing Requirements/Development Restrictions, above.
- If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be

contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

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

ATTACHMENT 2

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

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

**APN 219-081-004; On the east side of Lower Thomas Road, approximately 2.39 miles south from
the intersection of Thomas Road and Lower Thomas Road, on the property known to be in
Section 19 of Township 03 South, Range 03 East, Humboldt Base & Meridian., Miranda, County of
Humboldt**

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

April 2021

Background

Modified Project Description and Project History –

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

The modified project involves a Special Permit (PLN-12587-SP) for an existing 9,940 square foot outdoor cultivation operation. Currently existing cultivation occurs in ten (10) greenhouses. The applicant is proposing to consolidate cultivation into five (5) proposed greenhouses. The cultivation will occur in the following greenhouses listed below:

Structures in Nexus to Cannabis	Size (sq ft)
Cultivation & Propagation Structures	
Area 1	
Two (2) Greenhouse (P)	24'x100' (2,400 square feet)
One (1) Greenhouse (P)	20'x65' (1,300 square feet)
Two (2) Greenhouses (E)	17'x60' (2,040 square feet)
One (1) Greenhouse (E)	12'x50' (600 square feet)
Area 2	
Two (2) Greenhouses (P)	24'x80' (1,920 square feet)
Two (2) Greenhouses (E)	12'x40' (960 square feet)
Two (2) Greenhouses (E)	12'x36' (864 square feet)
Three (3) Greenhouses (E)	12'x100 (3,600 square feet)
Additional Structures	
One (1) Nursery	10'x50' (500 square feet)
One (1) Nursery	10'x25' (250 square feet)
One (1) Drying Shed	16'x36' (576 square feet)
One (1) Storage Shed	12'x16' (192 square feet)
One (1) Storage Shed	16'x20' (320 square feet)
One (1) Proposed Metal Building	24'x40' (960 square feet)

Artificial lighting used for ancillary propagation will adhere to shielding and International Dark Sky Association standards as set forth in the CMMLUO. Processing such as drying and curing will take place in the 576-square-foot drying shed. The applicant proposes to develop a 960-square-foot metal building in the future that will be utilized for drying, curing and trimming. Further processing such as trimming, and packaging will take place off-site a licensed third-party processing facility until the proposed 960-square-foot metal building is permitted. The applicant anticipates on hiring a maximum of five (5) employees. According to the Operations Plan, there will be two cultivation

cycles annually occurring during the months of July and September/October. Power for the project will be provided by generators. The applicant proposes to transition to an alternative renewable energy source in the future.

Water for irrigation will be provided by two rainwater catchment ponds (1-60,000-gallon pond and 1-100,000-gallon pond). Both rainwater catchment ponds will be supplemented by a surface diversion. The applicant has secured a Streambed Alteration Agreement (1600-2015-0110-R1) for the diversion. Water will be stored in the following rainwater catchment ponds and tanks below:

Water Storage in Nexus to Cannabis	Gallons
One (1) Rainwater Catchment Pond	60,000-gallons
One (1) Rainwater Catchment Pond	100,000-gallons
One (1) Hard tank	2,875-gallons
One (1) Hard tank	2,650-gallons
One (1) Hard tank	1,550-gallons
Two (2) Hard tanks	2,500-gallons
Total Water Storage	172,075 gallons

Proposed water storage totals 172,075 gallons.

According to the California Natural Diversity Database (CNDDB) there are no mapped threatened or endangered species located on the parcel. The project site is located approximately 0.82 miles northwest of a known Northern Spotted Owl (NSO) Activity Center and an NSO sighting was mapped approximately 0.5 miles northeast from the project site. Marbled murrelet habitat is mapped approximately 4.19 miles southeast from the project site. The generators that will be used as the power source for the project will be contained in generator sheds. Within 1-mile of the project site there are six (6) approved commercial cannabis farms that are utilizing solar as the sole source of power. The project is not likely to cause an accumulative noise impact to any threatened or endangered species including the Northern Spotted Owl.

The project is located in the Bear River and Sinkyone Aboriginal Ancestral Territories. The project was referred to the Northwest Information Center, Bear River Band, and Sinkyone. No Cultural Resource Evaluation was requested. Standard Inadvertent Archaeological Discovery Protocol will be implemented during any project construction activities.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. These include restocking 0.30 acres with timber that was converted after the CEQA baseline was established to remediate for loss of wildlife habitat, ensuring supplemental lighting and security lighting adheres to Dark Sky Association standards and ensuring project related noise does not harass nearby wildlife which will limit impacts to biological resources as a result of light and noise.

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

1. Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

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

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 9,940 square foot outdoor cultivation operation with ancillary drying activities is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

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

- Cultivation and Operations Plan prepared by the Applicant received August 19, 2020.
- Site Plan prepared by the agent received March 23, 2021.
- Water Resource Protection Plan (WRPP) prepared by Timberland Resource Consultants, dated August 13, 2016.
- R2 Soils Report and Letter-Report prepared by DTN Engineering dated December 13, 2018.
- Timber Conversion Evaluation Report prepared by Timberland Resource Consultants dated August 22, 2018.
- Restocking Plan prepared by Timberland Resource Consultants dated August 22, 2018.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

FINDINGS

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

CONCLUSION

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

ATTACHMENT 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. (Not applicable)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Plot Plans prepared by the agent dated 03/23/2021 – Attached with project Maps)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan prepared by the agent dated 08/19/2020- Attached)
5. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above)
6. 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. (NOI and reporting, Water Resources Protection Plan (WRPP) prepared by the agent – Attached separately as Attachment 3b. Notice of Applicability: Waste Discharge Requirements Water Quality WDID: 1B16413CHUM – on file)
7. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (Notification No. 1600-2015-0110-R1)
8. If the source of water is a well, a copy of the County well permit, if available. (Not applicable)
9. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion

exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Not applicable)

10. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
11. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
12. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
13. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
14. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)
15. R2 Soils Report and Letter-Report prepared by DTN Engineering dated December 13, 2018. (Attached)
16. Timber Conversion Evaluation Report prepared by Timberland Resource Consultants dated August 22, 2018. (Attached)
17. Restocking Plan prepared by Timberland Resource Consultants dated August 22, 2018. (Attached)
18. Septic Site Suitability Analysis prepared by DTN Engineering received December 13, 2018. (On file)

APPENDIX D: Cultivation Plan

Overview of Cultivation Activities

Organnabliss will further the education, horticultural science, and medical relief with use of cannabis using organic methods, recyclable materials, and efficient energy and water usage.

OB's lead cultivator is AndyButts an experienced cultivator with multiple decades of experience cultivating medical cannabis.

Organnabliss's location features multiple greenhouses with the intent to apply for state MAUCRSA licenses (subject to change as regulations develop).

Organabliss site overview:

Organnabliss will manage a 8,075sq ft outdoor cultivation site, requiring a CMMLUO Special Permit (Tier 2) from the county of Humboldt and a MAUCRSA Type 2 Small Outdoor License from the State of California (when available).

Cannabis Recordkeeping

Organnabliss will track all on-site cannabis from seed-to-sale using a Unique Identifier System. OB is evaluating and remains open to alternative track and trace options.

OB will monitor the California Board of Equalization track-and-trace discussions and will choose a solution that is compliant with all eventual legislation and regulations pertaining to track-and-trace options.

Pre-Existing Cultivation

Cultivation existed on the parcel prior to January 1, 2016. (See Attachment "Historical Satellite Image of Cultivation Area")

Description of Cultivation Plan components

The remainder of this Cultivation Plan adds considerable detail to the planned cultivation activities, including the following components:

- Schedule by Month of Growing and Harvesting
- Cultivation Facilities: the plan features greenhouse facilities
- Cultivation Cycle: the processes that make up the cultivation lifecycle of the cannabis plant
- Cultivation Inputs: the required additives for optimal harvest
- Cannabis Disposal: the protocols for tracking and disposing of cannabis waste

Schedule of Activity by Month of Growing and Harvesting

Organnabliss operates cultivation activities on the parcel for two growing cycles annually, typically beginning in February and ending in November.

Growing and Harvesting by Month (current) :

January – Only propagation operations to maintain ‘mother’ stocks. Maintain propagation stock with supplemental lighting and heating.

February – Amend soils, repair and/or replace any irrigation, plastic sheeting, lights, etc. Begin planting seeds in 4” pots in greenhouse propagation using supplemental lighting. Take cuttings from ‘moms’ and nursing cut clones until rooted 5-14 days for first run light deprivation due at the end of May. Maintain propagation stock with supplemental lighting and heating.

March – Amend soils, repair and/or replace any irrigation, plastic sheeting, lights, etc. Ensure all is prepped and optimized for the coming season. Transplant from 4” to 3-5 gallon pots, continue taking cuttings from ‘moms’ and nursing cut clones until rooted 5-14 days. Transplant rooted clones into final greenhouse bed for veg growth due at the end of June. Flip second run greenhouse to begin flowering due in late May early June. Maintain propagation stock with supplemental lighting heating.

April – Continue taking cuttings from ‘moms’ and nursing cut clones until rooted 5-14 days. Transplant rooted clones to beds or 1-5 gallon pots. Transplant seedlings to larger final pots or amended greenhouse beds for continued vigorous growing due in July. Maintain propagation stock with supplemental lighting.

May – Complete outdoor set ups and soil amendments. Begin transplanting to larger final outdoor pots and beds with supplemental lighting. Prune during the weeks before and during harvest of all mature plants and then replant for harvest in October. Maintain propagation stock with supplemental lighting.

June – Ensure all plants are in final places for full sun outdoor season. Some plants will use supplemental lighting to stay in veg; transplant some to larger final outdoor pots and beds. Prune at the beginning of the month. Harvest all mature plants at the end of the month, with immediate replanting for harvest in October. Maintain propagation stock with supplemental lighting.

July – Harvest mature plants. Prune as needed at beginning of month. Harvest all mature plants at month end with immediate replanting for harvest at the end of October. Maintain propagation stock with supplemental lighting.

August – Maintain feeding and watering schedules in all greenhouses and outdoor plots as they begin flowering for final harvests. Some plants will use supplemental lighting to stay in veg for part of the month. Harvest others if ready. Maintain propagation stock with supplemental lighting.

September – Prune and maintain feeding and watering schedules as flowering continues. Harvest some plants when ready. Maintain propagation stock with supplemental lighting.

October – Harvest as needed. Maintain propagation stock with supplemental lighting.

November – Harvest as needed. Maintain propagation stock with supplemental lighting and heating.

December – Maintain propagation stock with supplemental lighting and heating.

Drying and curing will take place separately and is described in the Processing Plan.

Cultivation Facilities

Organabliiss's 8,075 sq ft outdoor cultivation site will take place in two areas on the parcel.

Area 1

2 Greenhouses - 17 X 60 (2,040) sq ft

1 Greenhouse - 12 X 50 (600) sq ft

Area 2

2 Greenhouses - 12 X 40 (960) sq ft

2 Greenhouses - 12 X 36 (864)

3 Greenhouses - 12 X 100 (3600) sq ft

Additional Structures

1 Nursery - 10 X 40 (400) sq ft

1 Nursery - 10 X 30 (300) sq ft

1 Propagation area / Drying Shed - 16x36 (576) sq ft

1 Storage Shed - 12x12 (144) sq ft

Tent Facilities

There are 3 - 10 X 40 storage tent structures . These are used for equipment and tool storage as well as drinking water, fridge, sink and grill area - These tents are not used for any kind of employee housing, work areas, or any cultivation use.

Cultivation Area Partial Relocation

During Organabliiss's 2016 water resource protection plan assessment by Timberland Resource Consultants, it was determined a portion of the existing grow area falls within the riparian setback for the nearby class III waterway (See WRPP page 24 "Riparian Buffer Reestablishment"). As a result, it was recommended that these greenhouses be relocated to an existing cleared area.

Cultivation Cycle

Organabliiss's cultivation process is described in two parts:

- Propagation
- Growing

All harvest and post-harvest procedures are covered separately in OB's Processing Plan.

During all phases of cultivation, OB will keep meticulous records using a perpetual inventory management system. OB will thoroughly train all cultivation agents on OB's selected inventory management system. Records will accurately identify and record the seeds or vegetative planting stock as to genus and species, and to subspecies, variety, cultivar, and/or hybrid if applicable.

Records will also track plants individually as they progress through phases of cultivation.

OB will designate a head cultivator who will determine the mix of cultivars to be propagated and cultivated. The following items will be considered when determining cultivar selection:

- The availability of the cultivar
- Medicinal benefits
- Other cultivars currently in production
- Length of cultivation cycle
- Market demand

Propagation

There are three pieces to propagation:

- Developing strong genetics by breeding parents to generate seeds
- Germinating seeds and determining plant sex to grow new cloning mothers
- Replicating strong genetics through cuttings of a single cloning mother

Organnabliss will focus on propagation through taking cuttings, or "clones" from mother plants. Cuttings will be taken from mother plants in the vegetative stage only. Cannabis is an annual plant that has a life cycle of one year, however if kept in a vegetative state can live for many years. By breeding in or out specific cannabis genetic profiles, OB will be able to create precise plant medications with the appropriate cannabinoid content for the relief of clinical conditions plaguing all medical marijuana patients.

Employees responsible for cutting and transferring clones will be thoroughly trained on how to assess mother plants as well as cut and transfer clones using methods outlined by OB.

Training will include, but is not limited to, the following items:

- Assessing and selecting mother plants
- Preparation for cutting clones
- Procedure for cutting clones, including root hormone applications
- Transplanting clones
- Clone care, organization, and tracking

Cultivation Inputs

Organnabliss is committed to the highest standards of cultivation inputs. By following rigorous protocols and regenerative farming and Best Management Practices (BMP's), OB maintains the highest quality of cannabis produced and mitigates the risk of wasted production.

Part of this commitment to quality is OB's ongoing evaluation of potential organic certifications, including Salmon Safe & Clean Green Certification, which indicates that:

- The product has been grown to standards that meet or exceed the standards used by the USDA in awarding organic certification, and is thus "organic" by nature
- No synthetic inputs or pesticides have been used at any point of the production/cultivation process
- Production methods are environmentally & salmon-safe
- That all processes involved during the growing and cultivation of marijuana are in full compliance with local and state jurisdictions

OB has established the highest standards for growing medium, pesticides, disease and pest management procedures.

Growing Medium

Organnabliss has practiced a strict gardening policy of only using and reusing organic substances to create sustainable resources, reduce consumption of those resources, and prevent any type of harmful environmental impact. This includes OB's growing medium.

OB will use custom mixed 'super soils' with all pots for the Breeding Mothers, Breeding Fathers, Cloning Mothers and all flowering pots and beds as a primary growing medium. These soils are designed to be continually built upon and improve over time using permaculture methods of recycling all refused and pruned plant matter back into the soil.

Mycorrhizae will be added to the growing medium, increasing its mass through a blend of symbiotic organisms. This additive is a mixture of organic beneficial microbes and worms used to help break down old plant material and provide nutrition. These microbes provide aeration so oxygen can reach further to penetrate more into the plants roots. They also capture nitrogen and help make phosphorus more available, facilitating plant growth. Mycorrhizae will be used throughout the entire plant cultivation cycle.

Pesticides

If necessary, OB will use only organic Salmon Safe and Clean Green Certified pesticides and herbicides for pests and or diseases.

Should the use of these products be necessary, OB proposes to use Regalia, OG Biowar and Venerate, which are organic products that are microbial based and powered by several active compounds that span different chemical classes. These compounds drive multiple modes of action, which result in exoskeleton degradation and molting interference; control of the pests is achieved through exposure and ingestion of the product. All are Clean Green certified products.

Disease and Pest Management Procedures

Organnabliss will use mold and pest resistant cultivars to maximize biological prevention of pests and diseases.

Integrated Pest Management (IOB)

The goal of IOB is to apply a combination of control methods to prevent, reduce, or maintain pest populations at non-damaging levels.

OB will implement and monitor IOB practices to predict potential levels of crop damage, mitigate risk, and control pests.

A variety of mechanical, physical, and biological controls will be implemented. The lead cultivator may implement the use of appropriate biological controls including predatory wasps and mites and nematodes, praying mantises, ladybugs, pirate bugs, and others for preventative or mitigation purposes. The use of bio dynamics will be limited to recognized and effective

applications. OB may implement any practice allowed by the USDA Organic Standards.

Regular IOB practices include, but are not limited to:

- Daily monitoring of pest populations
- Removal of pest habitat, food sources, and breeding areas
- Utilization of verified “pest-free” supplies
- Prevention of access to handling facilities
- Management of environmental factors, such as temperature, light, humidity, atmosphere, and air circulation, to prevent pest reproduction
- Disposition of infected crops
- Pest indicator and companion plants
- Use of organic pesticides as a last resort

Early identification of pest infections is crucial. Each cultivation employee will be trained on and responsible for plant inspection and identification. Indicator companion plants will be cultivated to tell OB if an infestation has occurred.

Should a pest infestation occur, OB will develop IOB programs on an as-needed basis for identifying and considering at a minimum:

- Current status of infestation
- Pest and crop life-cycle stages
- Location, size, density of infestation
- Potential to spread
- Previous results of measures taken

Pesticide spraying protocols

As a last resort, OB will establish spraying protocols as needed and will maintain records of any pesticide use in the cultivation records for at least thirty-six months.

Records must include:

- Reason for application
- Method of application
- Frequency of application
- Next scheduled date of application
- Employee responsible for next application
- Status of lighting and air circulation during application (i.e., lights and fans off)
- PPE required for application (i.e., mask required, Tyvex suit optional)
- Restrictions preventing application (i.e., do not apply within four hours of any foliar application)
- Life Cycle Stage restrictions - (i.e., apply in vegetative state only or may be applied in all stages)
- Re-entry intervals
- Posting requirement
- Other precautions (i.e. cover medium)

All above standards and practices will be followed even with OB’s non toxic pesticides.

Disease Management

OB will determine acceptable methods of disease management. The scope for disease management will include, but is not limited to:

- Soil and crop nutrient management practices
- Sanitation measures to remove disease vectors and habitat for pest organisms
- Cultural practices that enhance crop health, including selection of plant species and varieties with regard to suitability to site-specific conditions and resistance to prevalent pests and diseases
- Practices which suppress the spread of diseases or pests
- Application of biological, botanical, or mineral inputs

Signs of Pest Infestations or Disease

OB will also oversee at least weekly surveillance or inspection of companion indicator plants and crop, identifying:

- Changes in biological colonies
- Mold or mildew
- Leaf and tip burn, discoloration, and spotting
- Changes in appearance of the crop

All crops are to be inspected by two or more trained employees for all visible foreign matter and sub-standard material to be recycled. These employees will also perform a visual microscopic and naked-eye inspection of each crop processed to determine:

- Organoleptic characteristics (color, texture and odor)
- Presentation of the material (raw, cut, crushed, compressed)
- The presence of admixtures, foreign matter (sand, particles, dirt) mold, or signs of decay
- The presence of insects

OB will schedule as needed in-house testing based on current operational needs and recorded in the crop management system. Tests that will be performed include:

- Soil pH
- Nutrient pH
- Total Dissolved Solids (TDS)
- Electro-Conductivity (EC)
- Soil EC/pH testing using a saturated media extraction (1 part soil to 2 parts water filtered)
- The leachate pour-through method

Damaged and/or degraded plant material will be recycled into the soils for worms and microbes to consume with approval from OB and in accordance with waste disposal policies and procedures.

Cannabis Disposal

All plant waste, including waste composed of or containing cannabis leaves or flowers, will be cycled back into the soils as food for the worms and microbes becoming then food for the next

round of plants. Organnabliss will use best composting practices in the disposal of diseased, contaminated, or otherwise unusable medical cannabis. All recycled or composted cannabis will be accounted for in written daily log and verified by camera and/or the perpetual inventory control technology.

APPENDIX B: Environmental Protection Plan

Standards for Water Storage, Conservation and Use

Organnabliss's environmental consulting agency, Timberland resource Consultants, will develop a detailed water source and usage plan.

Per the North Coast Regional Water Quality Control Board Order No. 2105-0023 requirements, OB acknowledges responsibility for water resource and water quality impacts associated with the occupancy of and activities on the parcel site.

OB will self-certify as a Tier II Discharger per NCRWQCB Order No. R1-2015-0023 Appendix C, indicating that the site meets Tier II characteristics and standard conditions requiring a cleanup and restoration plan. OB will both submit and retain a copy of the self-certification and the Order on-site. OB will facilitate any NCRWQCB inspections required to assess compliance with these conditions.

As a Tier II Discharger, OB commits to meet every component of the Water Resource Protection Plan required of Tier II dischargers and detailed in NCRWQCB Order No. R1-2015-0023 § I.C

Organnabliss also commits to abide by any required enforcement response, such as may occur upon discovery of a water quality violation or impact. OB will update its Environmental Protection Plan and any related standard operating procedures to ensure future compliance, and will fulfill any requirements, which may include cleaning up conditions, restoring impacted watercourses, removing and properly disposing of waste earthen material or other wastes, repairing or removing stream crossings, upgrading roads, improving site drainage, and/or stabilizing bare/erodible soils.

Water Source

All water used by Organnabliss to produce cannabis derives from permitted points of diversion along with rainwater catchment ponds on the parcel with the commercial cannabis cultivation.

Water Storage

Organnabliss in establishing a commercial cannabis cultivation site, has built two water storage ponds capacity on parcel sufficient to hold 160,000 gallons. Water will be pumped into separate storage tanks for processing before irrigation. Hard poly storage tanks are located on property as follows:

- 1 - 2650 gal
- 1 - 2875 gal
- 1- 1550 gal
- 2- 2500 gal.

Total storage = 12,075 gallons Per NCRWQCB, the size and scope of the water storage shall be such that the amount of water used shall not adversely impact water quality and/or beneficial uses. OB will apply for appropriate permitting for any additional on-site water storage from the

Humboldt County Building Inspection Division if required.

Water Conservation and Use

OB will use best practices for water conservation, including a combination of drip irrigation, irrigation scheduling, capturing and storing water, and growing organically. At no time will water be applied faster than agronomic rates, which are defined as the rate that a plant needs to enhance its productivity and provide the forage growth with nutrients for optimum health and growth, without having excess water beyond the root zone. At no time will there be any black water or nutrient discharge into any water course.

Irrigation

OB cultivates soils in the ground, without raised beds, with straw much to hold the moisture, and 45 minute top feed drip once every 3-4 days. They do not use nitrogen fertilizers. Chicken manure in soil worm castings and bat guano inputs at the beginning of each cycle. Once the thick layer of mulch is soaked and combines with top soil it never dries out so it takes less water to penetrate deep and saves water & works better than raised beds or pots. These top feeds are at agronomic rates and no waste or discharges ever occur.

Projected Use

Estimated annual water usage will be 120,000 gallons. Additional water will be required for supporting other on-site requirements, such as drinking water, restrooms and hand washing stations. Monthly use is as follows and is consistent with annual reporting to state agencies:

Jan - 500
Feb - 500
Mar - 1250
Apr - 2500
May - 10,000
June - 10,000
July - 30,000
Aug - 30,000
Sep - 20,000
Oct - 10,000
Nov - 2,500
Dec - 500

Drainage, Runoff and Erosion Control

Organabliss's environmental consulting agency, TRC Consulting, will develop a detailed drainage, runoff and erosion control plan. OB has selected flat growing sites where erosion control requirements should be minimal.

Additionally, OB will implement the above water conservation measures, as well as irrigating and applying only organic inputs at agronomic rates, limiting applications to label specifications, and maintaining stable super soils and growth media. These practices should serve to minimize the amount of runoff to no measurable discharge from the gardens.

Organnabliss will work with TRC Consulting and will establish high tide permaculture measures to treat, control and contain the discharge runoff to minimize the amount to zero pollutant loads and no irrigation discharge. No fertilizers, fine sediment, or other related materials will be discharged to nearby watercourses. Per the NCRWQCB, OB will acquire appropriate permitting for any discharges of waste associated with the development of the OB site. This includes coverage under the General Permit for Discharges of Stormwater Associated with Construction Activity.

To the extent that the site includes characteristics such as steep slopes, highly erodible soils, or unstable areas, OB commits to working with an appropriate California-licensed individual during construction to ensure constructed features on the site are stable and do not represent a threat to the beneficial uses of water or public health and safety.

Watershed and Habitat Protection

OB will pay special attention to avoid causing any disturbance to local surface water habitats or the natural wildlife. In particular, provisions will be taken to ensure the viability of the local habitat to ensure the future livelihood and sustainability of:

- The Spotted Owl
- The Pacific Fisher
- California King Salmon
- California Steelhead

Power consumption and noise compliance

Organnabliss plans to use non-grid generator power only at intermittent times for the purpose of generating fluorescent light for propagation activity. When in operation, the generator will not produce noise that is audible to humans from a neighboring residence and will at all times remain below 60 decibels of volume. OB will work with environmental consultants to evaluate the auditory disturbance and ensure compliance with guidelines prepared by the United States Fish and Wildlife Service, and will consult with that agency as required to protect this important habitat. Due to the elevation and proximity from neighboring residences it is very unlikely that any generator noise can be heard from Organnabliss Farms. No complaints have been filed with the county

Light pollution and spillage

Greenhouses used by Organnabliss for cultivating cannabis will be built to specifications that comply with Humboldt County Code § 314-55.4.11(v) and (w). This includes ensuring that very little, if any, supplemental light escapes, minimizing any impact to the surrounding habitat. No light emitted by any of OB's propagation areas will be visible from any neighboring property between sunset and sunrise. Moreover, all greenhouses will comply with International Dark Sky Association standards for Lighting Zone 0 and will be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare. OB acknowledges and understands that all complaints regarding light spillage must be addressed within 10 working days of receiving written notification of such a violation. All GH structures with any supplemental lighting will be covered to prevent any light leakage. No complaints have been filed with the

county.

APPENDIX C: Hazardous Materials Plan

Humboldt County Code § 314-55.4.10(d) requires the applicant to outline its plan to properly handle and store hazardous materials including any fertilizer, pesticides or other regulated products.

As an agricultural operation, Organnabliss will potentially need to use some hazardous materials, including fertilizers, pesticides, and other regulated products.

OB acknowledges that the Humboldt County Environmental Health Division, which administers the Hazardous Materials program as one of the Certified Unified Program Agency (CUPA), regulates hazardous materials and wastes from agricultural businesses. OB will follow all appropriate requirements under the Hazardous Materials program.

This includes the application, inspection, enforcement, and reporting under the program requirements and standards set by the California Environmental Protection Agency (CalEPA).

When using pesticide products, OB shall be in compliance with State pesticide laws, and regulations enforced by the County Agricultural Commissioner's Office and the California Department of Pesticide Regulation.

OB has established protocols governing the use and storage of these hazardous materials.

Using Hazardous Materials

Although Organnabliss does not use pesticides or herbicides in the cultivation of cannabis, some hazardous materials will be used in the operation of the business including fertilizer, soil amendments and fuel for the on-site generator.

OB shall apply fertilizers and soil amendments and use them per packaging instructions and/or at proper agronomic rates, which are the rates of fertilizer and irrigation water that a plant needs to enhance soil productivity and provide the crop or foliage growth with needed nutrients for optimum health and growth, without having any excess water or nutrient percolate beyond the root zone.

OB's on-site generator will be housed in an appropriately rated, locked storage area, as described below. While ignitable or reactive waste is being handled, the owner or operator shall confine smoking and open flame to specially designated locations. "No Smoking" signs shall be conspicuously placed wherever there is a hazard from ignitable or reactive waste.

While transferring, treating, storing or disposing of ignitable or reactive waste or fuels, OB employees shall take precautions to prevent reactions which:

- Generate extreme heat or pressure, fire or explosions, or violent reactions
- Produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health or the environment
- Produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire

or explosions

- Damage the structural integrity of the device or facility
- Through other similar means threaten human health or the environment

Organnabliss shall document standard operating procedures for these materials and enforce compliance.

Storing Hazardous Materials

Organnabliss commits to storing any hazardous materials on the site in locations and in a manner in which they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater. Fertilizers and amendments shall be applied and used per packaging instructions and/or at proper agronomic rates. Cultivation shall be maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.

OB does not use pesticides or herbicides for cultivating cannabis.

OB will store petroleum products and other liquid chemicals that may be present so as to prevent their spillage, discharge or seepage into receiving waters.

All hazardous materials will be stored in locked storage areas designated solely for this purpose, built on a concrete slab foundation, and appropriately rated by the National Fire Protection Association. All such areas will be spark proof with proper ventilation systems to ensure safe handling of any potential leaks or build-up of gas.

OB shall maintain these areas so as to pose no threat of safety or quality to the facility, product, or employees. The temperature and humidity of the storage spaces shall be maintained at an appropriate level for the contents, and shall be monitored to ensure ranges are always within acceptable limits.

October 10, 2018,
Organnabliss Farms
APN - 219-081-004
APP no. # 12587.



As per request of Planning and Building Dept. here is an updated and revised Site Plan (SP) and Plan of Operation (PO). The following items are addressed in the revised Site Plan or in Timberland Resources Consultants (TRC) forestry report, restocking plan, and its recommendations for mitigating use and conversion within SMA area. (Submitted 9/21/18).

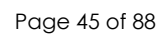
Site Plan.

4A

- A. Show the entirety of the subject Parcel (SP)
- B. Show the topography of the site (TRC)
- C. Show the extent of the existing timberland conversion area and the date of the conversion. (TRC)
- D. Any facilities such as greenhouses and nurseries, shown in an area proposed for conversion will need to be located within an existing conversion area and outside of the SMA (TRC)
- E. The location of natural waterways including streams, ponds, springs, culverts and any other water features (wetlands) . Also, the associated SMA (and wetlands buffers should there be wetlands buffers be present) pursuant to general plan Standard BR0S5. Note: A class II stream on the NW corner of the parcel and 4 class III streams shown in the WRPP maps that are not shown in the site plan. (SP, TRC)
- F. If there are cultivation areas and or appurtenant facilities located in with the SMA, revise the site plan to reflect a location outside of the SMA and within an existing conversion area. (SP, TRC)
- G. Capacity of ponds consistent with operations plan (OP, SP)
- H. Setbacks of cultivation areas from property lines (SP)
- I. Septic Location (TBD) – awaiting engineer, percolation test, and R-2 soils report. However future septic location will be in permissible location in regards to setbacks from SMA and watercourses.
- J. Restoration areas: See biological and timberland conversion reports. (TRC)
- K. Remove tent facilities or other temporary accommodations. – (OP)
- L. Date of Construction for other buildings and water storage structures (SP)

4B

- A. Daily or monthly water use (OP page 15)
- B. Clarify number of hard – sided water storage tanks on the subject parcel. (OP page 14)
- C. Capacity of Ponds (OP page 14)
- D. Substantial evidence that all measures have been taken to reduce light and noise pollution (as requested by CDFW on April 27, 2018) – (OP page 16)
- E. Discussion of Tent Facilities shown on the site plan if they are for a purpose other than employee housing (OP page 22)





R2 Soils Report

For

Andy Butts

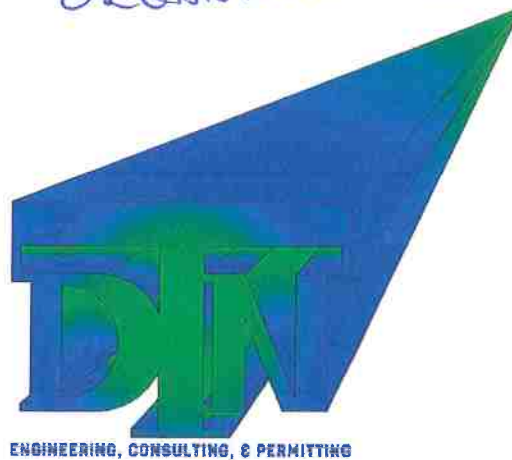
A Portion of The SE ¼ Sections 19, T3N, R3E H. B. & M.

Town of Harris, County
of Humboldt California

APN 219-081-004

APPS #14323

CANNABIS APP # 12587
ORGANABLISS FARMS



December 2018

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ATTACHMENTS:

APPENDIX A: LOCATION MAP

APPENDIX B: SITE MAP

APPENDIX C: USGS SPECTRAL RESPONSE ACCELERATIONS

APPENDIX D SOIL Test Data

Date:	November 30, 2018	Project Number:	2018_AB-1
Owner:	Andy Butts	Project Name:	R2 Soils Report
Location:	Harris, California	APN:	219-081-004

Introduction:

DTN Engineering (Engineer) was secured by Andrew Butts (client) to evaluate the existing conditions for the above referenced parcel. The client is seeking permitting for proposed grading at the location identified on the site map (Exhibit B). The following is an outline of our findings and recommendations.

Project Site Location:

The project site is located) is off Thomas Rd. approximately 9.1 miles west of Highway 101 from Exit 653 for Salmon Creek Rd. (see **Appendix A** for Location Map and **Appendix B** for Site Map). Latitude and Longitude of the project site is 40.1825 N and -123.8806° W. The parcel is approximately 40 acres in size (Parcel Map Book 219 and Page 08). The parcel is zoned both FR-B-5 under the County of Humboldt zoning code. Surrounding the parcels are primarily agricultural and timberlands. The approximate site elevation of the project site is from approximately 880' to 1,200' above mean sea level. Ingress/egress is provided from Private Drive via Harris Rd.

Project Site Geology:

The subject property is mostly undeveloped besides pre-existing access roads, landings, and agricultural structures. Slopes on site in general are slightly inclined (approximately less than 10% to greater than 25%) with a westerly aspect towards a tributary to Tostin Creek. Geologically, the site lies within Central Belt of the Franciscan Complex apart of the greater Coast Range Physiographic Province (McLaughlin and others, 2000). The existing development primarily lies atop of early Tertiary to Late Cretaceous-age mélange of the Central Belt (cm2). The cm2 portion of the assemblage is described as predominately subequal amounts of metasandstone and meta-argillite. The geomorphology exhibited by this portion of the Franciscan assemblage is irregular topography that lacks well incised sidehill drainages but is less lumpy than cm1 (mélange unit). No active sliding or faulting was observed during the site visit within and outside of the graded areas.

The project parcel is not located near any earthquake faults.

Proposed Project:

The proposed project for this site is to perform a general soils investigation as needed to provide recommendations and evaluate proposed grading and proposed building slab. All anticipated grading and erosion control features will meet the grading requirements of the County of Humboldt. Improvements.

Soil Conditions:

A field investigation was conducted by the Engineer at this site on October 16, 2018. This investigation consisted of site observations and general observations of the area of the existing development. Soil observations were field-logged and classified in general accordance with ASTM D-2488 visual-manual procedures. Two 8 foot excavations were utilized to infer soil and bedrock types. Soils observed within the area of the existing grading were sandy clay loams (SL). Weathered bedrock was encountered throughout the site, primarily comprised of argillite and (meta) sandstone.

Site Soil Evaluation:

Conservatively, site soils will yield a bearing pressure of two thousand (1500) psf for vertical bearing and one hundred and fifty (100) psf for lateral bearing (2016 California Building Code, Table 1806.2).

Seismic Considerations and Flood Considerations:

There are no active faults nearby and the site does not lie within an Alquist-Priolo zone.

The following coefficients shall be used for seismic design (See **Appendix C** for USGS Seismic Hazard Data):

Site Class	C
Mapped Spectral Response Acceleration (short), S_s :	1.400 g
Mapped Spectral Response Acceleration (1-sec), S_1 :	0.853
g Site Coefficient, F_a :	.942
Site Coefficient, F_v :	1.5
Acceleration Spectral Response (short), S_{DS} :	1.000 g
Acceleration Spectral Response (1-sec), S_{D1} :	1.280 g
Seismic Design Category:	D
Occupancy Category:	I
Importance Factor:	1.0

The project site is listed to be in an area that is *highly instable* by the County of Humboldt GIS mapping.

Based on the location and geographical setting, the project site lies outside any flood prone areas.

Due to the site soils, depth to groundwater, distance to the nearest known quaternary fault, and distance to descending slopes, the potential for liquefaction, surface rupture, soil strength loss, or faulting at this site is Low, and no special mitigation hazards are necessary.

Conclusion:

This report documents the history, present conditions and subsurface materials, as well as the geologic hazards associated with the site. Included in this report are design and construction recommendations based on the site conditions encountered, the requirements of the 2016 CBC and County of Humboldt grading ordinance. Based on our review of historical data, site exploration and observations, it is in our opinion that if our site-specific recommendations are implemented as intended, then no further actions will be necessary.

Recommendations:

The following recommendations are general recommendations for any future grading activities to be performed:

Setback Recommendations

From an engineering geologic viewpoint, we have no setback recommendations to mitigate the potential geologic hazards. Slope setbacks are neither relevant nor necessary for the proposed project. Zoning setbacks remain applicable.

Site Preparation

Earthwork (grading and excavations) should be undertaken only during the dry season. All debris and vegetation should be removed from within 2 feet of the footprint of the proposed earthwork and disposed of or recycled appropriately. Topsoil should be removed and should be stockpiled on-site for later use as landscaping material and non-structural fill. Following the work, topsoil should be replaced or used as landscaping fill, and seeded to establish vegetation prior to the winter wet season.

Subgrade Preparation

Segregate and stockpile topsoil for later use as non-structural or landscaping fill. Alternately, dispose of these materials at an appropriate location. If the native soils exposed below the topsoil are loose or disturbed, they should be further excavated to expose more-competent native soils consisting of grayish brown, dense well-graded sandy gravel with clay (GW).

Temporary Excavations

Temporary construction slopes are anticipated for this project as currently proposed. Temporary construction slopes are proposed, they should be designed and excavated in strict compliance with applicable local, state, and Federal safety regulations including the current OSHA Excavation and Trench Safety Standards.

Construction equipment, building materials, excavated soil, vehicular traffic, and other similar loads should not be allowed near the top of any unshored or unbraced excavation greater than four feet in height. Where the stability of adjoining buildings, wall, pavements, utilities, or other similar improvements is, or may be endangered by excavation operations, support systems such as shoring, bracing, or underpinning, may be required to provide structural stability and to protect personnel.

Excavation operations are dependent on construction methods and scheduling; therefore, the owner, designer, and contractor share responsibility for the design, installation, maintenance, and performance of all shoring, bracing, underpinning, and other similar systems. LGC assumes no responsibility for the safety of temporary excavations or shoring systems.

Cut and Fill Slopes

Fill embankments should be constructed with slopes not exceeding 2:1 horizontal to vertical (50% slope), maximum. Any new permanent cut slopes should also be limited to a maximum slope of 2:1. Construction (temporary) slopes may be steeper. Slope grades may be modified only if previously reviewed and approved in writing by the geotechnical engineer or his designated representative. All new cut slopes, fill embankments and bare soil areas created in this development work should be re-vegetated promptly to minimize the potential for erosion.

Fill Materials

All structural fill materials should be suitable granular native material or well-graded imported granular material such as crushed quarry rock or river-run gravels (100 percent passing 3-inch sieve). Fill materials should be reviewed and approved for use by the project engineer prior to importing it to the site. Fill should be placed in loose lifts not exceeding 8 inches, on a suitably-prepared (flat) surface, and should be compacted mechanically so that no settlement will occur. A suitably-prepared surface should consist of native soil material scarified and compacted in-place. We recommend compaction to a minimum of 90 percent relative compaction (RC) under driveways, sidewalks and landscaped areas. Fill materials should be placed at a uniform moisture content, at or near optimum.

Aggregate Base

Aggregate base material may be used for pavement subgrade, placed beneath footings or floor slabs, or used as trench backfill. This material should be compacted mechanically and should meet the requirements in the Caltrans Standard Specifications for Class 2 Aggregate Base; 1.5 inch maximum particle size.

Select Fill

In the case of new construction requiring select fill, that select fill should consist of granular material that may be used as non-expansive fill beneath floor slabs. Select fill should be a well-graded soil/rock mixture free of organics and other deleterious material; on-site native soils may not be suitable for use as select fill.

Select fill material should contain low plasticity clay, well-graded sand, and/or gravel. The material should contain no more than three percent by weight of rocks larger than 3 inches in greatest dimension, or more than 15 percent larger than 2-inches. Additionally, the material should meet the following specifications:

Plasticity index (PI):	<12
Liquid Limit (LL):	<30
Percent passing No. 200 sieve:	50 maximum, 5 minimum

Compaction Standard

Where compacted fill is required, that structural fill should be compacted in accordance with the specifications listed in the table below. Place material in horizontal lifts not exceeding 8- inches in loose thickness. A qualified field technician should be present to observe fill placement and to perform field density tests at random locations throughout each lift to verify that the specified compaction is being achieved by the contractor.

Where trenches closely parallel a footing and the trench bottom is within a two horizontal to one vertical plane, projected outward and downward from any structural element, concrete slurry should be utilized to backfill that portion of the trench below this plane. The use of slurry backfill is not required where a narrow trench crosses a footing at or near a right angle.

TABLE 2 - STRUCTURAL FILL PLACEMENT SPECIFICATIONS		
Fill Placement Location	Compaction (ASTM D 1557)	Moisture % Optimum
Roadways within 2.0' of Base of Pavement	95%	-1 to +3 percent
Fill below Base of Pavement Subgrade	90%	-1 to +3 percent
Utility trenches: Building/Pavement areas	95%	-1 to +3 percent
Utility trenches: Landscape Areas	90%	-1 to +3 percent

Drainage and Landscaping

The site should be graded to provide drainage such that no water is allowed to: 1) pond anywhere on the site, 2) migrate beneath the proposed developments, or 3) pond at the base of cuts.

Erosion Control

Site-specific erosion/sediment control and stabilization recommendations are presented in the bulleted list below. As used herein, *exposed soil areas* and *disturbed areas* include all grading and excavation work performed in connection with the proposed project.

- Storm water erosion and pollution prevention measures should be taken as soon as possible prior to the onset of the winter rains.
- Humboldt County Erosion Control Standards should be viewed as *minimum* standards for erosion and sediment control at this site.
- Revegetate all disturbed areas immediately by seeding with Caltrans erosion control mix (or equivalent).
- To protect against erosion, heavily mulch all exposed soil areas with straw, or an approved alternate material.
- Poke the straw mulch into the upper 2 inches of the soil to limit loss of straw.
- Stake straw wattles parallel to slope contours into any side cast fills.
- Install silt fencing at toes of any new side cast fill slopes.
- Replant the site with trees and shrubs native to the area.
- Cover any soil stockpiles with 6-mil (min) plastic sheeting, securely anchored to prevent wind disturbance.

- Native gravel-surfaced roadways to the proposed ponds and other areas where vehicle traffic may occur; should be maintained in good condition.
- Drive and park vehicles only on gravel-paved areas during wet weather.
- Monitor the site before and after runoff-generating rainfall events to verify suitable and appropriate functioning of all erosion-control measures.
- Promptly repair all erosion-control measures as needed.

Limitations

This report, recommendations, and conclusions are solely intended for the site discussed above. The information contained in this report is only intended for use at the stated site using the stated uses. This report should not be used as justification for any other project or site, and only be used for information purposes if referenced and reviewed for other projects. The ENGINEER recognize that the site is in a dynamically active area and conditions can and will change. The ENGINEER has used the best professional judgment to assess the present and future risks and assist the landowner in proposing development that does not increase the

References:

County of Humboldt GIS Mapping (<http://gis.co.humboldt.ca.us/>)

U.S. Geological Survey and California Geological Survey, 2018, Quaternary fault and fold database for the United States, accessed 5/28/2018, from website: <http://earthquake.usgs.gov/hazards/qfaults/>.

U.S. Geological Survey Earthquake Hazard Program, 2018, US Seismic Design Maps, accessed 5/28/2018, from USGS website: <http://earthquake.usgs.gov/hazards/designmaps/>.



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

Tayla

August 22, 2018

Organnabliss Farms
Andy Butts
185 Spruce Street
Eureka, CA 95503

Dear Andy Butts,

Re: APN 219-081-004 / Application #12587



The following is an evaluation of potential timberland conversion on cannabis cultivation sites and associated areas included in Humboldt County Cannabis Permit Application #12587 for APN 219-081-004. An Interim Permit has been issued for 8,075 ft² of existing outdoor of cultivation. Please accept this letter as the RPF's written report required by Humboldt County Code, Ordinance No. 2559 (Commercial Medical Marijuana Land Use), Section 55.4.10 (j), cited below.

"Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, if the landowner has not completed a civil or criminal process and/or entered into a negotiated settlement with CALFIRE, the applicant shall secure the services of a registered professional forester (RPF) to evaluate site conditions and conversion history for the property and provide a written report to the Planning Division containing the RPF's recommendation as to remedial actions necessary to bring the conversion area into compliance with provisions of the Forest Practices Act. The Planning Division shall provide CAL-FIRE written Notice of Availability of the RPF's report. If CAL-FIRE takes no action within ten (10) days of the notice of availability, the report recommendations shall become final."

Timberland Resource Consultants (TRC) inspected and evaluated the cultivation sites and associated areas contained within the application on August 20, 2018. The RPF exercised due diligence in reviewing all sites and available resources to fully assess potential timberland conversion and consequential impacts. This report evaluates the cultivation sites and associated areas for timber operations only. The scope of this report does not include: all other land alteration (such as grading, construction, and other permit-regulated activities), all property features and sites unrelated to cultivation activities, or any proposed, planned, or absent cultivation-related project sites. All findings are summarized in the report.

Project Location

APN: 219-081-004

Acreage: 41 acres

Legal Description: SW 1/4 of SE 1/4 of Section 19
Township 3 South, Range 3 East,
Humboldt Base & Meridian, Humboldt County

Located on USGS 7.5' Quadrangle: Ettersburg

Humboldt County Zoning: Forest Recreation

Site Address: None

Landowner/Timber Owner: Andrew W. Butts & Marjorie Ribeiro

Project Description (Cont.)

Northern Off-stream Pond

The pond's dimensions are approximately 40-ft by 60-ft with an overall disturbed area of approximately 0.12 acres. Per the landowner, the pond was existing in 2005 when property was purchased and was for cattle watering dating back to the early 1970's. The pond was slightly enlarged in 2016 per a CDFW 1600 Agreement. The cultivation-related activities observed impede the use of this space for current timber growth and harvesting; in this way, the landowner has effectively converted the single use of this space from timber production to a cannabis cultivation related activity.

Timberland Conversion Summary

TRC observed approximately 1.44 acres of unauthorized timberland conversion for cultivation-related purposes and Forest Practice Act violations as addressed below. This total does not exceed the three-acre conversion-exemption maximum.

Limitations and Considerations for Timberland Conversion Activities

Watercourses and Water Resources

As shown on the attached Conversion Evaluation Map, conversion of timberland occurred within the Class III WLPZ (SMA) in two locations.

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

The Forest Practice Act and Rules do not specifically prohibit conversion of timberland within a Class III EEZ. However, per the Humboldt County General Plan, the Grading and Open Space Ordinance would have applied to this project thus requiring County review and sign off. Consequently, a Stream Management Area or WLPZ would have been required on all Class III watercourses. The conversion of timberland within the Class III WLPZ (SMA) would have been permitted upon the issuance of a Special Permit from the County.

The landowner's options to rectify this potential violation is to (1) obtain a Special Permit from the County for past grading and development within the SMA, (2) restoration of the SMA area, or (3) a combination of both which would allow for the retention of the on-stream pond.

Limitations and Considerations for Timberland Conversion Activities (Cont.)

No major forest health issues were observed during the field assessment except the presence of Sudden Oak Death syndrome (SOD). SOD infestations were observed within the property and are known to occur on the adjoining Bear Butte Ranch and throughout the Salmon Creek watershed.

The conversion areas did not include late successional stands, late seral stage forests, or old growth trees. The conversion area did not include any trees that existed before 1800 A.D. and are greater than sixty (60) inches in diameter at stump height for Sierra or Coastal Redwoods, and forty-eight (48) inches in diameter at stump height for all other tree species.

Cultural Resources

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

No archeological sites were observed during the TRC field assessment. The RPF conducted pre-field research for the project's geographic location and closely surveyed the converted sites and surrounding undisturbed areas for presence or evidence of prehistoric or historic sites. The archaeological survey was conducted by Chris Carroll, a certified archaeological surveyor with current CALFIRE Archeological Training (Archeological Training Course #575). The survey consisted of examining boot scrapes, rodent disturbances, natural and manmade areas of exposed soils, and road and cultivation site surfaces.

Per 14 CCR 1104.2(2)(I), all required Native American tribes and organizations have been notified of the project location and are encouraged to respond with any information regarding archaeological sites, cultural sites, and/or tribal cultural resources within or adjacent to the project area.

Recommendations

In summary, a total of 2.47 acres of unauthorized timberland conversion has occurred within APN 219-081-004. This total does not exceed the three-acre conversion exemption maximum. The conversion activities conducted on the property do *not* comply with the California Forest Practice Act and the California Forest Practice Rules. The RPF recommends the following measures for the converted areas:

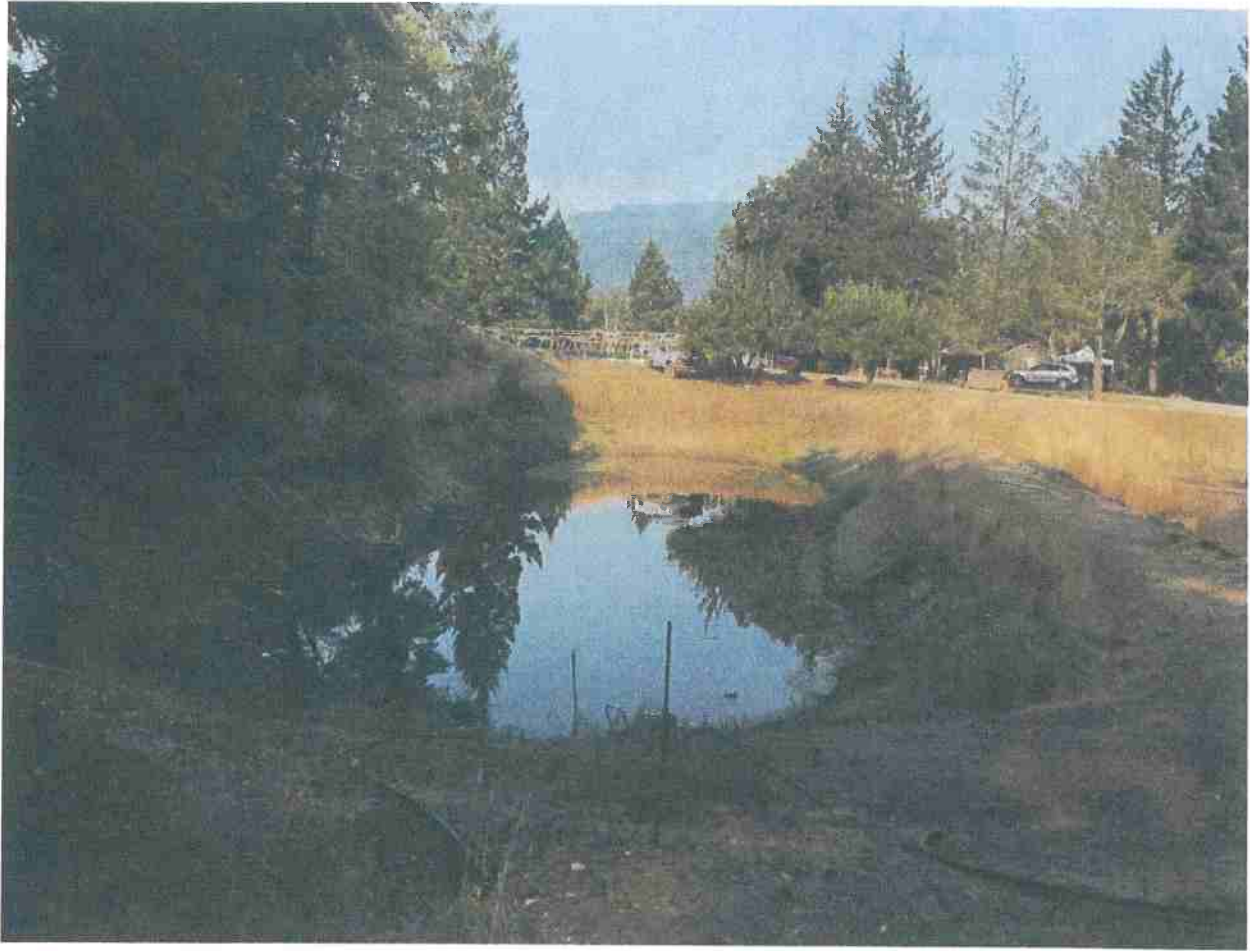
Timberland Conversion within Class III WLPZ (SMA): The landowner's options to rectify this potential violation is to (1) obtain a Special Permit from the County for past grading and development within the SMA, (2) restoration of the SMA area, or (3) a combination of both which would allow for the retention of the on-stream pond. Restoration of the SMA shall include successful restocking of the affected areas with Group A species per 14CCR 912.7 Resource Conservation Standards for Minimum Stocking. See attached Regeneration Plan.

Pictures



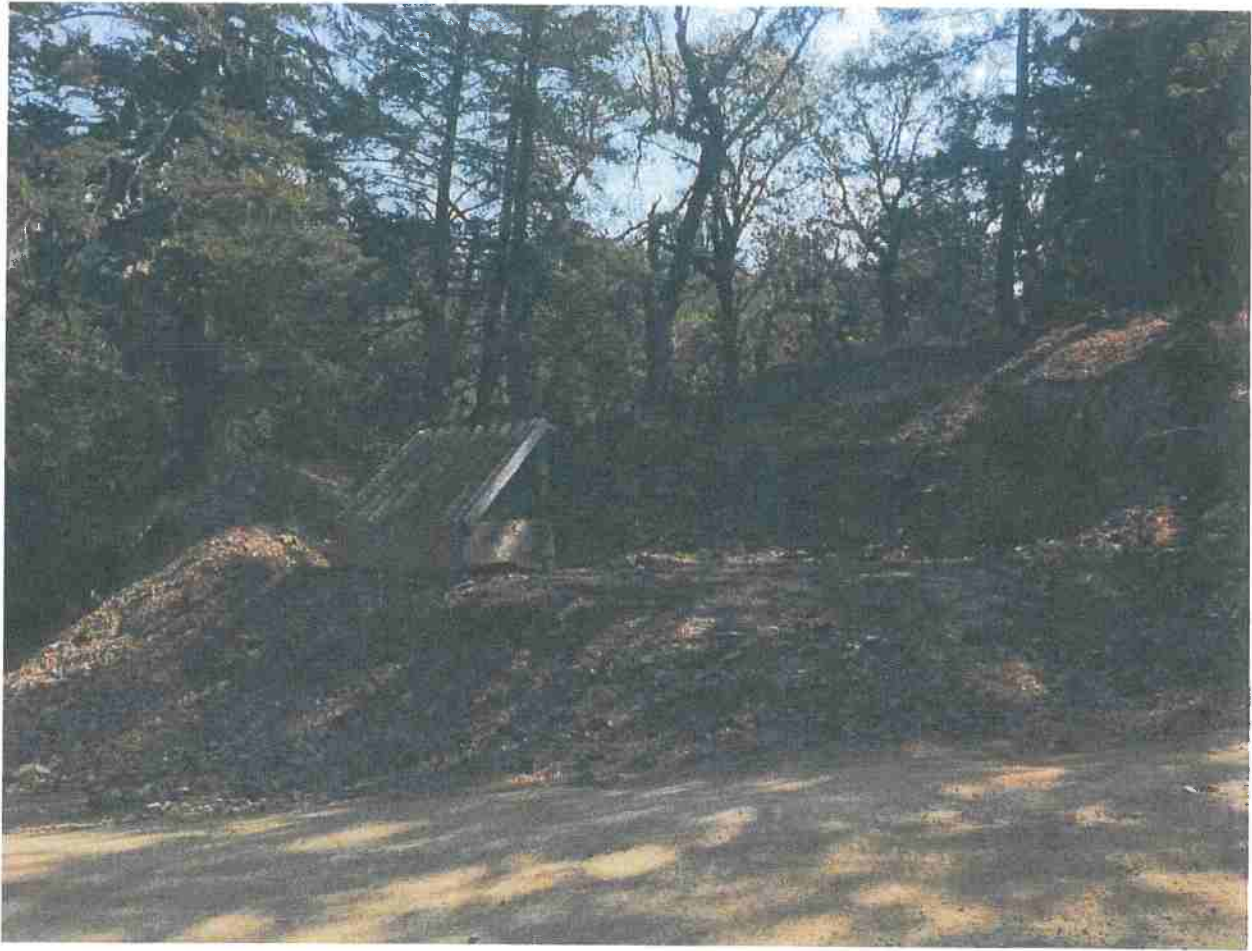
Picture 1: Small "peninsula" of converted timberland and grading located between the two Class III watercourses northwest of the northern-most cultivation site. Blue flagging (photo right) depicts the head of the Class III watercourse. Photo date 8-20-2018.

Pictures



Picture 3: Southern off-stream pond. Photo date 8-20-2018.

Pictures



Picture 5: Existing rock quarry used historically for road maintenance on the property. Photo date 8-20-2018.

APN 219-081-04

Conversion Evaluation Map

-  Property Boundary
-  Conversion Boundary
-  Permanent Rocked Road
-  Class II-S Watercourse
-  Class III Watercourse
-  Rocked Line Inside Ditch
-  Off-stream Pond
-  Cultivation Area
-  DRC
-  Stream Crossing Culvert
-  Class III Buffer / SMA

Scale 1" = 60'
Ettersberg USGS Quad

Northern Off-stream Pond


NORTH

APN 219-081-04

Conversion Evaluation 2016 DOQ



Property Boundary



Conversion Boundary



Permanent Rocked Road



Class II-S Watercourse



Class III Watercourse



Rocked Line Inside Ditch



Off-stream Pond



Cultivation Area



DRC



Stream Crossing Culvert



Class III Buffer / SMA

Scale 1" = 60'
Ettersberg USGS Quad

Northern Off-stream Pond

NORTH

APN 219-081-004



SMA



RESTOCKING PLAN

FOR

APN 219-081-004

August 21, 2018

165 South Fortuna Blvd

Fortuna, CA 95540

707-725-1897

707-725-0972 Fax

trc@timberlandresource.com

6. The RPF recommends acquiring conifer seedlings from Green Diamond Resource Company's nursery in Korbel. Contact Glen Lehar @ 707-668-4439. Indicate the elevation and geographic area of the planting site and he will recommend the appropriate stock.

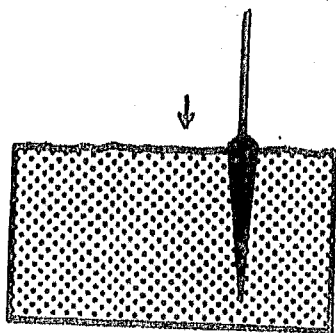
Sincerely,



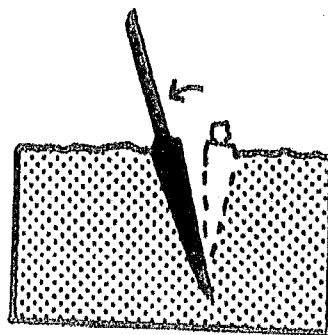
Chris Carroll, RPF# 2628
Timberland Resource Consultants

APPENDIX B
PLANTING WITH A FLAT BAR

1. Insert flat bar straight down.

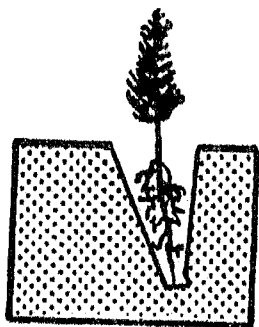


2. Pull flat bar backward to open hole.

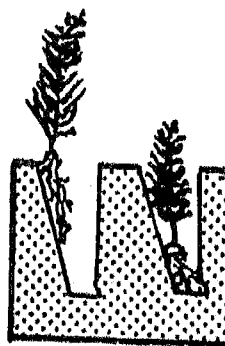


3. Remove flat bar and place seedling at correct depth with root collar at or slightly below ground level.

Correct



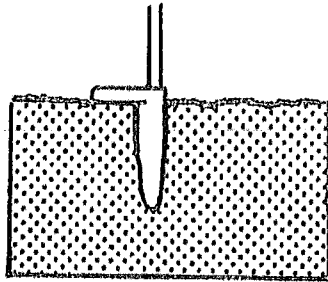
Incorrect



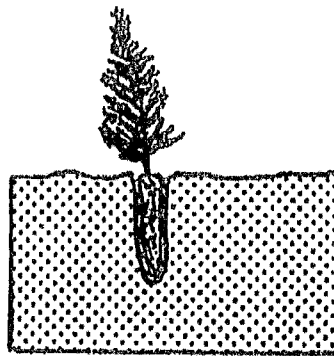
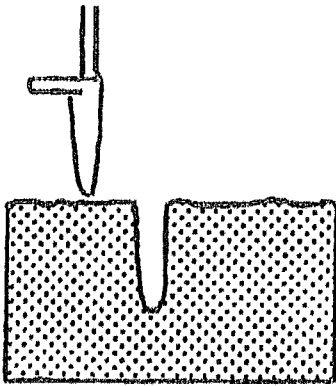
APPENDIX D

PUNTING WITH A PLUG BAR

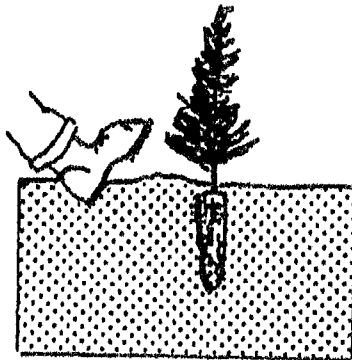
1. Insert plug bar straight down until plug bar footrest is level with ground.



2. Remove plug bar and place seedling in hole.



3. Firm soil around seeding with heel of boot.



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	✓	Conditional Approval	On file with Planning
Division Environmental Health	✓	Conditional Approved	On file with planning
Public Works, Land Use Division	✓	Conditional Approval	Attached
CalFIRE	✓	Approved	On file with planning
California Department of Fish & Wildlife	✓	Conditional Approved	Attached
Northwest Information Center	✓	Conditional Approval	On file with planning
Bear River Band Rancheria	✓	Conditional Approval	On file with planning
District Attorney		No response	
Ag Commissioner		No response	
North Coast Regional Water Quality Control Board		No response	
County Counsel		No response	
Southern Humboldt Joint Unified School District		No response	

Vendor LACO 3

From: Bocast, Kalyn@Wildlife <Kalyn.Bocast@Wildlife.ca.gov>
Sent: Friday, April 27, 2018 9:03 AM
To: Vendor LACO 3
Subject: RE: APPS #12587 - Organnabliss Farms Special Permit
Attachments: SMA_Encroachment.PDF

Hi Meghan,

I do have additional comments/questions for this project prior to approval. To clarify bullet #2, the site has received a Final Lake or Streambed Alteration Agreement. However, the projects identified in the Agreement have not been completed and/or initiated since the time the Agreement was made in 2015. CDFW will be contacting this applicant shortly to address this. With that, there is one item that I would like clarification on. It has been identified that the central cultivation area is approximately 6-8 feet from a Class III watercourse (see pictures attached). Is the County aware of this and if so, what actions are currently being undertaken to correct this encroachment? Would it be possible to provide me with information on the identified relocation site (if applicable)?

As previously mentioned, this site appears to be located within Northern Spotted Owl (NSO) habitat. What measures is the applicant taking to ensure that the NSO will not be affected by this project? As an anecdotal note, it has come to our attention that NSO have likely been significantly impacted by the noise and light pollution and fragmentation of their habitat in recent years. We request that the applicant provide substantial evidence that they have taken all measures to reduce their light and noise pollution. In addition, CDFW requests, as a condition of Permit approval, full two-year, six visit, protocol level surveys by 2021 conducted by an experienced wildlife biologist, to determine whether the area has NSO presence.

Thank you,

Kalyn Bocast
Environmental Scientist
Watershed Enforcement Team
California Department of Fish and Wildlife
619 2nd Street
Eureka, CA 95501
(707) 441-2077

From: Vendor LACO 3 <vendorlaco3@co.humboldt.ca.us>
Sent: Wednesday, April 25, 2018 2:19 PM
To: Bocast, Kalyn@Wildlife <Kalyn.Bocast@Wildlife.ca.gov>
Subject: APPS #12587 - Organnabliss Farms Special Permit

Hi Kalyn –

Please see attached comments. I am working on reviewing the staff report and wanted to provide feedback on the project and see if there were any additional CDFW comments.

1. The interim permit for this project was issued for 8,075 square feet. I will be drafting the permit for approximately that square footage.
2. There is an agreement in the file (#1600-2015-0110-R1) and I am curious how the comments in Bullet #2 are related to this LSAA issued for this property.
3. Did the site visit occur already?

Please let me know if you have any questions or need any additional information.

Thanks!
Meghan

Dorris, Joshua

From: McLaughlin, Ronald@CALFIRE <Ronald.McLaughlin@fire.ca.gov>
Sent: Wednesday, May 24, 2017 3:54 PM
To: Dorris, Joshua
Subject: FW: APN 219-081-004-000 Organnabliss Farms

Please see notes below.

RON McLAUGHLIN

BATTALION CHIEF

Pre-Fire Planning / VMP coordinator

Humboldt – Del Norte Unit

CAL FIRE

Office; 707-726-1206

Cell 707-798-0429

Ronald.McLaughlin@Fire.Ca.Gov

From: HUU CEQA@CALFIRE
Sent: Wednesday, May 24, 2017 3:53 PM
To: McLaughlin, Ronald@CALFIRE <Ronald.McLaughlin@fire.ca.gov>
Subject: FW: APN 219-081-004-000 Organnabliss Farms

From: Janssen, David@CALFIRE
Sent: Friday, May 19, 2017 1:38 PM
To: HUU CEQA@CALFIRE <HUUCEQA@fire.ca.gov>
Cc: Meyers, Tim@CALFIRE <Tim.Meyers@fire.ca.gov>
Subject: APN 219-081-004-000 Organnabliss Farms

It appears an illegal conversion occurred on this property where the pond is located. CAL FIRE cannot support this CEQA project.

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

File passed to B1212 on 5-19-2017



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



5/17/2017

PROJECT REFERRAL TO: Building Inspection Division

Project Referred To The Following Agencies:

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

Applicant Name Organnabliss Farms **Key Parcel Number** 219-081-004-000

Application (APPS#) 12587 **Assigned Planner** Joshua Dorris (707) 445-7541 **Case Number(s)** SP16-578
SP16-579

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

☐ If this box is checked, please return large format maps with your response.

Return Response No Later Than 6/1/2017

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

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

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

☐ Recommend Conditional Approval. Suggested Conditions Attached.

☒ Applicant needs to submit additional information. List of items attached.

☐ Recommend Denial. Attach reasons for recommended denial.

☐ Other Comments: See attached Paperwork for Highlighted Comments

DATE: 6-5-17

PRINT NAME: Patrick Metz



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
BUILDING DIVISION

3015 H STREET EUREKA CA 95501 FAX: (707) 445-7446 PHONE: (707) 445-7245
<http://www.co.humboldt.ca.us/planning/>

Planning Referral Comments

- Submit complete plan of operations, including any plans of employees, processing, or manufacturing.
- Secure all building permits for any tenant improvements, all non-permitted structures, and all proposed structures.
- Submit current plot plan showing all grading, pond building, and springs, with all structures on parcel, include dimensions of all structures, with declared use, and setbacks to property lines, roads, right of ways, and creeks and streams.
- Submit floor plans including dimensions with electrical, mechanical and plumbing details for all existing and proposed Ag exempt structures and an Ag Exempt letter of intent for each.
- Submit 2 complete sets of construction plans for all proposed buildings that are not AG exempt.
- Declare amount in cubic yards of all grading that has been done and any proposed grading.
- Recommend conditional approval based on application required for Building Department permits such as; Grading, Building, Ag exempt structures, Commercial grow processing structures, etc.,

From: Salazar, Kim@CALFIRE [<mailto:Kim.Salazar@fire.ca.gov>]
Sent: Thursday, May 18, 2017 3:15 PM
To: Moxon, Delilah
Subject: CANNABIS, APN #219-081-004-000

STATE OF CALIFORNIA—THE RESOURCES AGENCY

EDMUND G. BROWN, JR., Governor

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Humboldt – Del Norte Unit

118 Fortuna Blvd.
Fortuna, CA 95540

Website: www.fire.ca.gov
(707) 726-1272



Ref: 7100 Planning
Date: May 18, 2017

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

Attention: Joshua Dorris
Applicant: Organnabliss Farms
APN: 219-081-004-000
Area: Miranda
Case Numbers: SP16-578
SP16-579

Humboldt County Application #: 12587
Type of Application: Special Permit
Date Received: 5/18/2017
Due Date: 6/1/2017

Project Description: A Special Permit for an existing, commercial medical cannabis cultivation operation totaling approximately 20,160 square feet (SF) occurring in twenty-five (25) mixed-light greenhouses and an outdoor area. The site includes several cultivation areas under the tree canopy totaling approximately 7,000 SF that are used for seed hybridizing, breeding, male isolation and other testing. There also is a nursery for plant starts to be cultivated on-site. There would be several growing cycles annually. Several cultivation areas have been relocated in the past to mitigate environmental issues, and some have been retired. The applicant proposes to phase in the previous cultivation areas and add the SF for a total of 20,160 SF. Water source is rainwater and water storage is two (2) engineered rainwater catchment ponds totaling 350,000 gallons. Water is pumped from the ponds into separate storage tanks for processing before irrigation. Estimated annual irrigation water use is 100,000 gallons. Processing would occur on-site in existing outbuildings. There would be five (5) full-time employees. Access to the site is a dirt road accessed off of Lower Thomas Road.

Mr. Ford,

The California Department of Forestry and Fire Protection (CALFIRE) provides these standard project review comments on the above noted project.

FIRE SAFE

General:

CALFIRE has responsibility for enforcement of Fire Safe Standards as required by Public Resources Code (PRC) 4290 and 4291. However CALFIRE is not the lead agency in planning development and project permitting. CALFIRE

provides input as a contributing agency, generally limited to plan review, and is not the approving agency for these projects.

Local Responsibility Areas:

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

State Responsibility Areas:

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

1. In Humboldt County, developments must meet minimum fire safe standards by constructing the project in conformance with County Fire Safe Ordinance 1952, which the California Board of Forestry and Fire Protection has accepted as functionally equivalent to PRC 4290. The County Fire Safe Ordinance provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space.
2. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas shall comply with the 2007 California Building Code (CBC) Section 701A.3.2. This requires roofing assemblies, attic and eave ventilation, exterior siding, decking and deck enclosure, windows and exterior doors, and exposed under floor areas that are approved "ignition resistive" in design.
3. All development, especially commercial or industrial development, should be designed to comply with the most current versions of the following standards:
 - a) California Fire Code (CFC) — for overall design standards
 - b) Public Utilities Commission (PUC) General Order 103 — for design of water systems
 - c) National Fire Protection Association Standards (NFPA) for fire flow minimums and other design questions not specifically covered by CFC and PUC
 - d) Housing and Community Development Codes and Standards —for mobile home parks and recreational camps
4. For Department of Real Estate reporting purposes, fire protection coverage in SRA is generally described as follows:

During the declared fire season (usually June through October) CALFIRE responds to all types of fires and emergencies in SRA.

During the remainder of the year (winter period), CALFIRE responds to emergency requests with the closest available fire engine, if a response can reasonably be expected to arrive in time to be effective. A fire engine is usually available somewhere in the Unit, but may have an extended response time.

There are many hazards confronting fire protection agencies in most subdivisions on SRA lands. Steep terrain and heavy wildland fuels contribute to fire intensity and spread. The distances from fire stations and road grades encountered usually create an excessive response time for effective structure fire suppression purposes.

Subdivisions increase fire risks from additional people and increase probable dollar losses in the event of fire due to added structures and improvements.
5. If the project expects to produce densities consistent with a major subdivision, the impacts on all infrastructures should be mitigated. Local government more appropriately provides the responsibility for high-density area protection and services. Annexation or inclusion into Local Responsibility Area should be studied as well.

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

RESOURCE MANAGEMENT

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

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

1. If this project reduces the amount of timberland, by policy, the Board of Forestry and CALFIRE cannot support any project that will reduce the timberland base of California. "Timberland" means land which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees regardless of current zoning (PRC 4526). However, if the zoning and intended use are consistent with the county's general plan; and if no land other than timberland can be identified to site the project; then CALFIRE may choose not to oppose the project.
2. If **any** commercial timber operations are involved with a project, the timber operations cannot be conducted without a CAL FIRE permit. Commercial timber operations include the cutting or removal of trees offered for sale, barter, exchange, or trade or the conversion of timberlands to land uses other than the growing of timber (PRC 4527). Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
3. If **any** timberlands are being converted to a non-timber growing use by this project, the conversion operations cannot be conducted without a CAL FIRE permit (PRC 4621). Conversion of timberland takes place when trees are removed and the land use changes, even without the sale, barter, exchange, or trade of the trees. Contact your nearest CAL FIRE Resource Management office for guidance on obtaining the necessary permits.
4. If timberland is in the viewshed of a project, the current and future owners should be overtly notified that changes will occur to their views due to timber management activities. Further, no project should be allowed to negatively affect access to timberland for timber management purposes; neither on the project parcel(s) nor any other timberland parcels.
5. If timber harvesting has occurred and post-harvest restocking and prescribed erosion control maintenance obligations have not been met on a parcel, future owners should be overtly notified (14 CCR 1042). The current owner of a parcel is responsible for restocking requirements and maintenance of roads whether or not they were involved in the actual harvest plan.
6. If the project involves the development of parcels zoned as Timber Production Zone (TPZ), CALFIRE cannot support the project. Dividing TPZ land into parcels of less than 160 acres requires a Joint Timber Management plan prepared by a Registered Professional Forester (RPF), recorded as a deed restriction for a minimum of 10-years on all affected parcels, and approved by a four – fifths vote of the full board (Govt. Code 51119.5). TPZ may be rezoned using a "Ten Year Phase Out," which precludes the need for a Timberland Conversion Permit. CALFIRE opposes immediate rezoning of TPZ land.

Cannabis

General:

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

Local Responsibility Areas:

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

State Responsibility Areas:

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

1. Agricultural cannabis growing operations medicinal or commercial shall have an easily accessible material safety data sheet (MSDS) or safety data sheet (SDS) for all chemicals and hazardous materials on site. Posted (NFPA 704) Placard clearly visible to emergency responders
2. California code of regulations Health and Safety (CCR 11362.769.) Indoor and outdoor medical marijuana cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters. State agencies, including, but not limited to, the State Board of Forestry and Fire Protection, the Department of fish and Wildlife, the State Water Resources Control Board, the California regional water quality control boards, and traditional state law enforcement agencies shall address environmental impacts of medical marijuana cultivation and shall coordinate, when appropriate, with cities and counties and their law enforcement agencies in enforcement efforts.
3. International Fire Code (N101.1 Scope) Marijuana growing and extraction shall be in accordance with this chapter, of the International Building Code, and the International Mechanical Code. Cryogenic fluids shall comply with Chapter 55. Compressed gases shall comply with Chapter 53. Flammable and combustible liquids shall comply with Chapter 57. Hazardous materials shall comply with Chapter 50. LP-gas shall comply with Chapter 61 and the International Fuel Gas Code. All applicable California State Fire Marshal standards and regulations for the designated occupancy must be met.
4. Growing marijuana and the extracting of oils
Extraction of marijuana oils; All materials hazardous and non-hazardous associated with the extraction process shall be utilized in conformance of the law and fire safe codes.

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

By: Planning Battalion
CALFIRE Humboldt – Del Norte Unit
For **Hugh Scanlon**, Unit Chief



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

RECEIVED

JUL 24 2017

Humboldt County
Planning Division

DEH Received
5-19-17

PROJECT REFERRAL TO: Health and Human Services Environmental Health Division

Project Referred To The Following Agencies:

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

16/17-1165

Applicant Name Organnabliss Farms **Key Parcel Number** 219-081-004-000

Application (APPS#) 12587 **Assigned Planner** Joshua Dorris (707) 445-7541 **Case Number(s)** SP16-578
SP16-579

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

☐ If this box is checked, please return large format maps with your response.

Return Response No Later Than Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following:

Conditional Approval

Comments:

DEH recommends approval with the following conditions:

- (1) **No processing can be approved** until an acceptable site suitability report can establish potential for onsite waste treatment system.
- (2) **An invoice, or equivalent documentation, is provided to DEH** to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to reissuance of annual permit.
- (3) Discontinue use and bury greywater pit or obtain DEH permit for use.

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





DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T

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

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

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

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

AVIATION 839-5401


ADMINISTRATION 445-7491
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NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-9540
PARKS 445-7651
ROADS & EQUIPMENT MAINTENANCE 445-7421

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Joshua Dorris, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer II 

DATE: 06/08/2017

RE: **ORGANNABLISS FARMS, APN 218-081-004, SP16-578 &579, APPS# 12587**



The Department of Public Works reviews projects for issues relating to the adequacy of the roadway network to accommodate the proposed use; issues relating to encroachments (such as driveways and private roads) onto County maintained roads; ensuring that any outstanding violations relating to County Encroachment Permit Ordinance and Visibility Ordinance have been addressed; identifying any necessary frontage improvements that are required along County maintained roads; impacts of projects on nearby airports; ensuring that deferred subdivision improvements, if any, are completed; and identifying impacts of the proposed project to adjacent County owned properties or facilities.

The Department's review of this project is limited to what is shown on the submitted plot plan and accompanying materials.

ROADS: The County roadway serving the subject property is adequate to accommodate the proposed use. The subject property is located within the State Responsibility Area.

The Department has not conducted a field investigation of the roadway(s) serving the subject property. The roadway(s) serving the subject property may or may not meet road category 4 standards. The road(s) may or may not have capacity to accommodate the proposed use. The applicant shall submit a *Road Evaluation Report* pursuant to County Code Section 313-55.4.11(u)(viii) "*description of increased road use resulting from processing and a plan to minimize that impact*". The Department has developed the attached *Road Evaluation Report* forms that are to be used.

See the attached diagram of the road(s) that need to be evaluated. The Department has used its best judgement to determine the offsite road(s) that would most likely be used for the project. If this is not the correct route that would be used, please contact the Department for clarification before preparing the *Road Evaluation Report*.

In general, road(s) must meet Category 4 road standards in being at least 20 feet in width when 2-way traffic is expected. In addition, a 4 foot wide shoulder is necessary when pedestrians are expected. However, 2-way traffic on a single lane road (Category 2 road) may be appropriate when a road serves only the cannabis operation and when no other parcels of land use the road for access. Access roads not meeting the above standards must be improved to those standards, unless otherwise approved by the Department.

In lieu of constructing road improvements to meet a category 4 road standard, the Department may approve a *Neighborhood Traffic Management Plan*. The Department's criteria for approving a *Neighborhood Traffic Management Plan* is based upon site specific conditions; sound engineering judgment; the proposed ADT and DHV of the roads; the need to accommodate other road users (pedestrians, bicycles, equestrians, etc); and the frequency and quantity of traffic associated with the proposed use. The applicant's Civil Engineer can address this in Part B of the *Road Evaluation Report*.

The Department recommends that the Road Evaluation Report be submitted to the County prior to the project being presented to the Planning Commission for approval.

The intersection of the existing access road, Lower Thomas Road, and the County road, Thomas Road, does not meet County standards. The access road encroachment shall be improved to meet the County visibility ordinance and encroachment permit ordinance standards. This requires that the access road encroachment be surfaced for a minimum width of 20 feet and a length of 50 feet. References: County Code Sections 341-1, 411-51]

Note: There may be other projects that have been conditioned to improve the road(s). Prior to constructing any improvements the Department recommends that the applicant determine what work has already been accomplished so that efforts are not duplicated.

Prior to constructing improvements within a County maintained road right of way, the applicant shall apply for and obtain an encroachment permit from the Department of Public Works. [Reference: County Code 411-11(a)(b)]

DRIVEWAYS: The driveway within the subject property has not been reviewed by the Department for conformance with Fire Safe Regulations (County Code Section 3112-12). This is an on-site issue that is to be reviewed by the Building Division or the Planning and Building Department.

AIRPORT: The subject property is not located near a public airport.

DEFERRED SUBDIVISION IMPROVEMENTS: The subject property does not have any deferred subdivision improvements that have not been fulfilled.

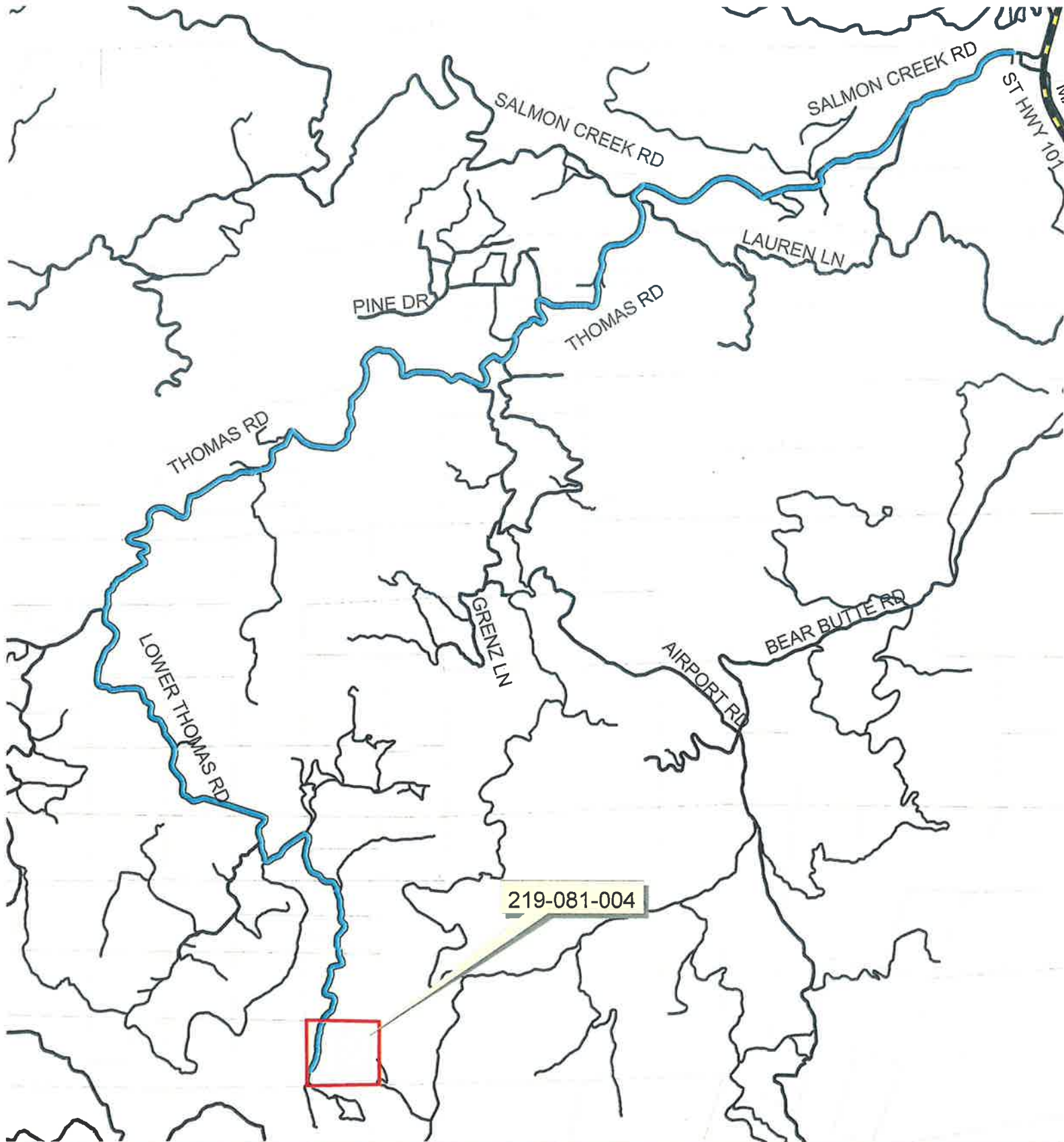
ADJACENT COUNTY OWNED PROPERTY OR FACILITIES: The proposed project does not have any impact on any adjacent county owned property or facilities.

PUBLIC WORKS RECOMMENDED CONDITIONS:

1. Applicant must apply for and obtain an encroachment permit to surface the existing road intersection on Thomas Road. The permit will require the applicant to surface an existing access road entrance with asphalt concrete or as approved by the Department. [reference: County Code section 411-11 (a)(b)]

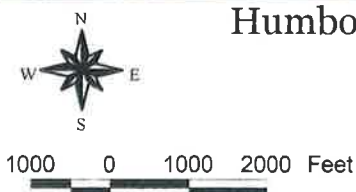
2. The access road encroachment shall be improved to meet the County visibility ordinance and encroachment permit ordinance standards. This requires that the unnamed access road encroachment be paved for a minimum width of 20 feet and a length of 50 feet.
[References: County Code Sections 341-1, 411-51]
3. The applicant shall submit a *Road Evaluation Report* pursuant to County Code Section 313-55.4.11(u)(viii) "*description of increased road use resulting from processing and a plan to minimize that impact*".

// END //



Humboldt County Department of Public Works - Land Use Division Diagram of road(s) that need to be evaluated

Planning & Building Department File/Case No.: SP16-578
SP16-579



RF -- 1:30000

Map Disclaimer:
While every effort has been made to assure the accuracy of this information, Planning & Building Department cannot be held responsible for any errors or omissions. Should any difference or error occur, the law will take precedence.

May 6, 2021

Indicates the project area
 Indicates the access road(s) that need to be evaluated

Page 81 of 88



ARCATA-EUREKA AIRPORT TERMINAL
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FAX 839-3596

AVIATION 839-5401

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

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

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
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ADMINISTRATION 445-7491
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LAND USE 445-7205

ROAD EVALUATION REPORT INSTRUCTIONS

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

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

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

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

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

(continued on next page)

REFERENCES:

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

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

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

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

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

// END //

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

PART A: Part A may be completed by the applicant

Applicant Name: _____ APN: _____

Planning & Building Department Case/File No.: _____

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

From Road (Cross street): _____

To Road (Cross street): _____

Length of road segment: _____ miles Date Inspected: _____

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

Check one of the following:

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

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

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

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

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

Signature

Date

Name Printed

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

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

Road Name: _____ Date Inspected: _____ APN: _____
From Road: _____ (Post Mile _____) Planning & Building
To Road: _____ (Post Mile _____) Department Case/File No.: _____

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

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

ADT: _____ Date(s) measured: _____

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

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

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

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

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

A. Pattern of curve related crashes.

Check one: ☐ No. ☐ Yes, see attached sheet for Post Mile (PM) locations.

B. Physical evidence of curve problems such as skid marks, scarred trees, or scarred utility poles

Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

C. Substantial edge rutting or encroachment.

Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

D. History of complaints from residents or law enforcement.

Check one: ☐ No. ☐ Yes (☐ check if written documentation is attached)

E. Measured or known speed substantially higher than the design speed of the road (20+ MPH higher)

Check one: ☐ No. ☐ Yes.

F. Need for turn-outs.

Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

3. Conclusions/Recommendations per AASHTO. Check one:

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

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

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

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

Signature of Civil Engineer _____

Date _____

(SEAL)



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AVIATION 839-5401

DEPARTMENT OF PUBLIC WORKS

COUNTY OF HUMBOLDT

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

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

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Joshua Dorris, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer II

DATE: 06/19/2017

RE: ORGANNABLISS FARMS, APN 219-081-004, SP16-578/579, APPS# 12587



The Department of Public Works has received a portion of the road evaluation reports for the above project. The results of the road evaluation reports are as follows:

Road Name & Limits	Maintained By:	Investigated By & Report Date:	Public Works Comments and Recommendations
Salmon Creek Road	<input checked="" type="checkbox"/> County <input type="checkbox"/> Other	Self-certified by Owner June 26, 2017	The road is adequate as is; the road meets category 4 road standards.
Thomas Road	<input checked="" type="checkbox"/> County <input type="checkbox"/> Other	Self-certified by Owner June 26, 2017	The road is adequate as is; the road meets category 4 road standards.
Upper Thomas Road from Thomas Road to Parcel	<input type="checkbox"/> County <input checked="" type="checkbox"/> Other	Self-certified by Owner June 26, 2017	The road is adequate as is; the road is equivalent to category 4 road standards. <u>The applicant shall apply for and obtain an encroachment permit for the improvements at the intersection of Upper Thomas Road and the County maintained road pursuant to DPW memo dated 6/08/2017.</u>

Notes:

1. The Department has no further comment on this project.

// END //

Yandell, Rodney

From: Erika Cooper <erikacooper@brb-nsn.gov>
Sent: Friday, August 04, 2017 9:48 AM
To: Yandell, Rodney; andybutts4@gmail.com
Subject: Fwd: APPS#12587 Organnabliss SP16-578 & SP16-579 219-081-004

Hello Rodney,

Please see the forwarded message below with Bear River's comments on APPS#12587. I just spoke with Andy, informed him of my earlier comments, and told him that I would forward them to both you and him.

Let me know if you have any questions.

Erika Cooper, M.A.
Tribal Historic Preservation Officer
Bear River Band of the Rohnerville Rancheria
266 Keisner Road
Loleta, CA 95551
707-733-1900 x233 Office
707-502-5233 Cell
707-733-1727 Fax
erikacooper@brb-nsn.gov

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----- Forwarded message -----

From: Erika Cooper <erikacooper@brb-nsn.gov>
Date: Tue, May 30, 2017 at 2:56 PM
Subject: APPS#12587 Organnabliss SP16-578 & SP16-579
To: Joshua Dorris <jdorris@co.humboldt.ca.us>, "planningclerk@co.humboldt.ca.us" <planningclerk@co.humboldt.ca.us>

Hello Joshua,

Thank you for sending notice of the subject project. I am not aware of any previously recorded cultural resources on the project parcel or in the immediate vicinity. The project parcel does not appear to be overly sensitive for cultural resources, as it is somewhat steep and forested. Please condition project approval with the standard inadvertent discovery language.

Thanks.

Erika Cooper, M.A.
Tribal Historic Preservation Officer
Bear River Band of Rohnerville Rancheria
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