



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

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

Hearing Date: May 6, 2021

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Arnochi, LLC Special Permit**  
Application Number 11914  
Case Number SP 16-345  
Assessor's Parcel Number (APN) 210-071-004  
Larabee Valley area, 2222 China Mine Road

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Please contact Jordan Mayor, Contract Planner, at 707-683-4711 or by email at [jordan.mayor@icf.com](mailto:jordan.mayor@icf.com), if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
May 6, 2021	Special Permit	Jordan Mayor

**Project Description:** Arnochi, LLC seeks a Special Permit (SP-16-345) for an existing 10,000-square-foot (SF) outdoor and light-deprivation cannabis cultivation operation in three cultivation areas. Irrigation water is sourced from an onsite 390-foot-deep permitted well (16/17-0410) and annual estimated water usage is 120,000 gallons. Total water storage onsite is 13,800 gallons in seven tanks. One 3,000-gallon tank is used for domestic use. A spring diversion is also used for domestic use. There is one existing residence onsite and a 900-SF shop used for drying/trimming of cannabis. Ancillary outdoor propagation takes place within a 1,350-SF area. Processing will take place at an approved offsite facility. Power for the operation is provided from solar panels on a 48-volt voltaic system and a permanent 14-kilowatt propane generator.

**Project Location:** The project is in the Larabee Valley area, on the south side of State Highway 36, approximately 1.5 miles southwest from the intersection of China Mine Road and State Highway 36, on the property known as 2222 China Mine Road. (APN: 210-071-004).

**Present Plan Land Use Designations:** Residential Agriculture (RA40). Density: 40 acres per dwelling unit. Slope Stability: High instability (3)

**Present Zoning:** Unclassified (U)

**Record Number:** PLN-11914-SP

**Assessor's Parcel Number:** 210-071-004

**Applicant**

Arnochi, LLC  
C/O Christopher Arnold  
PO Box 973  
Ferndale, CA 95536

**Owner**

Christopher D. Arnold  
PO Box 973  
Ferndale, CA 95536

**Agent**

Timberland Resource Consultants  
David Spinoso  
165 S Fortuna Blvd.  
Fortuna, CA 95540

**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 Zoning Administrator

**Major Issues:** None

**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 Marijuana Land Use Ordinance (CMMLUO) as described by Section 15164 of the State California Environmental Quality Act (CEQA) Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving the Arnochi, LLC Special Permit as recommended by staff subject to the recommended conditions.*

**Executive Summary:** Arnochi, LLC seeks a Special Permit to allow the continued operation of an existing 10,000-square-foot (SF) outdoor and light-deprivation cannabis cultivation operation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, CMMLUO. The site is designated as Residential Agriculture (RA40) in the Humboldt County 2017 General Plan and zoned Unclassified (U). There is one existing residence onsite and a 900-SF shop used for drying/trimming of cannabis. Ancillary outdoor propagation takes place within a 1,350-SF area. Processing will take place at an approved offsite facility. Two harvests are anticipated annually with one in July and one in October. The growing season starts in March when plants are started in the small propagation greenhouse and extends through October.

There are two regular employees onsite during the cultivation season. Additional employees may be needed during short periods of time. Power for the operation is provided from solar panels on a 48-volt voltaic system and a permanent 14-kilowatt propane generator. Security measures include locked metal gates located at two different points along the private driveway. There is a residence onsite with persons present at the site.

**Water Resources**

Water for irrigation is sourced from an onsite permitted well (16/17-0410). The well is 390 feet deep and screened at two depths between 270 and 390 feet deep with a layer described as blue shale (**Attachment 3**). A solar pump moves water uphill to a 2,500-gallon tank which is then gravity fed. Existing available water storage is 13,800 gallons in seven hard tanks. Estimated annual water usage is 120,000 gallons (13.3 gallons/SF/year) with peak demand occurring in August at approximately 25,000 gallons. A surface water diversion from an unnamed stream provides water for domestic use.

Humboldt County's WebGIS shows one mapped stream on the subject parcel, Mule Creek, a Class I stream. The Site Plan shows additional Class II and III watercourses on either side of Mule Creek and the associated 50- and 100-foot Streamside Management Area (SMA) buffers. An existing pond that was constructed several years is located at the headwaters of a Class III watercourse and permitting of this feature is made a condition of approval. All cultivation areas and ancillary facilities are outside the SMA buffers shown on the site plan.

A Site Management Plan (SMP) has been prepared for the parcel (WDID: 1\_12CC414256) pursuant to the WQ 2019-0001-DWQ General Order. The SMP identifies conditions that may pose a threat to water quality as a Tier 1 High-Risk Discharger with an average cultivation slope of 20 percent and a nearest disturbed soil distance of 100–149 feet to the Class I watercourse and 50–99 feet to the nearest Class II watercourse; continued adoption of the best practicable treatment or control measures, implementation of the mitigation measures at 48 unique sites; and installation of monitoring devices on all diversions, wells, and storage containers as detailed in the SMP are made a condition of approval. The SMP indicates a Final Lake or Streambed Alteration Agreement (LSAA) is required and Notification

No. 1600-2016-0409-R1 has been submitted to the California Department of Fish and Wildlife (CDFW) for the replacement of six undersized culvert crossings. High-Risk Dischargers are required to prepare a Disturbed Area Stabilization Plan to achieve the goal of minimizing the discharge of sediment offsite and comply with the setback requirements.

### **Biological Resources**

According to the CDFW resource map there are potential endangered plant species in the northern half of the subject parcel. Potential northern spotted owl (NSO) habitat exists within the project area. The nearest known NSO observation is approximately 0.8 mile to the southeast. The project is conditioned to ensure the combination of background, generator, and greenhouse fan or other operational equipment created noise meets the County noise level threshold. Conformance will be evaluated using current auditory disturbance guidance prepared by the United States Fish and Wildlife Service. The project is conditioned to adhere to Dark Sky Association standards for greenhouse lighting and security lighting, refrain from using synthetic netting, ensure refuse is contained in wildlife-proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively affect NSO or other sensitive species. Abiding by the conditions set forth in the Final LSAA is made an ongoing condition of approval.

### **Tribal Cultural Resources Coordination**

There are no known tribal cultural resources on the project site. The project was referred to the Northwest Information Center (NWIC) and the Bear River Band of the Rohnerville Rancheria in February 2019. The NWIC responded that their office has no record of any previous cultural resource studies for the project area but that the project area has the possibility of containing unrecorded archaeological site(s), and a study is recommended prior to commencement of project activities. The Tribal Historic Preservation Officer of the Bear River Band of the Rohnerville Rancheria, in an email dated November 18, 2019, said that they have no findings for APN 210-071-004 but requested that the project be conditioned with the standard inadvertent discovery language. Ongoing conditions of approval are incorporated regarding the Inadvertent Discoveries Protocol to protect cultural resources and tribal cultural resources.

### **Access**

Access to the site is off China Mine Road. China Mine Road is a private road. A Road Evaluation Report for River Road was prepared by Allan M. Baird, PE (**Attachment 3**) which indicates that the roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects with implementation of the recommendations in the memorandum attached to the Road Evaluation Report. As a result, the project already meets the recommended conditions of approval.

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 CMMLUO and has prepared an addendum to this document for consideration by the Zoning Administrator (See Attachment 2 for more information).

**RECOMMENDATION:** Based on a review of Planning Division reference sources and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all the required findings for approval of the Special Permit.

**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 Zoning Administrator. Any decision to place this matter before the Planning Zoning Administrator 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-11914-SP  
Assessor's Parcel Number: 210-071-004**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act (CEQA) and conditionally approves the Arnochi, LLC, Conditional Use Permit.**

**WHEREAS, Arnochi, LLC**, submitted an application and evidence in support of approving a Special Permit for the continued operation of an existing 10,000-square-foot (SF) outdoor and light-deprivation cannabis cultivation operation in three cultivation areas 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 Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

**WHEREAS**, the Humboldt County Zoning Administrator held a duly-noticed public hearing on May 6 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 a 10,000-SF outdoor and light-deprivation cannabis cultivation operation with appurtenant propagation and drying activities. Power for the operation is provided from solar panels on a 48-volt voltaic system with a permanent 14-kilowatt propane generator. A pre-existing generator shed houses the generator. Water for irrigation is sourced from an onsite permitted well (16/17-0410) and annual water usage is 120,000 gallons.

**EVIDENCE:**   a) Project File: PLN-11914-SP

- 2. FINDING:**                   **CEQA.** The requirements of CEQA have been complied with. The Humboldt County Planning Zoning Administrator has considered the Addendum to and the MND prepared for the 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 the CEQA Guidelines.
- c) A Water Resource Protection Plan was prepared by Timberland Resource Consultants to show compliance with the North Coast Regional Water Quality Control Board Order No. 2015-0023.
- d) A Site Management Plan was prepared by Timberland Resource Consultants to show compliance with State Water Resources Control Board Cannabis Cultivation Policy (Cannabis Policy), in congruence with Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (General Order).
- e) A Cultural Resources Investigation Report was prepared for the project by Archaeological Research and Supply Company and concluded that there would be no impact on historic or prehistoric resources as a result of the project. The Inadvertent Discoveries Protocol is included as a condition of approval.
- f) A Road Evaluation Report was prepared for China Mine Road by Allan M. Baird in February 2019, which identified that the roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects.

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

#### **3. FINDING**

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

#### **EVIDENCE**

- a) General agriculture is a use type permitted in the 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 Unclassified-Zone (U-Zone) in which the site is located.

#### **EVIDENCE**

- a) The U-Zone is applied to areas of the County not otherwise zoned.
- b) All general agricultural uses are principally permitted in the U-Zone.
- c) Humboldt County Code Section 314-55.4.8.2.2 allows cultivation of up to 43,560 SF of existing outdoor cannabis and up to 22,000 SF of existing mixed-light cannabis on a parcel over 1 acre subject to approval of a Special

Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 10,000 SF of outdoor and light deprivation cultivation on a 32.5-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 (Humboldt County Code Section 314-55.4.6.5).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration by deed recorded January 9, 1967, before the date of Humboldt County ordinance 776 which would have applied to the division.
- c) The project will obtain water from a non-diversionary water source.
- d) A Road Evaluation Report was prepared by Allan M. Baird in February 2019. The Evaluation addressed China Mine Road which is a privately maintained road. All road segments evaluated were found to accommodate the cumulative increased traffic from this project and all known cannabis projects with the implementation of the recommendations in the memorandum attached to the report.
- e) The land where cannabis will be cultivated are on terraced areas; the slope is less than 15%.
- f) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line and more than 600 feet from any school, church, public park, or tribal cultural resource.

**6. FINDING**

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

**EVIDENCE**

- a) The site is located on a road that has been certified by a licensed engineer to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park, or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) Irrigation water will come from an onsite permitted well.
- d) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

**7. FINDING**

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

**EVIDENCE**

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

## **DECISION**

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

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

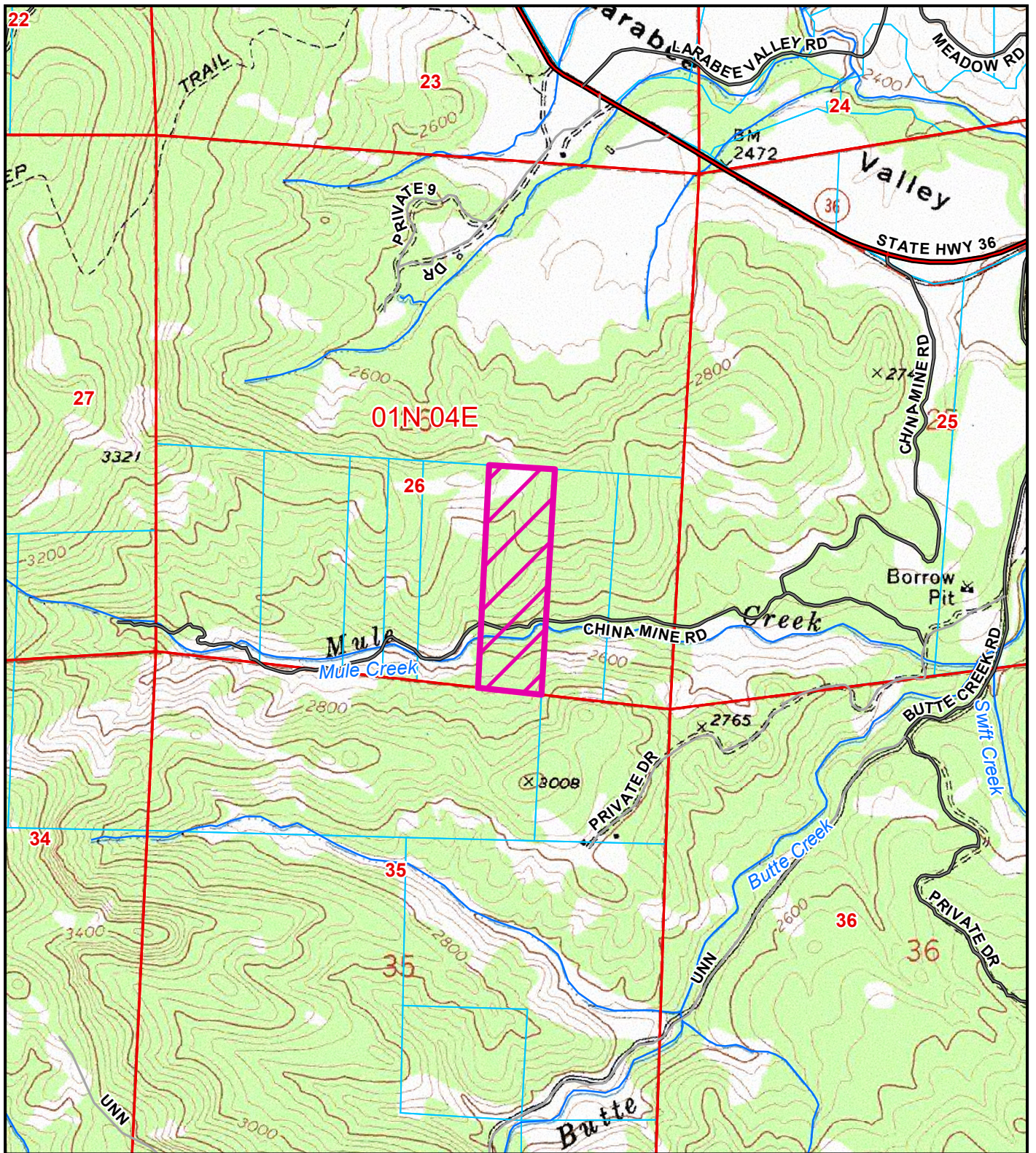
Adopted after review and consideration of all the evidence on May 6, 2021

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.

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John Ford, Zoning Administrator  
Planning and Building Department



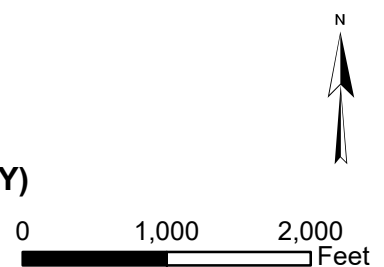


**TOPO MAP  
PROPOSED ARNOCHI LLC  
BRIDGEVILLE AREA  
PLN-11914-SP  
APN: 210-071-004**

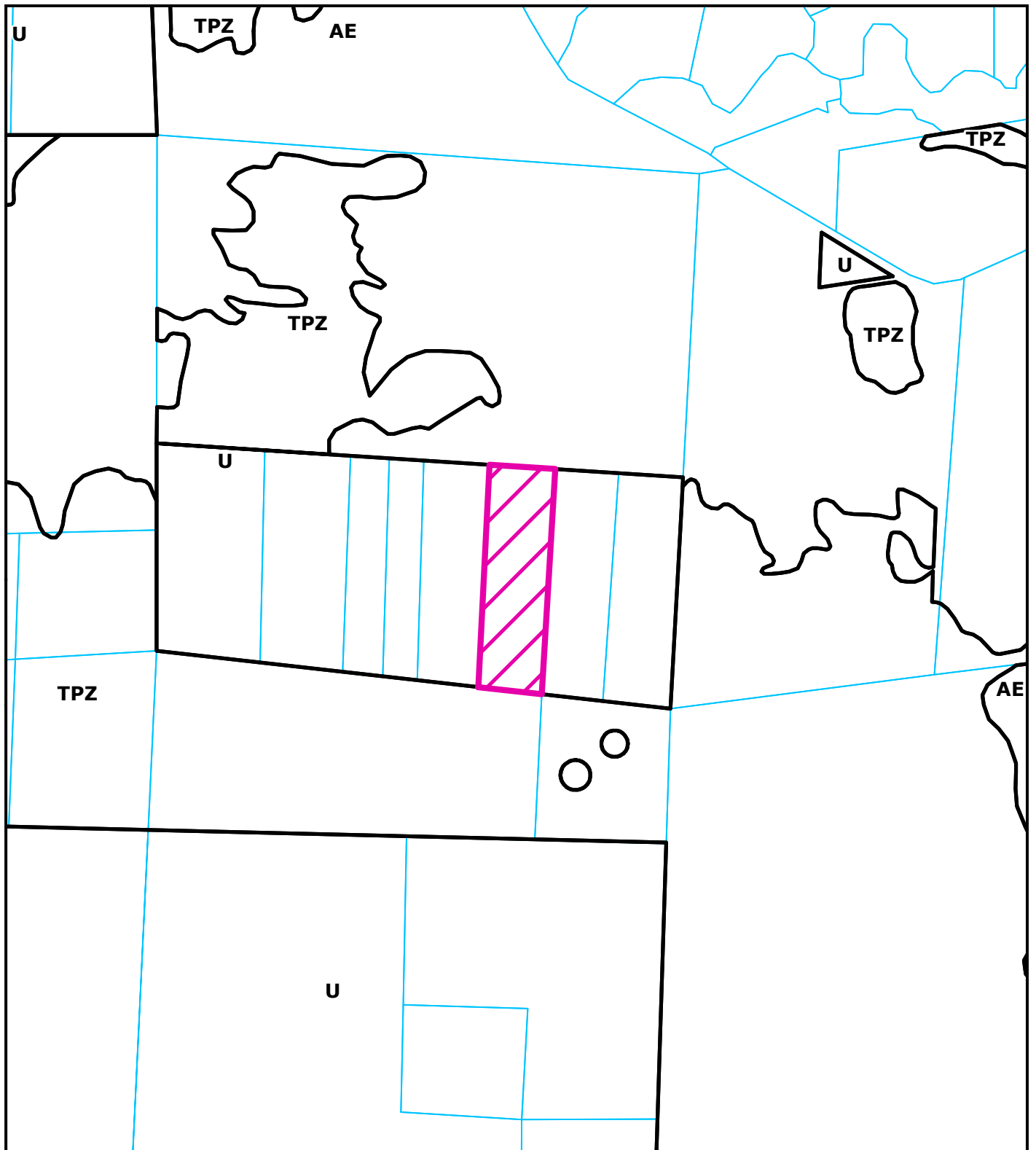
**T01N R04E S26 HB&M (LARABEE VALLEY)**

**Project Area =** 

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



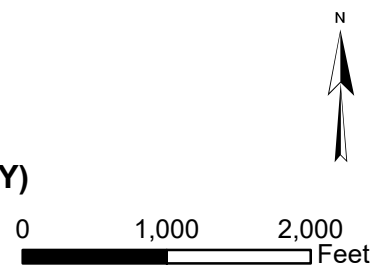




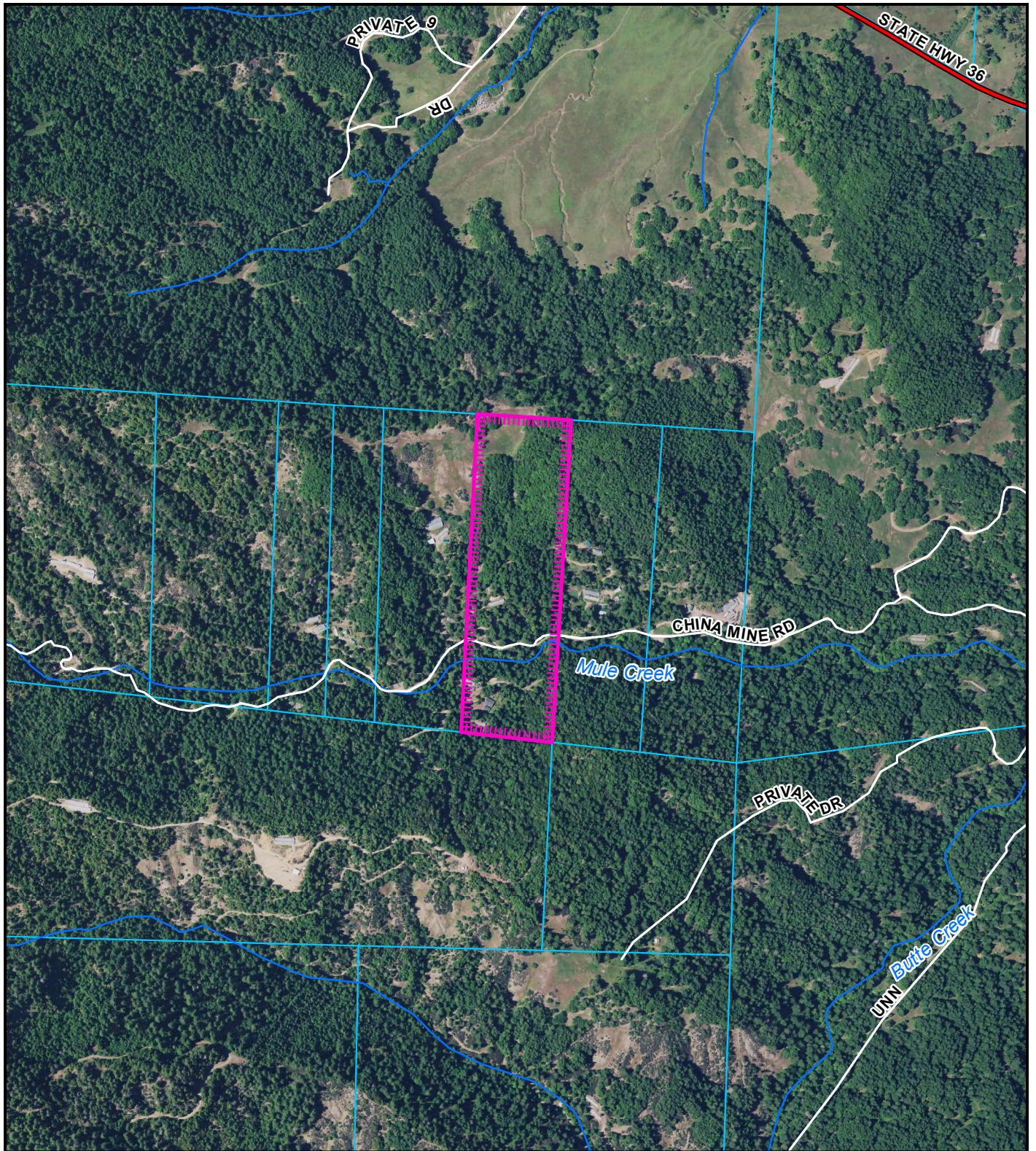
Project Area = 

**ZONING MAP  
PROPOSED ARNOCHI LLC  
BRIDGEVILLE AREA  
PLN-11914-SP  
APN: 210-071-004  
T01N R04E S26 HB&M (LARABEE VALLEY)**

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Project Area = 

**AERIAL MAP  
PROPOSED ARNOCHI LLC  
BRIDGEVILLE AREA  
PLN-11914-SP  
APN: 210-071-004  
T01N R04E S26 HB&M (LARABEE VALLEY)**

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

0 1,000 2,000 Feet

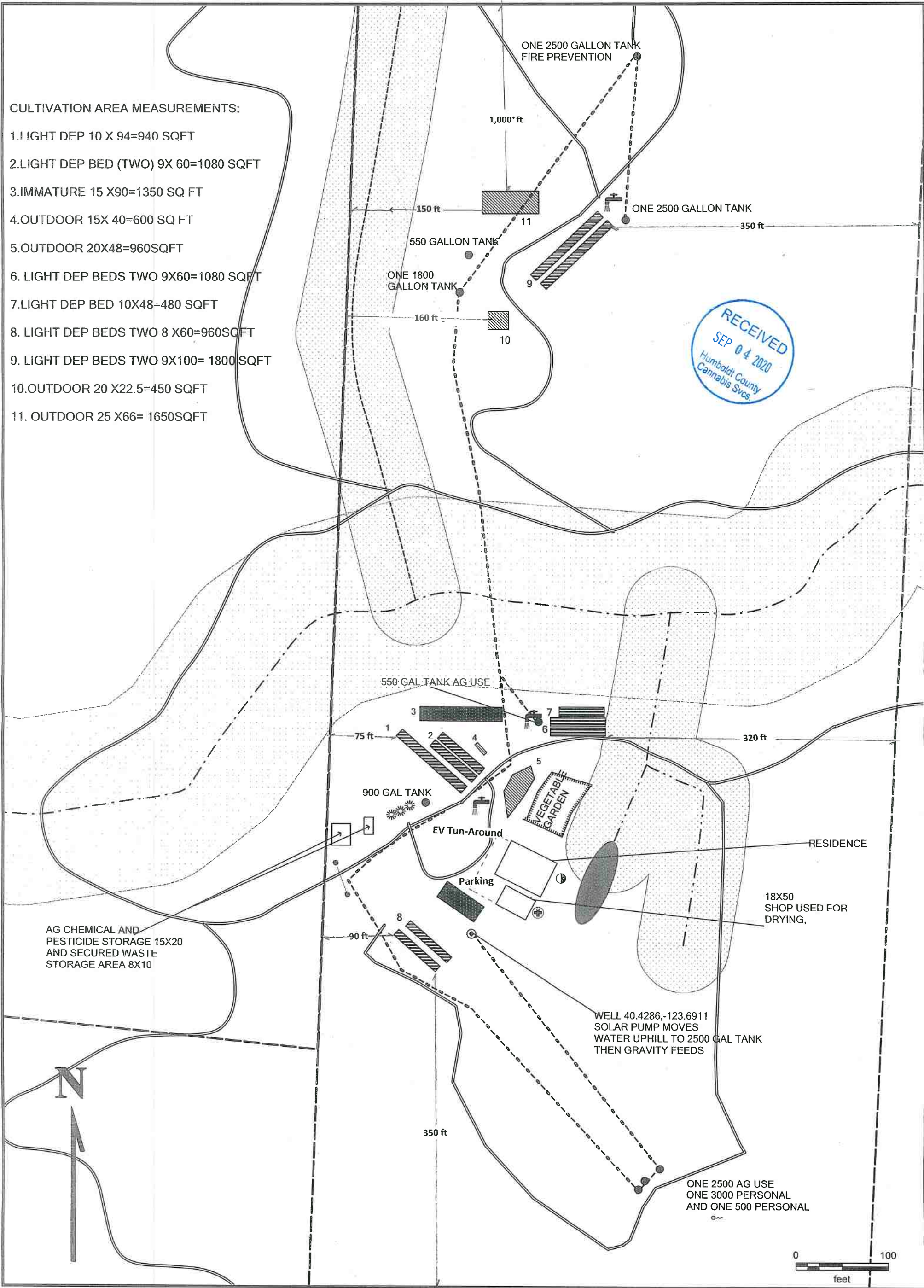




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CULTIVATION AREA MEASUREMENTS:

- 1.LIGHT DEP 10 X 94=940 SQFT
- 2.LIGHT DEP BED (TWO) 9X 60=1080 SQFT
- 3.IMMATURE 15 X90=1350 SQ FT
- 4.OUTDOOR 15X 40=600 SQ FT
- 5.OUTDOOR 20X48=960SQFT
- 6. LIGHT DEP BEDS TWO 9X60=1080 SQFT
- 7.LIGHT DEP BED 10X48=480 SQFT
- 8. LIGHT DEP BEDS TWO 8 X60=960SQFT
- 9. LIGHT DEP BEDS TWO 9X100= 1800 SQFT
- 10.OUTDOOR 20 X22.5=450 SQFT
- 11. OUTDOOR 25 X66= 1650SQFT



- |  |                   |  |             |  |                          |
|--|-------------------|--|-------------|--|--------------------------|
|  | OUTDOOR           |  | GATE        |  | SPIGOT                   |
|  | LIGHT DEPRIVATION |  | SMA         |  | SPRING                   |
|  | IMMATURE          |  | SOLAR       |  | POND                     |
|  | PROPERTY BOUNDARY |  | STRUCTURE   |  | WATERCOURSE              |
|  | WELL              |  | GENERATOR   |  | WATER STORAGE            |
|  | PROPANE           |  | GATE        |  | WATER DISTRIBUTION LINES |
|  |                   |  | GRADED FLAT |  |                          |

APPLICANT: ARNOCHI LLC  
APN: 210-071-004  
LOT SIZE: 32.5 ACRES  
ZONING: U-UNCLASSIFIED  
CULTIVATION AREA:  
3660 SQ FT OUTDOOR  
6340 LIGHT DEPRIVATION  
TOTAL 10,000 SQ FT

SITE PLAN  
PAGE 1 OF 1  
08/31/2020



## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

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

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

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this filing cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #15. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons, water storage ponds, existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structure, as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
7. The approved building floor plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.
8. Obtain a permit to operate any EPA Tier 4 diesel generator from the North Coast Unified Air Quality Management District and obtain an electric permit from the County's Building Department.

9. The applicant shall submit a grading, erosion, and sediment control plan, which shall be prepared by a qualified engineer. The plan shall identify the cubic yards of all grading that has been completed, and any proposed. Revise the plot plan to show all grading. A letter or similar communication from the Building Division verifying that all grading related to the cannabis cultivation operation are permitted, or not needed, will satisfy this condition.
10. The applicant shall finalize the proposed Onsite Wastewater Treatment System (OWTS) with the Division of Environmental Health (DEH) by completing the Septic Site Suitability Report or any other reports deemed necessary by DEH. A letter or similar communication from DEH verifying that the OWTS is permitted will satisfy this condition.
11. The applicant shall install water monitoring device(s) on each source—well and surface diversion if/when utilized and storage tanks as applicable—to monitor water used for cannabis irrigation separate from domestic use.
12. The applicant shall implement all corrective actions detailed in the Site Management Plan (SMP) developed for the project. The SMP was prepared pursuant to Tier 1 High-Risk enrollment under the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy, in congruence with Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities. A letter or similar communication from the SWRCB verifying that all their requirements have been met will satisfy this condition.
13. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency 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.
14. 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 Humboldt County Code 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 States Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. The light source used in the nursery greenhouse should comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare.
3. The applicant shall ensure supplemental lighting associated with mixed-light cultivation is fully contained with blackout tarps and have all outside lighting on timers or motion sensors to reduce light exposure to wildlife and their potential habitat; and, avoid heavy equipment operations during the northern spotted owl critical period (February 1–July 31) or perform protocol-level surveys prior to initiating that work.
4. 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 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.

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 the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, 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 Medicinal and Adult-Use Cannabis Regulation and Safety Act (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 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 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 SWRCB 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 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.
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, if applicable.
19. Consent to an annual onsite compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
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 program, and in such a way that no spillage occurs.
23. The master logbooks 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 MAUCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140 of Division 2 of the Labor Code), to the extent not prohibited by law."
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;
  - (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. Onsite housing, if any

30. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation Special Permit issued pursuant to the CMMLUO shall expire 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 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 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:
  - a. Identifying information for the new owner(s) and management as required in an initial permit application;
  - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
  - c. The specific date on which the transfer is to occur;
  - d. Acknowledgement of full responsibility for complying with the existing permit; and
  - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
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:**

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two 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 year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #6 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #26 and 27 of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code Section 7050.5 requires that the County Coroner be contacted

immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Zoning Administrator 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 MEDICAL MARIJUANA LAND USE  
ORDINANCE**

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

**APN 210-071-004; 2222 China Mine Road  
County of Humboldt**

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

**May 2021**

## Background

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

The CMMLUO established specific regulations for commercial cannabis operations in Humboldt County. These regulations were developed in concert with the MND that was adopted for the 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 applicant seeks a Special Permit to allow the continued operation of an existing 10,000-square-foot (SF) outdoor and light deprivation cannabis cultivation operation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, CMMLUO. The site is designated as Residential Agriculture (RA40) in the Humboldt County 2017 General Plan and zoned Unclassified (U). Irrigation water is sourced from a 390-foot-deep permitted well (16/17-0410) and annual estimated water usage is 120,000 gallons. Total water storage is 13,800 gallons in seven tanks. A spring diversion is used for domestic use only. Ancillary outdoor propagation takes place within a 1,350-SF area. There is one existing residence onsite and a 900 SF shop used for drying/trimming of cannabis. Processing will take place at an approved offsite facility. Two harvests are anticipated annually with one in July and one in October. The growing season starts in March when plants are started in the small propagation greenhouse and extends through October. There are two regular employees onsite during the cultivation season. Additional employees may be needed during short periods of time. Power for the operation is provided from solar panels on a 48-volt voltaic system with a permanent 14-kilowatt propane generator. Security measures include locked metal gates located at two different points along the private driveway. There is a residence onsite and with persons present at the site. A Site Management Plan has been prepared for the parcel (WDID: 1\_12CC414256) pursuant to the WQ 2019-0001-DWQ General Order that identifies conditions that may pose a threat to water quality as a Tier 1 High-Risk Discharger and implementation of the mitigation measures at 48 unique sites are made a condition of approval.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. These include ensuring supplemental lighting and security lighting adheres to Dark Sky Association standards and ensuring project related noise does not harass nearby wildlife which will limit impacts on 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 MND if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent Environmental Impact Report (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 mitigation measures. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 10,000 SF of outdoor and light-deprivation cultivation 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:

- Site Plan prepared by Timberland Resource Consultants, dated 8/31/20, received 9/4/20.
- Cultivation Plan received 9/4/20.
- Water Resources Protection Plan prepared by Timberland Resource Consultants for the North Coast RWQCB Order No. 2015-0023, dated 3/24/17, received 2/7/19.
- Site Management Plan (WDID: 1\_12CC414256) prepared by Timberland Resource Consultants, dated 10/25/19 for State Water Resources Control Board Cannabis Policy and Order WQ 2017-0023-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities.
- Engineer's Road Evaluation Report and memorandum for China Mine Road prepared by Allen M. Baird, PE, dated 12/14/18, received 2/2/19.
- Division of Environmental Health Attachment for Commercial Medical Marijuana Clearances/Permits.
- Cultural Resources Investigation prepared by Archaeological Research and Supply Company, dated August 2019, received 10/7/19.

### **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. (Site Plan prepared by Timberland Resource Consultants, dated 8/31/20, received 9/4/20 – 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 Plan received 9/4/20 - Attached)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the SWRCB, Division of Water Rights, if applicable. (Initial Statement of Water Diversion and Use revised 12/23/16 – On file)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above) and Site Management Plan prepared for State Water Resources Control Board (SWRCB) General Order (item 7. below)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board (RWQCB) demonstrating enrollment in Tier 1, 2 or 3, North Coast RWQCB Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Water Resources Protection Plan prepared by Timberland Resource Consultants – On file and superseded by Site Management Plan (WDID: 1\_12CC414256) – Attached)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading, or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the CDFW. (Notification No. 1600-2016-0409-R1 for domestic use only)
9. If the source of water is a well, a copy of the County well permit, if available. (Well Completion Report 16/17-0410 – On file)

10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (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)
11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
14. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts on 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. (On file)
15. Engineer's Road Evaluation Report and memorandum for China Mine Road prepared by Allen M. Baird, PE, dated 12/14/18, received 2/2/19. (Attached)
16. Division of Environmental Health Attachment for Commercial Medical Marijuana Clearances/Permits (DEH Form). (On file)



## CMMLUO SITE/OPERATIONS OVERVIEW

APPS# 11914 / APN: 210-071-004

**Project Description:** The applicant is seeking approval under CMMLUO to permit pre-existing cannabis cultivation up to 10,000 ft<sup>2</sup> outdoor cannabis cultivation and appurtenant support infrastructure.

The applicant acknowledges that the commercial cannabis activity approval is subject to compliance with all other applicable Humboldt County zoning and land use regulations, as well as other applicable provisions of the Humboldt County Code and applicable state laws. A determination of compliance will require multi-agency review of activities/development described in the aforementioned permit application and in some cases, site inspections.

If development and/or activities on the subject parcel are determined, for some reason, to be out of compliance with any applicable State or County code, regulation or policy, a compliance agreement can be formulated between the applicant and relevant agency or agencies, which includes a compliance timeline whereby operations may continue under a "Provisional Clearance or Permit" and corrective action is initiated to achieve compliance under agreed upon terms.

**Parcel Information:** The subject parcel APN: 210-071-004 is approximately 33 acres and zoned U with framework designated AL40. It has a property address of 2222 China Mine Road, Bridgeville Ca.

**Topography/Landscape:** The subject parcel is located in mountainous terrain with occasional bedrock outcroppings. Mill creek flows through the middle of the property where the land slopes upwards to the north and south of the creek. Mill Creek is a tributary to little Larabee Creek which flows into the Van Duzen River. The hillsides are mostly second growth pine except for the riparian corridor (70-100 feet), where hardwoods boarder the primary watercourse (Mill Creek).

**Surface Water Features:** The parcel contains one Class III watercourse which flows from North to South and converges at Mill Creek. Mill Creek runs through approximately the middle of the property from West to East. Two Class II watercourses flow from South to North behind the resident's dwelling, converge south of the driveway and directly flow into mill creek thereafter.

**Roads/Stream Crossings/Easements:** A private driveway comes off China Mine Road to the South, crosses Mill Creek over a bridge and heads up a slope that borders the creek going from East to West and terminates thereof at the resident's dwelling. Interior road conditions and watercourse crossings were assessed by Timberland Resource Consultants, a third party waterboard inspectors *who have prepared the Water Resource Protection Plan (WRPP)*. *Recommended corrective measures to address road conditions/crossings are prescribed in the report along with completion times.*

**Site Development:** A residence approximately 1400 ft<sup>2</sup> and a detached shop approximately 900 ft<sup>2</sup> exist on the parcel and were built in 2007. These are not related to any cultivation operation or activity. There is a cargo storage container approximately 1000 ft<sup>2</sup>.



**Utilities:** The subject parcel derives power from solar panels on 48-volt voltaic system with a permanent backup 14kilowatt propane generator. An additional portable auxiliary 2000-watt Honda generator is onsite for emergency backup purposes. A 280-gallon propane tank exists for the residence. Sequoia Gas company in Fortuna delivers propane to the subject parcel. Domestic wastewater is disposed of through a conventional septic system which serves the residence. The development of an Ag building is currently under consideration where an additional onsite wastewater system would be designed/developed to accommodate possible Ag building usage.

**Water Supply:** Agricultural is sourced from a 390-foot-deep well (apps # 16/17-040) that was drilled February in 2017 it will facilitate anticipated water requirements. There is a spring on the property that is used for domestic purposes (refer to site plan).

**Water storage:** A total of 13,800 gallons of water storage is currently on site. The storage containers consist of:

- Three 2500-gallon tanks
- One 1800-gallon tank
- One 900-gallon tank
- Two 300-gallon tanks
- One 3000-gallon tank for domestic use

***Cultivation Areas and/or other graded flats:***

There are 11 individual beds varying in size to be utilized.

**6340 sq ft** of light dep cultivation in eight (8) proposed hoop structures.

There is approximately **3660 sq ft** of full season cultivation dispersed among three (3) separate areas and a **1350 sq ft propagation area**

(see attached site plan map)

Cultivation areas and surrounding ground surfaces have been evaluated in the development of a site specific *WRPP*, *WDID # 1B161281CHUM*. The *WRPP* prescribes corrective measures that may adversely impact water resources and it establishes a timeline to achieve corrective actions.

A recently completed *Site Management Plan* is included herein which addresses cultivation areas and surrounding disturbed areas to ensure cultivation activities do not adversely impact the environment.



**Peak Water Demand (Include Monthly Water Use Table):** The Peak water demand projected to maintain plants during the warmest months is 23,000 gallons per month. The “Monthly Water Use” table below shows water use during the grow season. In line flow meters shall be incorporated into the irrigation system/water lines enabling accurate monitoring and recording of water usage in compliance with applicable regulations.

There is no agricultural water use during the months not shown.

	Greenhouses= 6340 ft <sup>2</sup>	Full season = 3660 ft <sup>2</sup>	Plant Stage (veg/Flower)	Total Gallons
March	9000		veg	9000
April	9000		veg	9000
May	9000	3000	veg/flower	12000
June	10000	5000	veg/flower	15000
July	10000	8000	veg/flower/harvest	18000
August	15000	10000	flower	25000
September	12000	8000	flower	20000
October	8000	8000	Flower/ harvest	16000
Total	82000	38000		120,000

**Irrigation Methods:** Irrigation is accomplished by the use of drip lines. The flow of the drip lines is regulated by operator and is adjusted for maximum efficiency taking into consideration temperature, plant demand etc. Water delivery throughout the system is carefully monitored on a regular basis to ensure proper function and responsible water use. Mulch is placed as a top dressing to optimize soil water retention. Occasional hand watering may be employed if needed.

**Irrigation Runoff/Erosion control:** Runoff from cultivation areas is minimized by the use of carefully regulated drip irrigation to prevent any overwatering or residual discharge of nutrient solutions outside of the “targeted” root zone. In the unlikely event that residual discharge did occur, it would be absorbed upon contact with permeable soil surrounding the cultivation area. The ground surface and cultivation activities in and around cultivation areas is managed year-round to prevent any movement of entrained constituents such as fine sediment, fertilizer or other organic particles beyond the cultivation area. If ever necessary, restoration/remediation plans will be employed to restore cultivation areas exhibiting potential sediment transport features.

**Watershed Protection:** Watershed protection is accomplished through implementation of measures prescribed in a site-specific *Water Resources Protection Plan* previously submitted and adherence to the corrective measures prescribed in the recently completed *Site Management Plan* (included). Vegetative buffers have been maintained on natural slopes in areas surrounding cultivation sites.

**Fertilizers, Pesticides, other Regulated products:**

Bat guano, Chicken manure, sea green, azomite, reamendo mix, Dr earth all purpose, azamax, Rainbow mix blooms and grow

**List and describe machinery and equipment used for cultivation and associated activities:**

Fans, 2 Dehumidifiers, Tiller, gas powered water pump  
Green Brothers trim machine, Honda EU 2000 generator

**Describe equipment service and maintenance; including where it is done:**

All maintenance is done at Scotty Cutters Edge and Pacific Motor Sports

**List and describe petroleum products and automotive fluids used onsite-Indicate amounts normally stored and how/where they are stored:**

Gasoline for backup generator and ATV is stored inside ag building or metal container? inside 5 gallon canisters with spill kits. Maximum quantity stored is 30 gallons.

**List and describe compressed gases, cleaners, solvents and sanitizers used - indicate amount normally stored and how/where they are stored:**

Regular non-toxic household cleaners in original domestic use containers.

**List and describe fertilizers, soil amendments, pesticides, herbicides and rodenticides used:**

**Indicate the amount normally stored and how/where it is stored:**

<b>Products</b>	<b>how/where stored</b>
Royal Gold Reamendo mix Dr earth All Purpose	Stored in metal building or in ag building. Or in designated area that are covered with tarps and contained
Composted chicken manure Worm Castings Gat guano	Same as above
Sea Green Dr Zymes azatrol	Same as above
Green Cleaner	Same as above

The applicant acknowledges that the storage and/or use of certain materials in specified volumes and/or weights will be subject to regulation through Humboldt County Division of Environmental Health CUPA and may require: submittal of inventories for those materials, documentation of emergency and training procedures, maintenance of hazardous waste disposal records, obtaining an EPA generator ID number and be subject to site inspections.

**Light usage:** Lights are SOLAR powered by the sun. Light usage includes low wattage fluorescents to sustain supplemental lighting in propagation greenhouse between March and May for up to 5 hours. Supplemental lighting is supplied by Husky brand string lights, a fluorescent pigtail bulb placed every ten feet on an electrical cord. Greenhouses are completely covered to prevent light spillage.

**Cultivation Related Wastes:** The operator intends to utilize almost all parts of the plants resulting in minimal green waste. Any plant constituents remaining will be composted onsite within a small area equipped with perimeter and top containment to prevent unwanted movement of materials due to weather conditions and animals/pests. Other material, unsuitable for composting, are stored in conventional trash containers with tight fitting lids and hauled to Dinsmore as needed. Spent growth medium containing inorganic substances such as perlite, will be stored in weatherproof containers and hauled to an approved waste facility as needed.

**Human Waste:** Day to day operations are carried out by individuals residing on the subject parcel. Restroom facilities within the residence are within close proximity to all agricultural areas and are easily accessed if needed.

Cultivation Operations/Practices Month to Month (include generator and light usage)			
		Generator used Y/N	Lights Avg Hr/day
<b>January</b>	no cultivation activities, site maintenance	n	
<b>February</b>	Continued maintenance	n	
<b>March</b>	Plants set in small propagation greenhouse- supplemental light, greenhouses covered as needed	y	5
<b>April</b>	Transplant 1st round into greenhouses	y	5
<b>May</b>	complete development of greenhouse gardens, full season outdoor plants planted,	y	5
<b>June</b>	Continue overall site maintenance, transplant full season, on going garden care		
<b>July</b>	Harvest 1st round, transplant 2nd round into greenhouses, dry then trim		
<b>August</b>	Harvest greenhouses, dry, trim, Continued garden care and maintenance		
<b>September</b>	Harvest greenhouse, dry trim, Overall garden maintenance		
<b>October</b>	Harvest 2nd round, harvest full season, dry and trim		
<b>November</b>	Finish processing. Clean up. Winterize		
<b>December</b>	Monitor site conditions		



**Processing:** Plants are harvested at peak ripeness and transferred to the metal container and/or carports where they will be set to dry. At times they are hung and dried in the greenhouse with a cover. Natural air drying may be supplemented by the use of fans and/or dehumidifiers.

All equipment, utensils and surfaces which come into contact with harvested plants are cleaned, rinsed and sanitized on a regular basis.

Processing/trimming will take place at an approved offsite facility under development on the adjoining parcel (APN: 210-071-009 / PLN 2019-15443) under the same ownership.

**Security:** Access to the subject parcel is restricted by the placement of locked metal gates located at two different points along the private drive entering the site. There is a residence on the parcel and there are normally persons present at the site.



ARCATA-EUREKA AIRPORT TERMINAL  
McKINLEYVILLE  
FAX 839-3596

AVIATION

839-5401

ADMINISTRATION  
BUSINESS  
ENGINEERING  
FACILITY MAINTENANCE

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

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

NATURAL RESOURCES  
NATURAL RESOURCES PLANNING  
PARKS  
ROADS & EQUIPMENT MAINTENANCE

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

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

LAND USE

445-7205

DEPARTMENT OF PUBLIC WORKS  
**COUNTY OF HUMBOLDT**

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

Christopher Arnold  
210-071-004  
2222 China Mine Rd.

## 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: Chris Arnold APN: 210-071-004

Planning & Building Department Case/File No.: \_\_\_\_\_

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

From Road (Cross street): Hwy 36

To Road (Cross street): 2222 China Mine Road

Length of road segment: 1.54 Miles miles Date Inspected: 11-15-18

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

Check one of the following:

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

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

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

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

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

Signature

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: China Mine Rd Date Inspected: 11-15-18 APN: 210-071-004  
From Road: Hwy 36 (Post Mile ± 30) Planning & Building  
To Road: 2222 China Mine Rd (Post Mile 1.54) 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: < 100 Date(s) measured: 11-15-18

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.)

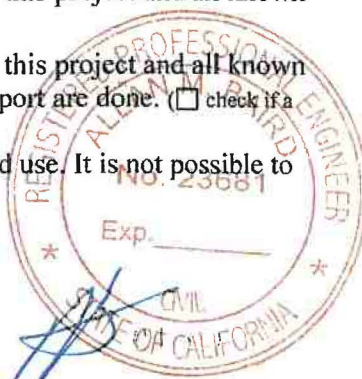
☐ The roadway cannot accommodate increased traffic from the proposed use. It is not possible to address increased traffic.

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

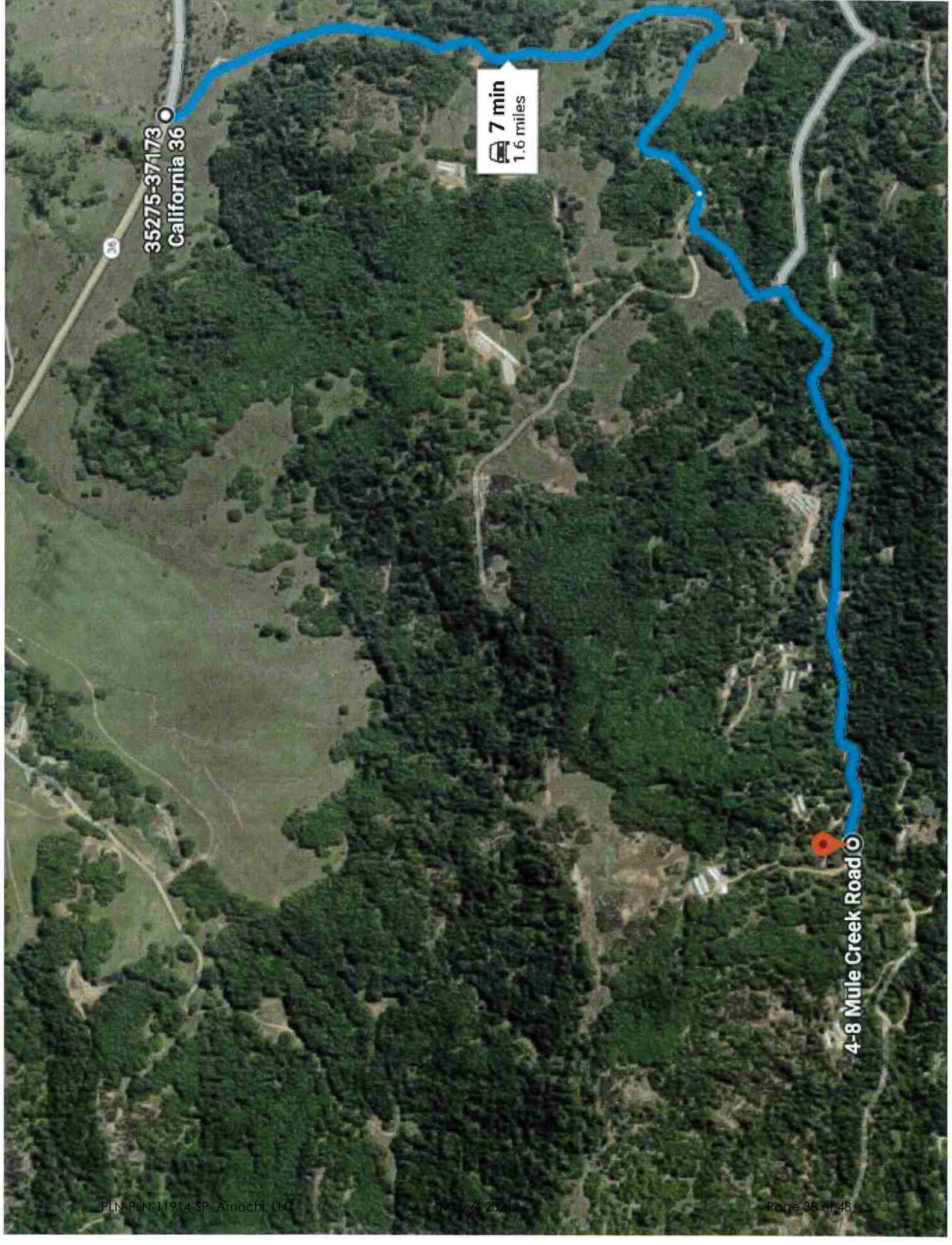
Date

12-14-18



**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.**





35275-37173  
California 36

7 min  
1.6 miles

4-8 Mule Creek Road





State of California  
**Well Completion Report**  
WCR Form Submitted 05/15/2017  
WCR2017-001340

Owner's Well Number 1 Date Work Began \_\_\_\_\_ Date Work Ended 02/10/2017  
Local Permit Agency Humboldt County Department of Health & Human Services - Land Use Program  
Secondary Permit Agency \_\_\_\_\_ Permit Number 16/17-0410 Permit Date \_\_\_\_\_

Well Owner (must remain confidential pursuant to Water Code 13752)			Planned Use and Activity	
Name <u>Christopher Arnold</u>			Activity <u>New Well</u>	
Mailing Address <u>PO Box 973</u>			Planned Use <u>Water Supply Domestic</u>	
City <u>Ferndale</u>	State <u>CA</u>	Zip <u>95536</u>		

Well Location					
Address <u>2222 China Mine RD</u>			APN <u>210-071-004</u>		
City <u>Bridgeville</u>	Zip <u>95526</u>	County <u>Humboldt</u>	Township _____		
Latitude _____ N Longitude _____ W			Range _____		
Deg. _____	Min. _____	Sec. _____	Section _____		
Dec. Lat. _____ Dec. Long. _____			Baseline Meridian _____		
Vertical Datum _____ Horizontal Datum <u>WGS84</u>			Ground Surface Elevation _____		
Location Accuracy _____ Location Determination Method _____			Elevation Accuracy _____		
			Elevation Determination Method _____		

Borehole Information			Water Level and Yield of Completed Well		
Orientation <u>Vertical</u>	Specify _____		Depth to first water <u>170</u>	(Feet below surface)	
Drilling Method <u>Direct Rotary</u>	Drilling Fluid <u>Air</u>		Depth to Static _____		
			Water Level <u>98</u>	(Feet)	Date Measured <u>02/15/2017</u>
			Estimated Yield* <u>10</u>	Test Type <u>Air Lift</u>	
Total Depth of Boring <u>390</u>	Feet		Test Length <u>4</u>	Total Drawdown _____	(Feet)
Total Depth of Completed Well <u>390</u>	Feet		*May not be representative of a well's long term yield.		

Geologic Log - Free Form		
Depth from Surface Feet to Feet		Description
0	2	Top Soil
2	17	Brown Clay
17	60	Brown Sandstone
60	120	Blue Sandstone
120	140	Blue Shale
140	180	Blue Sandstone
180	390	Blue Shale

Casings										
Casing #	Depth from Surface Feet to Feet		Casing Type	Material	Casings Specifications	Wall Thickness (inches)	Outside Diameter (inches)	Screen Type	Slot Size if any (inches)	Description
1	0	20	Blank	Low Carbon Steel	N/A	0.188	8.625			
2	0	270	Blank	PVC	N/A	0.291	4.95			
2	270	350	Screen	PVC	N/A	0.291	4.95	Milled Slots	0.035	
2	350	370	Blank	PVC	N/A	0.291	4.95			
2	370	390	Screen	PVC	N/A	0.291	4.95	Milled Slots	0.035	







## 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	✓	Needs Revision	Attached
Division Environmental Health	✓	Conditional Approval	Attached
Public Works, Land Use Division	✓	Approved	
Cal Fire	✓	No comments	
State Water Resources Control Board – Division of Water Rights	✓	Conditional Approval	Attached
Northwest Information Center	✓	Further Study	On file and confidential
Bear River Band of the Rohnerville Rancheria	✓	Comments	Coordination meeting notes – on file
Humboldt County Sheriff	✓	Approved with comments	
Bridgeville Fire Protection District		No response	
California Department of Fish & Wildlife		No response	
Bridgeville School District		No response	
Caltrans District 1		No Response	
Humboldt County Agricultural Zoning Administrator		No response	
Humboldt County District Attorney		No response	
North Coast Unified Air Quality Management District		No Response	
North Coast Regional Water Quality Control Board		No response	



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

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

**Forester Comments:**

Date:

Name:

**Battalion Chief Comments:**

**Summary:**

▼ Pre-Site Inspection

Status:

[History](#)

**PRE-SITE**

**Project Started**

☒ Yes ☐ No

**AOB Inspection**

☒ Yes ☐ No

**Soil Required Due to**

**Project is in flood zone A**

☐ Yes ☒ No

**2nd Flood Certificate Required**

☐ Yes ☐ No

**SRA requirements apply**

☐ Yes ☒ No

**SRA water storage requirements apply**

☒ Yes ☐ No

**Grading permit required**

☒ Yes ☐ No

**Erosion and sediment control measures required**

**Lot created prior to 1992**

☒ Yes ☐ No

**Incomplete Submittal Construction Plan**

☒ Yes ☐ No

 Standard Comment

**Plans Stamped by Licensed Prof Required**

☐ Yes ☒ No

**Soil Report Required**

☒ Yes ☐ No

**FIRM panel number**

(Text)

**Flood elevation certificate required**

☐ Yes ☐ No

**Project appears to be within wet area**

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

☒ Yes ☐ No

**Driveway slope appears to be**

**Submit engineered foundation for**

**Applicant must locate property lines**

☒ Yes ☐ No

**Plot plan incomplete, must be revised**

☒ Yes ☐ No

**Other concerns exist**

☐ Yes ☒ No

3/15/19 Planning Referral Comments:

1. Submit revised site / plot plan showing all the following items: All grading locations, SMAs and any water course including ponds and springs. Structures including size and use and all setbacks from the above stated to each other and property lines.
2. Existing structures used in the cannabis operation shall not be used until all required permits have been obtained.
3. Recommend approval based on the condition that all required grading, building and Ag Exempt permits are obtained.

Building Division Comments:

1. Submit soil report with erosion and sediment control designed by a licensed person.
2. Submit grading plan with engineer design.
3. Floor plans showing the electrical, plumbing and mechanical layout for all structures.
3. Revise plot plan to show all grading, SMAs including ponds and springs.
4. Complete and submit Ag Exemption letter of intent for all proposed greenhouses and Ag structures.

**check spelling**

**Attachment**  [site photos](#)  
**(s) :** 



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

2/22/2019

**Project Referred To The Following Agencies:**

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, Bridgeville FPD:FPD, RWQCB, NCUAQMD, Bridgeville School District:School District, Cal Fish & Wildlife, CalFire, CalTrans Dist 1, CA Division of Water Rights, Bear River Band, NWIC

**Applicant Name** Arnochi LLC **Key Parcel Number** 210-071-004-000

**Application (APPS#)** PLN-11914-SP Historic Planning **Assigned Planner** Elizabeth Moreno

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: 3/9/2019**

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

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

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

Other Comments:

See attached

DATE:

4.15.19

PRINT NAME:

DYANA McPherson

## Project Review and Comment Cannabis SIUR Program

Project Name: Arnochi LLC

Date: 2/22/19

APN: 210-071-004-000

County: Humboldt

Project#: PLN-11914-SP

Date Referral Received: 2-22-19

Reviewer: Payman Aleui

Date Referral Due: 3-9-19

### Documentation Required to Assess Project Compliance with the Water Code

<input type="checkbox"/>	Water Rights Documentation
<input type="checkbox"/>	Project designs/Maps/Diagrams inclusive of existing on-site roads, access roads and easements
<input type="checkbox"/>	Riparian/Stream/Wetland Avoidance Strategy
<input type="checkbox"/>	Proof of Enrollment in State Water Resources Control Board Cannabis Regulatory Program
<input type="checkbox"/>	Evidence of Consultation with Dept. of Fish and Wildlife
<input type="checkbox"/>	Water Resource Protection Plan
<input type="checkbox"/>	Cumulative Impact Assessment for Project Sub Watershed
<input type="checkbox"/>	Cleanup and Restoration Plan
<input type="checkbox"/>	Evidence of Consultation with Army Corps of Engineers
<input type="checkbox"/>	Low Impact Development Strategy
<input type="checkbox"/>	Waste Characterization/Disposal Strategy
<input checked="" type="checkbox"/>	Other, described as follows:

Small Domestic Use Registration required for shallow well and onstream pond.

SIUR maybe required for water source.

### Permits and Mitigations Required for Project Compliance

☒ Cannabis Regulatory Program Enrollment