



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: May 6, 2021

To: Humboldt County Planning Commission

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

Subject: **Green Sanctuary, Inc. Conditional Use Permit**
Application Number PLN-10844-CUP
Assessor's Parcel Number (APN) 216-205-011
Blocksburg area

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Please contact Alec Barton, Planner (Harris & Associates) at 435-851-4003 or by email at alec.barton@weareharris.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
May 6, 2021	Conditional Use Permit – Type III	Alec Barton

Project Description: Green Sanctuary, Inc. seeks a Conditional Use Permit (CUP-16-090) to allow a total of 39,620 square feet (SF) of cannabis cultivation. Existing cultivation is 30,300 SF, consisting entirely of outdoor cultivation. Plants are propagated in a 1,920-SF nursery onsite.

Irrigation water is sourced from a 400,000-gallon rainwater catchment pond onsite. Water is stored within the rainwater catchment pond, one (1) 20,000-gallon water bladder, two (2) 10,000-gallon water bladders, and thirteen (13) high-density polyethylene (HDPE) tanks: two (2) 5,000-gallon tanks, four (4) 2,500-gallon tanks, two (2) 1,500-gallon tanks, one (1) 500-gallon tank, and four (4) proposed 5,000-gallon tanks, yielding a total onsite storage of 483,500 gallons.

Drying would occur onsite in two (2) 800-SF carports, totaling 1,600 SF. Further processing would occur offsite at a licensed third party facility. The project will require one (1) full time and one (1) part time employee for cultivation activities. Approximately four (4) seasonal workers will be provided by a third party distribution company to assist with harvesting activities. Power is provided from onsite solar panels with two supporting generators: a 36-kW Honda generator and a 6.5-kW Honda generator.

Project Location: The project site (APN: 216-205-011) is located on both sides of Ware Ranch Road, approximately 2 miles northeast of the intersection of Stewart Ranch Road and Ware Ranch Road, near the unincorporated community of Blocksburg in southern Humboldt County.

Present Plan Land Use Designations: Agricultural Grazing (AG), 20-160 acres per unit, and Timberland (T), 40-160 acres per unit, 2017 General Plan. Slope Stability: High Instability (3).

Parcel Size: 159 acres

Present Zoning: Agricultural Exclusive (AE) and Timber Production Zone (TPZ).

Record Number: PLN-10844-CUP

Case Number: CUP-16-090

Assessor's Parcel Number: 217-381-001

Applicant

Green Sanctuary, Inc.
Bairn M Niemela
PO Box 3278
Eureka, CA 95502

Owner

Bairn M Niemela
PO Box 3278
Eureka, CA 95502

Agents

Green Road Consulting, Inc.
Kaylie Saxon
1650 Central Avenue C
McKinleyville, CA 95519

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

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

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

Green Sanctuary, Inc.
Record Number: PLN-10844-CUP
Assessor's Parcel Number: 216-205-011

Recommended Commission Action

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

Adopt the Resolution to:

1. *Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Land Use Ordinance (CCMLUO), as described by Section §15164 of the State CEQA Guidelines;*
2. *Make the required findings for approval of the Conditional Use Permit; and*
3. *Approve the Green Sanctuary, Inc. Conditional Use Permit as recommended by staff subject to the recommended conditions.*

Executive Summary: Green Sanctuary, Inc. seeks a Conditional Use Permit (CUP-16-090) to allow a maximum of 39,620 square feet (SF) of cannabis cultivation, consisting entirely of outdoor cultivation. Existing cultivation is 30,300 SF in two (2) full term outdoor cultivation areas (CAs) totaling 21,700 SF and in four (4) light deprivation outdoor greenhouses (GHs) totaling 8,600 SF. The distribution of cultivation areas is as follows: CA1 (12,300 SF); CA2 (9,400 SF); GH1 (1,800 SF); GH2 (2,500 SF); GH3 (2,500 SF); and GH 4 (2,500 SF). The medical cannabis permit application is in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO), Zoning Clearance Certificate for Interim Permit (IP), and the Cultivation Area Verification (CAV) developed for the site. Plants are propagated in a 1,920-SF nursery onsite.

The site is zoned as Agricultural Exclusive (AE) and Timber Production Zone (TPZ,) as defined in the Humboldt County 2017 General Plan Update. Drying would occur onsite in two (2) 800-SF carports, totaling 1,600 SF. Further processing would occur offsite at a licensed third party facility. The project will require one (1) full-time and one (1) part-time employee for cultivation activities. Approximately four (4) seasonal workers will be provided by a third party distribution company to assist with harvesting activities. Power is provided by onsite solar panels with two supporting generators: a 36-kW Honda generator and a 6.5-kW Honda generator. The primary use of generator power is not allowed to occur beyond December 31, 2025. To ensure that generator use is not extended beyond this date, the project has been conditioned to provide a permanent power to the site prior to December 31, 2025 (**Condition 15**).

Water Resources

The project area is located in the South Fork Eel River watershed on a mountainous hillside that drains into an unnamed waterway, which flows into North Dobbyn Creek. Irrigation water is sourced from a 400,000-gallon rainwater catchment pond onsite. Water is stored within the following containers: one (1) rainwater catchment pond, one (1) 20,000-gallon water bladder, two (2) 10,000-gallon water bladders, and thirteen (13) high-density polyethylene (HDPE) tanks. The HDPE tanks include: two (2) 5,000-gallon tanks, four (4) 2,500-gallon tanks, two (2) 1,500-gallon tanks, one (1) 500-gallon tank, and four (4) proposed 5,000-gallon tanks. Total onsite storage is 483,500 gallons.

Total annual water use for cultivation activities is estimated at 267,655 gallons (6.76 gallons/SF), and will be applied at agronomic rates to minimize over watering. The applicant is considering installing a drip irrigation system. The project will be able to comply with full forbearance requirements during the required period (April 1 – October 31).

A Water Resources Protection Plan (WRPP) was created to protect the water resources of the project site through annual site inspection, monitoring, and reporting of Tier 2 discharges to the North Coast Regional Water Quality Control Board (NCRWQCB). The project is enrolled with the State Water Board

Waste Discharge Program (Water Quality Permit - WDID 1_12CC418303). The project area is within a Streamside Management Area (SMA) and therefore is required to be consistent with the Humboldt County General Plan Policy BR-P6, which requires development within a SMA to comply with erosion control and required mitigation measures.

Because the rainwater catchment pond was constructed without a permit, it does not meet the standard of development for this type of feature. The pond is unlined and does not have adequate overflow, which led to an overflow incident that caused significant erosion and sediment delivery. To rectify this issue, the applicant has been conditioned to install an appropriately-sized overflow culvert and French drains to divert subsurface flow off the hillside from entering the pond (**Condition 18**). The WRPP also recommends the applicant drain and line the pond and remove water bladder storage from the site.

A Lake and Streambed Alteration Agreement (LSAA) has been filed with the California Department of Fish and Wildlife (CDFW) to cover eleven (11) encroachments, including upgrades to ten (10) failing and undersized culverts and to one (1) spillway for a pond (No. 1600-2018-0617-R1). There are four (4) Class II stream crossings and six (6) Class III stream crossings onsite. Remediation work is required on eight (8) of the crossings, including installing and maintaining rolling dips, water bars, and ditch relief culverts; installing rock gravel along roadways and inboard ditches; resizing, replacing, and realigning culverts; and armoring inlets and fortifying them with rip-rap (**Condition 19**).

Two existing wells are shown on the site plan. The Department of Health and Human Services Environmental Health Division (DEH) will require the applicant to provide documentation to either verify legal nonconforming status of the wells, retroactively permit the wells, or complete a well destruction permit for each well (**Condition 22**).

Biological Resources

A Biological Resources Report for the site was prepared in July 2019 by TransTerra Consulting. A list of potential special status species was generated using the following information systems: California Natural Diversity Database (CDFW 2019), RareFind and Spotted Owl Database, and California Native Plant Society (CNPS) database. Northern spotted owl was recorded approximately 1,500 feet from the project site, and critical habitat for the species is documented approximately 5,725 feet to the northeast. Additional special status species documented within five (5) miles of the project site include foothill yellow-legged frog, beaked tracyina, golden eagle, obscure bumble bee, water howellia, Howell's montia, and fisher.

A habitat assessment was conducted by TransTerra Consulting biologists Megan Nibbelink and Adrian Macedo on June 19, 2019. The timing of the field visit did not coincide with ideal survey seasons for all potential species, particularly plant species. However, the survey provided documentation of potential habitats for special status species. Three major items were addressed in the assessment (Items A-C).

Item A consisted of a biological scoping survey of cultivation area 1 and a proposed relocation site. The assessment found that species of concern were not identified in these areas, nor were other environmentally sensitive features. The assessment concluded that cultivation in existing areas may be preferable to relocation due to the high failure rate of restoration activities in abandoned sites.

Item B consisted of proposed restoration activities for retired cultivation areas within the streamside management area (SMA). The report recommended avoiding additional disturbance and using native species for erosion control as well as implementation of all of the measures listed in the County's SMA ordinance (SMAO) and General Plan policies BRS 5-11.

Item C consisted of a discussion of how activity within the SMA will comply with the SMAO §314.61 and General Plan Biological Resource Standards (BRS) §10.3.4 BR-S5 – BR-S11. While a complete assessment of compliance was not possible due to a wetland delineation report not being completed, the report concluded that cannabis cultivation relocation appears to comply with both sets of policies. Standard

mitigation measures associated with SMAs (see Humboldt County Code §314-61.1.10 and BRS §10.3.4 BR-S5 – BR-S11) are included in the report, and the applicant has been conditioned to implement these measures (**Condition 20**).

Tribal Cultural Resource Coordination

A records search for known cultural resources was requested from the Northwest Information Center (NWIC). The records search revealed that Study #14175 covered approximately 75% of the project area and identified no cultural resources (Jensen & Associates 1992). The NWIC recommended contacting local Native American Tribes to ensure project activities are outside of Tribal Territories. The Bear River Band of the Rohnerville Rancheria was contacted and responded that the Inadvertent Discovery Protocol should be implemented in case there is accidental discovery of previously unidentified historical artifacts or human remains (**Condition 21**).

Access

The project area (APN: 216-205-011) is located on both sides of Ware Ranch Road near the unincorporated community of Blocksburg. Ware Ranch Road is accessed via Stuart Ranch Road. A road evaluation was conducted by the Humboldt County Department of Public Works (DPW) for both roads, and determined that each road is not developed to the equivalent of a road category 4 standard. However, upon further evaluation, DPW concluded that both Ware Ranch Road and Stuart Ranch Road are capable of accommodating the cumulative increased traffic from this project, and recommended a standard condition pertaining to private road intersections (**Condition 16**).

Timberland Conversion Mitigation

Between 2016 and early 2018, various cultivation sites within the project area underwent unpermitted timberland conversion to facilitate expansion of cultivation. The combined acreage of three (3) conversion sites is 1 acre. On July 11, 2019, representatives of Blair Forestry Consulting, LLC examined the sites to determine what mitigation measures should be implemented to compensate for timberland conversion. No recommended measures were identified for Site 1 (0.35 acre) and Site 3 (0.47 acre). At Site 2 (0.18 acre), the forester recommended that within the area where trees were observed to be dead and dying, the applicant should plant Douglas fir and/or white and black oaks, which are suitable to the region, at a spacing no more than 10 feet apart. The forester also recommended the applicant remove a pile of slash/woody debris (**Condition 17**).

Generator Use

The application is for outdoor cultivation, and the applicant uses two (2) generators as a supporting power source. Consistent with past actions of the Planning Commission, a condition has been added that the power source of all cannabis related activities shall be converted to a permanent source by December 31, 2025 (**Condition 15**).

California Environmental Quality Act (CEQA)

Environmental review for this project was conducted in March 2021 by the County. Based on the results of that analysis, staff finds that all aspects of the project have been considered in the Mitigated Negative Declaration (MND) adopted for the Commercial Medical Marijuana Land Use Ordinance on January 26, 2016. Accordingly, staff has prepared an addendum to this document for consideration by the Planning Commission. See **Attachment 2** for more information.

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

ALTERNATIVES: The Planning Commission could elect to 1) not approve the project, or 2) require the applicant to submit further evidence or modify the project. If modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning staff has stated that the required findings in support of the proposal have been made. Consequently, Planning staff does

not recommend further consideration of any alternative.

The Planning Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As the lead agency, the Department has determined that the project is consistent with the MND for the CMMLUO as stated above. However, the Commission may reach a different conclusion, In which case, the Commission should continue the item to a future date at least two months later to provide staff adequate time to complete further environmental review.

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

Resolution Number 21-

Record Number PLN-10844-CUP

Assessor's Parcel Number: 216-205-011

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Green Sanctuary, Inc. Conditional Use Permit.

WHEREAS, Green Sanctuary, Inc. seeks a Conditional Use Permit (CUP-16-090) for a maximum of 39,620 square feet (SF) of cannabis cultivation, consisting entirely of outdoor cultivation, with appurtenant propagation and drying activities; and

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

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on **May 6, 2021**, and reviewed, considered, and discussed the application for the requested Conditional Use Permits and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

- 1. FINDING:** **Project Description:** The application is a Conditional Use Permit (CUP-16-090) for a maximum of 39,620 SF of cannabis cultivation, consisting entirely of outdoor cultivation, with appurtenant propagation and drying activities. Power is provided primarily by solar panels with two (2) supporting generators: a 36-kW Honda generator and a 6.5-kW generator. Irrigation water is sourced from an onsite 400,000-gallon rainwater catchment pond.

EVIDENCE: Project File: PLN-10844-CUP

- 2. FINDING:** **CEQA.** The requirements of CEQA have been met. The Humboldt County Planning Commission 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 to the MND prepared for the proposed project in compliance with CEQA.

- b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.
- c) A list of potential special status species was generated in July 2019 using the following information systems: California Natural Diversity Database (CDFW 2019), RareFind and Spotted Owl Database, and California Native Plant Society (CNPS) database. Northern spotted owl was recorded approximately 1,500 feet from the project site, and critical habitat for the species is documented approximately 5,725 feet to the northeast. Additional special status species documented within five (5) miles of the project site include foothill yellow-legged frog, beaked tracyina, golden eagle, obscure bumble bee, water howellia, Howell's montia, and fisher. Project activities are not expected to produce any adverse or cumulative effects to any special status species or habitat, due to the type of proposed activities. Therefore, impacts to biological resources are considered low and unlikely. The applicant has been conditioned to include mitigation measures recommended by a certified forester for cultivation relocation activities (**Condition 20**).
- d) Per the review referral from Humboldt County Department of Public Works (DPW), Ware Ranch Road and Stuart Ranch Road are not developed to a category 4 road standard. However, each road is capable of accommodating the cumulative increased traffic from this project. DPW recommended a standard condition pertaining to private road intersections (**Condition 16**).
- e) A Water Resources Protection Plan (WRPP) was created to protect the water resources of the project site through annual site inspection, monitoring, and reporting of Tier 2 discharges to the North Coast Regional Water Quality Control Board (NCRWQCB). The project is enrolled with the State Water Board Waste Discharge Program (Water Quality Permit - WDID 1_12CC418303). The WRPP addressed issues pertaining to site maintenance, erosion control, drainage features, stream crossing maintenance, riparian and wetland protection and management, and water storage and use (**Conditions 18 and 19**).
- f) The cultural resources records search from the Northwest Information Center (NWIC) revealed that afield survey and Cultural Resources Investigation were conducted in 1992 by Jensen & Associates (Study #14175). The study covered approximately 75% of the project area. No cultural resources were identified within the study area. The Bear River Band of the Rohnerville Rancheria recommended use of the Inadvertent Discovery Protocol by a qualified professional archaeologist, if any previously unidentified cultural resources are encountered throughout project implementation (**Condition 21**).
- g) Between 2016 and early 2018, various cultivation sites within the project area underwent unpermitted timberland conversion to facilitate

expansion of cultivation. The combined acreage of three (3) conversion sites is 1 acre. On July 11, 2019, representatives of Blair Forestry Consulting, LLC examined the sites to determine what mitigation measures should be implemented to compensate for timberland conversion. No recommended measures were identified for Site 1 (0.35 acre) and Site 3 (0.47 acre). At Site 2 (0.18 acre), the forester recommended that within the area where trees were observed to be dead and dying, the applicant should plant Douglas fir and/or white and black oaks, which are suitable to the region, at a spacing no more than 10 feet apart. The forester also recommended the applicant remove a pile of slash/woody debris (**Condition 17**).

FINDINGS FOR CONDITIONAL USE PERMIT

3. FINDING

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

EVIDENCE

- a) General agriculture is a use type permitted in the Agricultural Grazing (AG) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.
- b) The project is within a Streamside Management Area (SMA) and therefore is required to be consistent with the Humboldt County General Plan Policy BR-P6, which requires development within a SMA to comply with erosion control and required mitigation measures (**Condition 20**).

4. FINDING

The proposed development is consistent with the purposes of the existing Agricultural Exclusive (AE) and Timber Production Zone (TPZ) in which the site is located.

EVIDENCE

- a) The AE zone is intended to be applied to fertile areas in which agriculture is and should be the desirable predominant use. All general agricultural uses are principally permitted in the AE zone.
- b) The TPZ zone is intended to provide standards and restrictions for the preservation of timberlands for growing and harvesting timber. Grazing and other agricultural uses are principally permitted in this zone provided they do not significantly detract from the use of the property for, or inhibit, growing and harvesting of timber.
- c) Humboldt County Code section 314-106.6 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

Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 39,620 SF outdoor cultivation on a 159-acre parcel is consistent with the Humboldt County Code and with the Cultivation Area Verification prepared by the County.

5. FINDING

The proposed development is consistent with the requirements of the CMMLUO Provisions of the Zoning Ordinance.

EVIDENCE

- a) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created via Parcel Map recorded in Book 216 of Parcel Maps, page 20.
- b) Irrigation water is sourced from an onsite 400,000-gallon rainwater catchment pond.
- c) The slope of the land where cannabis will be cultivated is 15% or less.
- d) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any offsite residence, and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.

6. FINDING

The cultivation of 39,620 SF of cannabis and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) Per the review referral from Humboldt County Department of Public Works (DPW), Ware Ranch Road and Stuart Ranch Road are not developed to a category 4 road standard. However, each road is capable of accommodating the cumulative increased traffic from this project. DPW recommended a standard condition pertaining to private road intersections (**Condition 16**).
- 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 sizes in the area.
- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest offsite residence.
- d) Irrigation water is sourced from an onsite 400,000-gallon rainwater catchment pond.
- e) Annual water use for cultivation activities is estimated at 267,655 gallons (6.76 gallons/SF), and will be applied at agronomic rates to

minimize over watering. The applicant is considering installing a drip irrigation system.

- f) Existing and proposed water storage onsite is 483,500 gallons. This amount of water storage would be sufficient to provide enough water for annual cultivation activities (267,655 gallons) to forbear completely during the required forbearance period (April 1 – October 31).
- g) Provisions have been made in the applicant's proposal to protect water quality through yearly site inspection, monitoring, and reporting to the North West Regional Water Quality Control Board (NWRWQCB). The site shall be inspected and monitoring reports prepared for the following activities: 1) before and after any alteration or upgrade to a given stream crossing, road segment, or other controllable sediment discharge site; 2) prior to the start of the water year (October 15) to evaluate site preparedness for storm events and associated storm water runoff; 3) site inspection no later than December 15 of each year; and 4) following any rainfall event with an intensity of 3 inches of precipitation within any 24 hour period. Annual reporting shall be submitted to the NCRWQCB by March 31 of each year. Therefore, runoff to adjacent property and infiltration of water to groundwater resources will not be adversely affected.

7. FINDING

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

EVIDENCE

The parcel currently contains no residential units.

DECISION

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

- Adopt the findings set forth in this resolution; and
- Conditionally approve the Conditional Use Permit (CUP-16-090) for Green Sanctuary, Inc. 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.

The motion was made by COMMISSIONER _____ and second by COMMISSIONER _____ and the following ROLL CALL vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

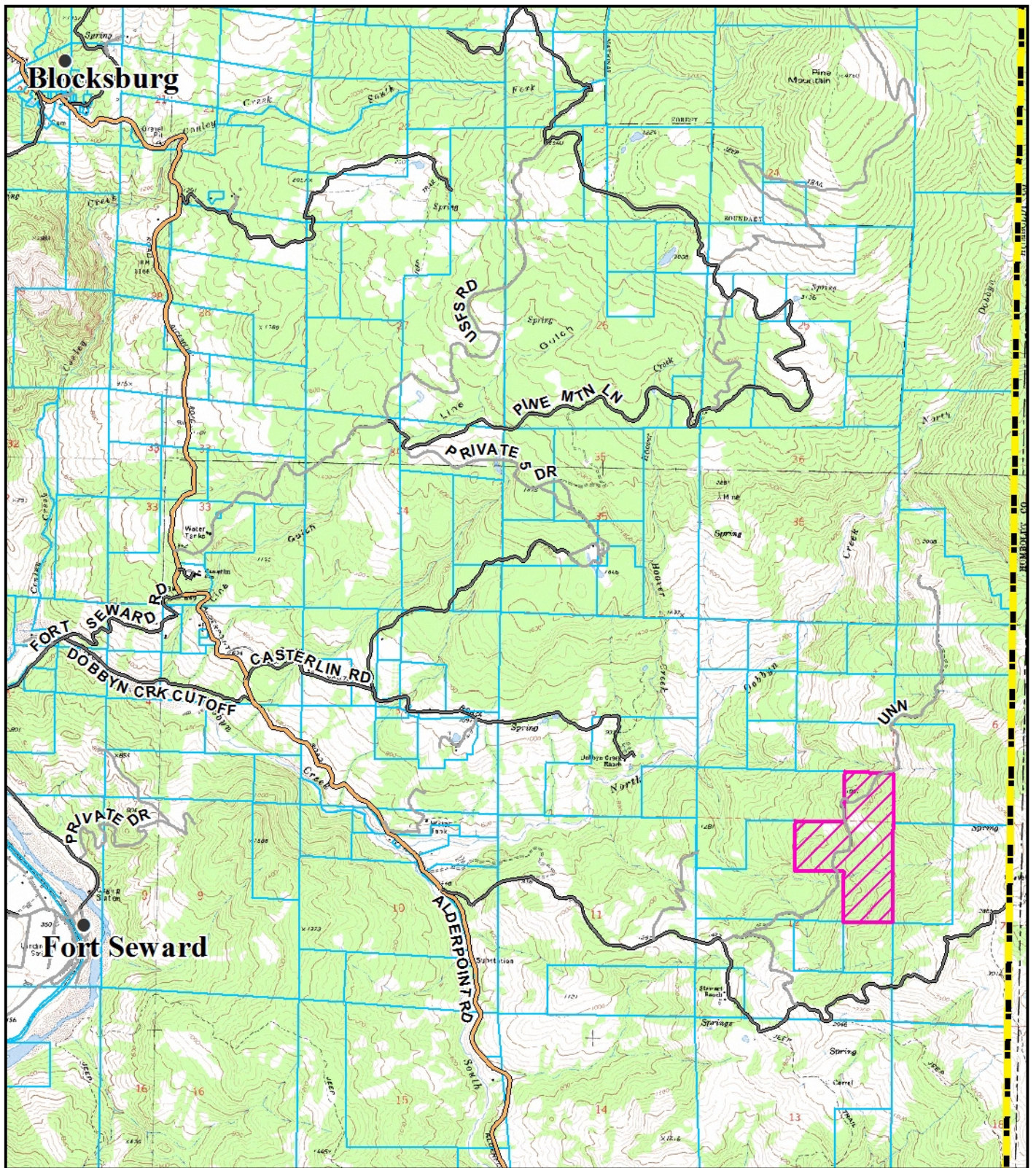
ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION:

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

John Ford, Director
Planning and Building Department



TOPO MAP

PROPOSED GREEN SANCTUARY, LLC BLOCKSBURG AREA

CUP-16-090

APN: 216-205-011

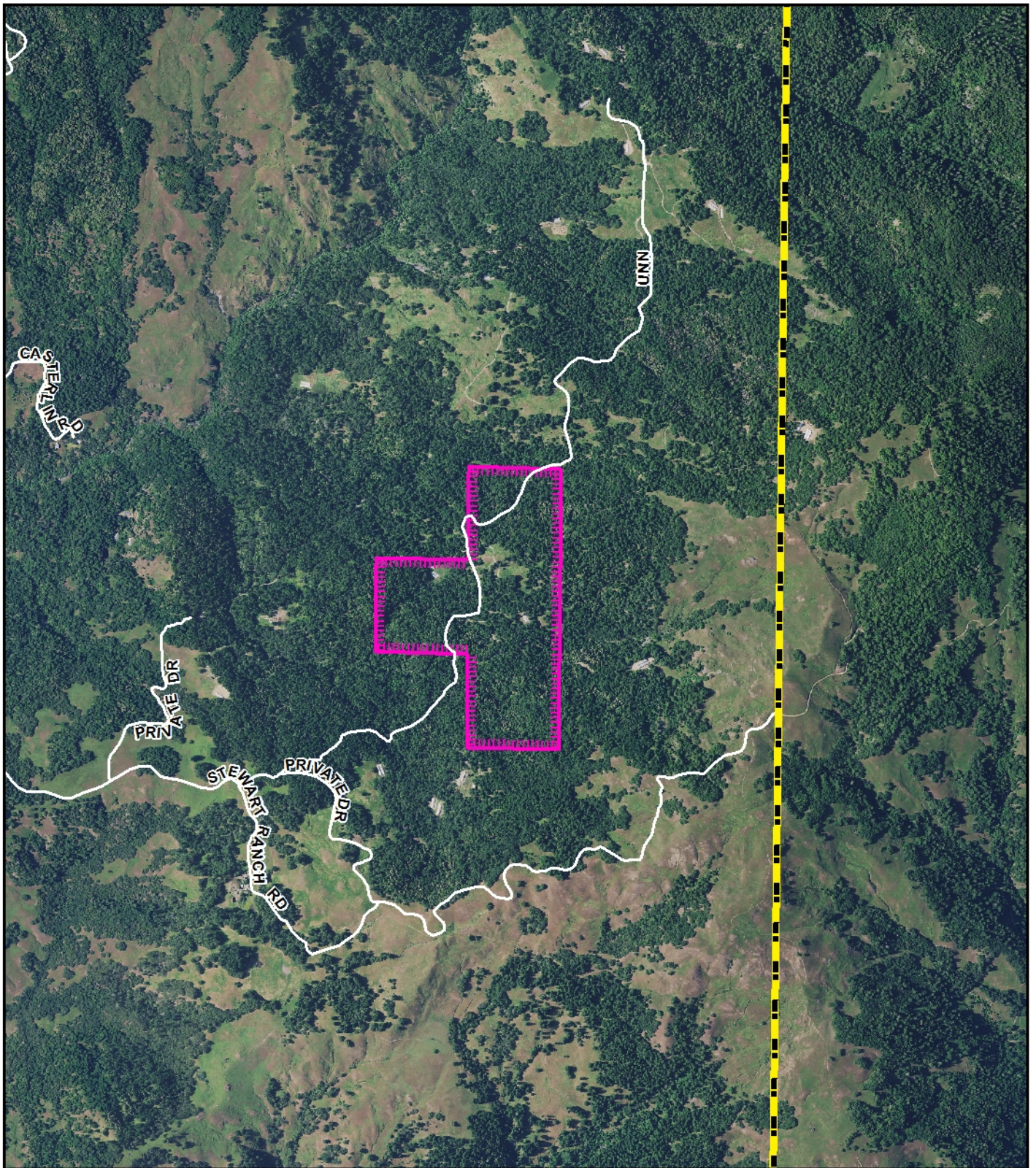
T03S R05E S101,12 HB&M (Alderpoint)

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.



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Miles



AERIAL MAP

**PROPOSED GREEN SANCTUARY, LLC
BLOCKSBURG AREA**

CUP-16-090

APN: 216-205-011

T03S R05E S101,12 HB&M (Alderpoint)

Project Area = 

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



0 0.25
Miles

[illegible]

BUILDINGS	USE	SIZE	YEAR
CARPORT #1	DRYING/HARVEST STORAGE	40'x20'	2015
CARPORT #2	DRYING/HARVEST STORAGE	40'x20'	2015
CARPORT#3	AGRICULTURAL CHEMICAL STORAGE/TOOL STORAGE	10'x20'	2017
NURSERY	PROPAGATION/OUTDOOR IMMATURE PLANT AREA	96'x20'	2015
(PROPOSED) MULTI-USE BUILDING	PROCESSING/EMPLOYEE HOUSING	20'x60'	2015

	TYPE	LAT/LONG	QUANTITY	GALLONS	TOTAL GALLONS
	POND	40.2232, -123.5584	1	400,000	400,000
	BLADDER	40.2211, -123.5597	2	10,000	20,000
	BLADDER	40.2234, -123.5635	1	20,000	20,000
	HDPE TANK	40.2234, -123.5605	2	5,000	10,000
	HDPE TANK (1 FOR FIRE SAFETY)	40.2216, -123.5571	4	2,500	10,000
	HDPE TANK	40.2216, -123.5571	2	1,500	3,000
	HDPE TANK	40.2232, -123.5601	1	500	500
	(PROPOSED) HDPE TANK	40.2216, -123.5571	4	5,000	20,000
	TOTAL AMOUNT OF WATER STORAGE =				483,500 GALLONS

<u>TYPE</u>	<u>LAT/LONG</u>	<u>SURFACE AREA = ±3,000 FT</u>
POND	40.2232, -123.5564	

6.5KW HONDA GENERATOR
36KW HONDA GENERATOR
SOLAR ARRAY

10'x10'

SURROUNDING BUILDINGS

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

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

CLASS III WATERCOURSE

CLASS II WATERCOURSE

WATER DELIVERY LINE

[illegible]

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions:

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis, as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover the staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use, and at the time of annual inspection. A conformance review deposit, as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750), shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #22. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity including, but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons, existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. Communication from the Building Division, verifying that all structures related to the cannabis cultivation are permitted, was approved by Building Inspection Department on August 9, 2017.
7. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.

8. The applicant shall obtain a permit to operate the existing generators from the North Coast Unified Air Quality Management District (NCUAQMD) and obtain an electric permit from the County's Building Department.
9. Prior to renewal of the permit, the operator is required to submit to the Department of Environmental Health (DEH), receipts or copy of contract confirming sufficient use of portable toilets to serve staff for the duration of the first year, or provide written assessment from a qualified septic consultant confirming a Tier 0 status for the addition of an onsite wastewater treatment system serving the dwelling (Department of Environmental Services).
10. Within 60 days of project approval, the owner/applicant/operator shall submit a lighting plan for all mixed light cultivation/light deprivation cultivation areas. The lighting plan shall be reviewed and approved by the Director of Planning and Building Services.
11. The applicant shall install a water monitoring device on each source – rainwater catchment pond 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 contact the Alderpoint Volunteer Fire Department and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
13. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
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 HCC and available at the Planning Division.
15. The use of generators as a primary power source for cannabis related activities shall cease by December 31, 2021. The applicant shall either connect to a utility or have an alternative source of power starting January 1, 2026.
16. COUNTY ROADS – PRIVATE ROAD INTERSECTION: Any existing and proposed non-county maintained access roads, that will serve as access for the proposed project and connect to a county maintained road, shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. If the County road has a gravel surface at the location of the access road, the access road shall be rocked for a minimum width of 20 feet and a length of 50 feet where it intersects the County road. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
17. The applicant shall meet the conditions of the Timberland Conversion Evaluation Report, including the planting of Douglas fir and/or white and black oaks at a spacing no more than 10 feet apart at Conversion Site 2 and the removal of a pile of slash/woody debris at the same site.

18. The applicant shall meet all of the requirements and recommendations of the Water Resources Protection Plan (WRPP) pertaining to site maintenance, erosion control, drainage features, stream crossing maintenance, riparian and wetland protection and management, and water storage and use. This includes necessary work at the rainwater catchment pond, including installing an appropriately sized-culvert as well as French drains to divert subsurface flow off the hillside, draining and lining the pond, and removing superfluous water bladder storage.
19. The applicant shall ensure all maintenance and remediation work is performed in a manner consistent with the Required Remediation Summary and Schedule in the WRPP and Measures to Protect Fish and Wildlife Resources in the Lake and Streambed Alteration Agreement (LSAA). This includes work on eleven (11) encroachments, including the upgrading of ten (10) failing and undersized culverts and the upgrading of one (1) spillway for a pond.
20. The applicant shall meet all of the mitigation measures included in the Biological Resource Assessment and shall ensure relocation activities are performed in a manner consistent with the report's recommendations.
21. The applicant shall implement the Inadvertent Discovery Protocol, in the event of the accidental discovery of historical artifacts or human remains. A qualified professional archaeologist shall be contacted immediately, in order to inspect and clear the site for all further activities.
22. Two existing wells are shown on the site plan. The applicant shall provide documentation to verify legal nonconforming status of the wells, retroactively permit the wells, or complete a well destruction permit for each well.

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

1. The combined noise from background, generator, greenhouse fan, or other operational activities and equipment must not result in the harassment of Northern Spotted Owl species, as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying Commercial Medical Marijuana Land Use Ordinance (CMMLUO) Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance, prepared by the United State Fish and Wildlife Service and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial light utilized in mixed light greenhouses shall be limited to 6 watts per square foot, with no wattage limit in the ancillary propagation greenhouse. All artificial lighting shall be fully contained within structures such that no light escapes (i.e., through the use of blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program (refer to <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>). Standards include, but are not limited to: Light shall 1) be shielded and downward facing, 2) consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less, and 3) only be placed where needed.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment and noise levels have been repaired, inspected, and corrected as necessary.

4. To minimize the risk of wildlife entrapment, the permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers at all times, and disposed at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
9. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Any changes shall require modification of this permit, except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), as applicable to the permit type.
11. If operating pursuant to a written approved compliance agreement, the 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. The 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.
12. The permittee shall have possession of a current, valid required license or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
13. The permittee shall be in compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
14. The permittee shall ensure confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).

15. The permittee shall maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (NWRWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. The permittee shall comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
17. The permittee shall comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
18. The permittee shall consent to an annual onsite compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
19. The permittee shall pay all applicable fees for application review to ensure conformance with conditions and annual inspection fees.
20. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
21. Fertilizer, pesticide, fungicide, rodenticide, or herbicide shall be properly stored, handled and used in accordance with applicable regulations.
22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. The permittee shall pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

24. Pursuant to the 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."
25. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
26. Cultivators engaged in processing shall comply with the following Processing Practices:
 - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - d. Employees must wash hands sufficiently when handling cannabis or use gloves.

27. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
- a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (1) Emergency action response planning as necessary;
 - (2) Employee accident reporting and investigation policies;
 - (3) Fire prevention;
 - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (5) Materials handling policies;
 - (6) Job hazard analyses; and
 - (7) Personal protective equipment policies, including respiratory protection.
 - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts; and
 - (3) Poison control contacts.
 - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - d. Onsite housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
28. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
 - b. Location where processing will occur
 - c. Number of employees, if any
 - d. Employee Safety Practices
 - e. Toilet and handwashing facilities
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
 - g. Drinking water for employees
 - h. Plan to minimize impact from increased road use resulting from processing
 - i. On-site housing, if any
29. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Activity Permit issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
30. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a re-inspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request re-inspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.

31. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
32. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.
33. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
 - a. Identifying information for the new owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
 - c. The specific date on which the transfer is to occur;
 - d. Acknowledgement of full responsibility for complying with the existing permit; and
 - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
34. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity, but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #B.11 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #B.29 and B.30 of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor 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 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

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

ATTACHMENT 2

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

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

**APN 216-205-011; Green Sanctuary, Inc., Ware Ranch Road, Blocksburg, CA 95514
County of Humboldt**

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

March 2021

BACKGROUND

Purpose of Addendum

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

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

Project History

The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. These regulations were developed in concert with the 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 potential environmental impacts of the project to a less than significant level.

Modified Project Description

The modified project involves a Conditional Use Permit (CUP-16-090) to permit a total of 39,620 SF of existing cannabis cultivation, consisting entirely of outdoor cultivation. Existing cultivation is 30,300 SF in two (2) full term outdoor cultivation areas (CAs) totaling 21,700 SF and in four (4) light deprivation outdoor greenhouses (GHs) totaling 8,600 SF. The distribution of cultivation areas is as follows: CA1 (12,300 SF); CA2 (9,400 SF); GH1 (1,800 SF); GH2 (2,500 SF); GH3 (2,500 SF); and GH 4 (2,500 SF). Drying would occur

onsite in two (2) 800-SF carports, totaling 1,600 SF. Further processing would occur offsite at a licensed third party facility. The project will require one (1) full time and one (1) part time employee for cultivation activities. Approximately four (4) seasonal workers will be provided by a third party distribution company to assist with harvesting activities. Power is provided from onsite solar panels with two supporting generators: a 36-kW Honda generator and a 6.5-kW Honda generator.

Irrigation water is sourced from an onsite 400,000-gallon rainwater catchment pond. Water is stored within the rainwater catchment pond, one (1) 20,000-gallon water bladder, two (2) 10,000-gallon water bladders, and thirteen (13) high-density polyethylene (HDPE) tanks: two (2) 5,000-gallon tanks, four (4) 2,500-gallon tanks, two (2) 1,500-gallon tanks, one (1) 500-gallon tank, and four (4) proposed 5,000-gallon tanks, yielding a total onsite storage of 483,500 gallons.

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

Because the rainwater catchment pond was constructed without a permit, it does not meet the standard of development for this type of feature. The pond is unlined and does not have adequate overflow, which led to an overflow incident that caused significant erosion and sediment delivery. To rectify this issue, the applicant has been conditioned to install an appropriately-sized overflow culvert and French drains to divert subsurface flow off the hillside from entering the pond. The pond should be drained and lined and water bladder storage should be removed (**Condition 18**).

A Lake and Streambed Alteration Agreement (LSAA) has been filed with the California Department of Fish and Wildlife (CDFW) to cover eleven (11) encroachments, including upgrades to ten (10) failing and undersized culverts and to one (1) spillway for a pond (No. 1600-2018-0617-R1). There are four (4) Class II stream crossings and six (6) Class III stream crossings onsite. Remediation work is required on all but two (2) of the crossings (**Condition 19**).

Two existing wells are shown on the site plan. The Department of Health and Human Services Environmental Health Division (DEH) will require the applicant to provide documentation to either verify legal nonconforming status of the wells, retroactively permit the wells, or complete a well destruction permit for each well (**Condition 22**).

A Biological Resources Report for the site was prepared in July 2019 by TransTerra Consulting. A list of potential special status species was generated using the following information systems: California Natural Diversity Database (CDFW 2019), RareFind and Spotted Owl Database, and California Native Plant Society (CNPS) database. Northern spotted owl was recorded approximately 1,500 feet from the project site, and critical habitat for the species is documented approximately 5,725 feet to the northeast. Additional special status species documented within five (5) miles of the project site include foothill yellow-legged frog, beaked tracyina, golden eagle, obscure bumble bee, water howellia, Howell's montia, and fisher. Project activities are not expected to produce any adverse or cumulative effects to any special status species or habitat, due to the type of proposed activities. Therefore, impacts to biological resources are considered low and unlikely. The applicant has been conditioned to include mitigation measures recommended by a certified forester for cultivation relocation activities (**Condition 20**).

A records search for known cultural resources was requested from the Northwest Information Center (NWIC). The records search revealed that Study #14175 covered approximately 75% of the project area and identified no cultural resources (Jensen & Associates 1992). The NWIC recommended contacting local Native American Tribes to ensure project activities are outside of Tribal Territories. The Bear River Band of the Rohnerville Rancheria was contacted and responded that the Inadvertent Discovery

Protocol should be implemented, in case there is accidental discovery of previously unidentified historical artifacts or human remains (**Condition 21**).

A road evaluation was conducted by the Humboldt County Department of Public Works (DPW) for the two access roads, Ware Ranch Road and Stuart Ranch Road; and it was determined that two roads are not developed to the equivalent of a road category 4 standard. However, upon further evaluation, DPW concluded that both roads are capable of accommodating the cumulative increased traffic from this project, and recommended a standard condition pertaining to private road intersections (**Condition 16**).

Various cultivation sites within the project area have undergone unpermitted timberland conversion. The combined acreage of three (3) conversion sites is 1 acre. Representatives of Blair Forestry Consulting, LLC examined the sites to determine what mitigation measures should be implemented to compensate for timberland conversion. No recommended measures were identified for Site 1 (0.35 acre) and Site 3 (0.47 acre). At Site 2 (0.18 acre), the forester recommended that within the area where trees were observed to be dead and dying, the applicant should plant Douglas fir and/or white and black oaks at a spacing no more than 10 feet apart. The forester also recommended the applicant remove a pile of slash/woody debris (**Condition 17**).

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigation measures. The proposal to allow a maximum of 39,630 SF of cannabis cultivation, including the continued operation of 30,300 SF cannabis cultivation in two (2) full term outdoor cultivation areas, is fully consistent with the impacts identified and adequately mitigated in the original MND. The project, as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

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

- Site Plan prepared by Green Road Consulting, created December 13, 2019.
- Cultivation and Operations Plan prepared by Green Road Consulting.
- Water Resources Protection Plan (WDID 1_12CC418303), prepared by Green Road Consulting on February 1, 2017, received on 10/30/2017.
- Northwest Information Center (NWIC) records search, conducted by Bryan Much on August 2, 2017.
- Timberland Conversion Evaluation Report, prepared by Blair Forestry, LLC, dated October 22, 2019 and received 12/18/2019.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Mitigated Negative Declaration (MND) if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has

been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

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

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

FINDINGS

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

CONCLUSION

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

Attachment 3 Application Report of Findings

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

1. The name, contact address, and phone number(s) of the applicant. **(On file)**
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. **(On file)**
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. **(Site Plan dated 12/13/2019 – On file)**
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. **(On file)**
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. **(Not applicable)**
6. Description of water source, storage, irrigation plan, and projected water usage. **(Included in Cultivation Operations Plan, Water Resources Protection Plan)**
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. **(Water Resources Protection Plan, WDID 1_12CC418303, prepared by Green Road Consulting on 2/1/2017 - On file)**
8. If any onsite or offsite component of the cultivation facility (including access roads, water supply, grading or terracing) impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife on March 17, 2016. **(Certificate No. 1600-2018-0617-R1)**
9. If the source of water is a well, a copy of the County well permit, if available. **(Not applicable)**
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner

has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. **(Project is in compliance with CAL FIRE)**

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



Site Plan Overview and Cultivation and Operations Plan

Applicant/Owner

Green Sanctuary, Inc.

P.O. Box 3278

Eureka, CA 95502

Parcel: 216-205-011

Agent

Kaylie Saxon

Green Road Consulting

1650 Central Avenue, Suite C

McKinleyville, CA 95519



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I. Site Plan Overview

1.0 Project Information

Green Sanctuary, Inc. ("Applicant") is submitting this application for a Type 3 Use Permit to permit 39,620 square feet of existing outdoor commercial cannabis cultivation on a 158.82-acre parcel, located near Blocksburg, CA.

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

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

- a. Permit 39,620 square feet of outdoor commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CMMLUO.
- b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near Blocksburg, CA. The Parcel is comprised of 158.82-acres and is identified by Assessor's Parcel Number ("APN") 216-205-011. There is no street address for the Parcel.

2.1 Zoning Classification

The County's Zoning Classification of the Parcel is AE; TPZ with a Current General Plan of T;AG (FRWK). The CMMLUO permits existing commercial cannabis cultivation on land zoned as AE or TPZ with cultivation sites up to 43,560 square feet with a Use Permit.

2.2 Site Topography

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

3.0 Easements

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

"DESCRIPTION

That real property situate in the County of Humboldt, State of California, described as follows:

PARCEL ONE

The Southeast Quarter of the Southeast Quarter of Section 1 and the East Half of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter of Section 12 in Township 3 South of Range 5 East, Humboldt Meridian (also described as the Southeast Quarter of the Southeast

Quarter of Section 1 and the North Half of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 12 in Township 3 South of Range 5 East, Humboldt Meridian).

RESERVING unto the Grantor, personal, assignable easements, in gross, for ingress egress, public and private utilities, for private and commercial use for any and all legal purposes, over, under, and across those portions of said land lying within the following:

- (A) A strip of land, 40 feet in width, the center line of which is described in Parcel Four-D of the Deed to Kevin R. Caballero, a single man, recorded July 3, 2012 as Instrument No. 2012-016841-7, Humboldt County Records.
- (B) A strip of land, 40 feet in width, the centerline of which is described in Parcels Three-A and Three-B of the Deed to Kendall Thrift, a married man, as his sole and separate property, recorded Sept. 4, 2012 as Instrument No. 2012-022232-8, Humboldt County Records.
- (C) A strip of land 40 feet in width the centerline of which is described as follows:

BEGINNING at a point where the South line of the Northwest Quarter of the Northeast Quarter of Section 12, Township 3 Range 5 East, Humboldt Base and Meridian, intersects the centerline of an existing road, said point also being the most Northerly terminus of the Easement described in Parcel Three-A below, running thence from said point of beginning the following courses and distances:

North 47 degrees 17 minutes 43 seconds West 135.15 feet;
 North 9 degrees 16 minutes 08 seconds West 84.90 feet;
 North 25 degrees 36 minutes 16 seconds East 38.50 feet;
 North 8 degrees 31 minutes 16 seconds East 49.60 feet;
 North 14 degrees 58 minutes 46 seconds East 227.03 feet;
 North 29 degrees 45 minutes 32 seconds East 42.76 feet;
 North 54 degrees 11 minutes 29 seconds East 33.04 feet;
 North 85 degrees 20 minutes 01 seconds East 84.65 feet;
 North 78 degrees 54 minutes 42 seconds East 81.13 feet;
 North 83 degrees 43 minutes 44 seconds East 123.03 feet;
 North 61 degrees 23 minutes 35 seconds East 54.76 feet;
 North 17 degrees 57 minutes 50 seconds East 41.70 feet;
 North 23 degrees 16 minutes 36 seconds East 75.27 feet;
 North 0 degrees 47 minutes 14 seconds West 65.02 feet;
 North 15 degrees 03 minutes 33 seconds West 87.25 feet;
 North 4 degrees 12 minutes 03 seconds East 85.28 feet;
 North 13 degrees 36 minutes 44 seconds West 68.31 feet;
 North 22 degrees 33 minutes 40 seconds West 144.97 feet;
 North 20 degrees 38 minutes 39 seconds West 149.48 feet;
 North 26 degrees 46 minutes 43 seconds West 42.09 feet;
 North 26 degrees 46 minutes 43 seconds West 82.95 feet;
 North 1 degrees 46 minutes 05 seconds West 187.33 feet;
 North 15 degrees 21 minutes 36 seconds West 55.33 feet;
 North 27 degrees 31 minutes 17 seconds West 131.45 feet;
 North 0 degrees 21 minutes 36 seconds West 62.80 feet;
 North 19 degrees 28 minutes 18 seconds East 91.83 feet;

North 57 degrees 05 minutes 01 seconds East 42.15 feet;
 South 67 degrees 42 minutes 58 seconds East 54.99 feet;
 South 36 degrees 10 minutes 34 seconds East 44.42 feet;
 South 36 degrees 10 minutes 35 seconds East 43.37 feet;
 South 65 degrees 55 minutes 36 seconds East 62.71 feet;
 North 79 degrees 51 minutes 57 seconds East 59.02 feet;
 North 76 degrees 19 minutes 14 seconds East 93.64 feet;
 North 63 degrees 12 minutes 02 seconds East 62.10 feet;
 North 59 degrees 06 minutes 27 seconds East 295.60 feet;
 North 34 degrees 45 minutes 09 seconds East 102.84 feet;
 North 28 degrees 27 minutes 21 seconds East 149.98 feet;
 North 7 degrees 54 minutes 49 seconds East 90.60 feet;
 North 28 degrees 50 minutes 22 seconds East 244.69 feet;
 North 55 degrees 47 minutes 56 seconds East 72.90 feet;
 North 87 degrees 03 minutes 18 seconds East 135.48 feet;
 North 65 degrees 12 minutes 30 seconds East 75.80 feet.

ALSO RESERVING unto the Grantor, the right to construct a road over a portion of the Southeast Quarter of the Northeast Quarter of said Section 12, the specific location and width of said road to be later determined, together with a personal, assignable, easement, in gross, for ingress, egress, public and private utilities, for private and commercial use for any and all legal purposes over, under and across said road.

PARCEL TWO:

A non-exclusive easement for ingress and egress for all purposes over a strip of land, 50 feet in width, the center line of which is described as follows:

BEGINNING at point 2089.45 feet North and 591.33 feet East of the corner to Sections 11, 12, 13, and 14, Township 3 South, Range 5 East, Humboldt Base and Meridian, which point falls in the center of a County Road traveling Easterly through said Section 11; and running thence

South 75 degrees 10 minutes 00 seconds East 109.09 feet;
 North 67 degrees 19 minutes 30 seconds East 240.03 feet;
 North 77 degrees 55 minutes 15 seconds East 75.90 feet;
 South 69 degrees 33 minutes 15 seconds East 94.50 feet;
 South 87 degrees 53 minutes 45 seconds East 78.10 feet;
 North 46 degrees 06 minutes 45 seconds East 152.34 feet;
 North 66 degrees 49 minutes 30 seconds East 230.47 feet;
 North 38 degrees 31 minutes 30 seconds East 217.15 feet;
 North 72 degrees 07 minutes 30 seconds East 80.60 feet;
 South 77 degrees 09 minutes 45 seconds East 124.39 feet;
 North 76 degrees 32 minutes 45 seconds East 78.06 feet;
 North 51 degrees 59 minutes 45 seconds East 126.20 feet;
 North 35 degrees 55 minutes 45 seconds East 137.47 feet;
 North 49 degrees 48 minutes 45 seconds East 88.56 feet;
 North 74 degrees 00 minutes 45 seconds East 242.02 feet;
 North 89 degrees 46 minutes 00 seconds East 145.50 feet;

South 62 degrees 18 minutes 30 seconds East, an undetermined distance to enter the Southwest Quarter of the Northeast Quarter of said Section 12, Township 3 South, Range 5 East, Humboldt Base and Meridian.

EXCEPTING therefrom that portion lying within the Southeast Quarter of the Northwest Quarter of said Section 12.

PARCEL THREE:

Two 40-foot wide non-exclusive easements for ingress, egress and utilities in the South Half of the North Half of Section 12, Township 3 South, Range 5 East, and the Northwest Quarter of the Northwest Quarter of Section 7, Township 3 South, Range 6 East, Humboldt Meridian, for the benefit of the North Half and Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 12, and the Southeast Quarter of the Southeast Quarter of Section 1, Township 3 South, Range 5 East, Humboldt Meridian, the center lines of which are described as follows:

PARCEL A:

BEGINNING at a point that is South 89 degrees 19 minutes 53 seconds East, 2050.97 feet from the One-Quarter Corner to Sections 11 and 12, Township 3 South, Range 5 East, Humboldt Meridian, per Book 51 of Surveys, Pages 145 and 146, Humboldt County Records;

thence North 33 degrees 00 minutes 41 second East, 38.98 feet;
 thence North 46 degrees 06 minutes 31 seconds East, 88.03 feet;
 thence North 72 degrees 59 minutes 35 seconds East, 209.45 feet;
 thence North 80 degrees 36 minutes 22 seconds East, 107.83 feet;
 thence South 85 degrees 00 minutes 30 seconds East, 97.83 feet;
 thence South 60 degrees 42 minutes 46 seconds East, 142.95 feet;
 thence North 83 degrees 59 minutes 02 seconds East, 45.37 feet;
 thence North 75 degrees 58 minutes 41 seconds East, 32.63 feet;
 thence North 68 degrees 51 minutes 54 seconds East, 260.77 feet;
 thence North 65 degrees 14 minutes 50 seconds East, 112.00 feet;
 thence North 61 degrees 02 minutes 15 seconds East, 97.94 feet;
 thence North 41 degrees 25 minutes 41 seconds East, 85.26 feet;
 thence North 40 degrees 51 minutes 52 seconds East, 387.99 feet;
 thence North 49 degrees 37 minutes 26 seconds East, 99.69 feet;
 thence North 26 degrees 18 minutes 44 seconds East, 95.31 feet;
 thence North 48 degrees 56 minutes 49 seconds East, 129.37 feet;
 thence North 13 degrees 22 minutes 42 seconds East, 35.15 feet;
 thence North 05 degrees 45 minutes 35 seconds West, 91.60 feet;
 thence North 17 degrees 10 minutes 19 seconds West, 110.96 feet;
 thence North 03 degrees 17 minutes 40 seconds East, 42.08 feet;
 thence North 15 degrees 51 minutes 30 seconds East, 69.03 feet;
 thence North 13 degrees 50 minutes 43 seconds West, 65.27 feet;

thence North 47 degrees 17 minutes 43 seconds West, 20.51 to the North line of the Southwest Quarter of the Northeast Quarter of Section 12, Township 3 South, Range 5 East, Humboldt Meridian.

The Northeast One-Sixteenth Corner of Section 12 is South 89 degrees 08 minutes 35 seconds East 258.37 feet.

PARCEL B.

BEGINNING at a point that is South 00 degrees 06 minutes 29 seconds West, 865.22 feet from the Northeast Corner to Section 12, Township 3 South, Range 5 East, Humboldt Meridian per Book 51 of Surveys, Pages 145 and 146 Humboldt County Records;

thence North 26 degrees 10 minutes 17 seconds East, 97.47 ;

thence North 67 degrees 02 minutes 19 seconds East, 111.83 ;

thence North 24 degrees 27 minutes 30 seconds East, 39.95 ;

thence North 30 degrees 52 minutes 58 seconds West, 61.12 ;

thence North 66 degrees 11 minutes 21 seconds West, 61.97 ;

thence North 56 degrees 17 minutes 34 seconds West, 88.81 to the East line of Northeast Quarter of the Northeast Quarter of Section 12, Township 3 South, Range 5 East, Humboldt Meridian.

The Southeast Section Corner of Section 1 is North 00 degrees 06 minutes 29 seconds East 570.99 feet."

4.0 Natural Waterways

The Parcel has four (4) unnamed Class II watercourse and six (6) unnamed Class III watercourses.

The Applicant has a Water Resource Protection Plan ("WRPP") for the Parcel and is enrolled in the Water Board's Waiver of Waste Discharge program as a Tier II discharger. A copy of the WRPP is included in the Other Permits, Licenses and Documents section of this application.

5.0 Location and Area of Existing, Propose and Decommission Cultivation

Existing Outdoor Cultivation Area

Cultivation Area #1

Cultivation Area #1 is located near the center of the Parcel to the east of Proposed Cultivation Area #1. It consists of approximately 16,030 square feet of cultivation, including one (1) greenhouse.

Cultivation Area #2

Cultivation Area #2 is located in the western section of the Parcel. It consists of approximately 24,000 square feet of cultivation, including three (3) greenhouses.

Cultivation Areas to Decommission

Area to be Decommissioned #1

Area to be Decommissioned #1 is located near the center of the Parcel, to the east of Cultivation Area #2. It consists of approximately 1,560 square feet of full-term cultivation. Because this cultivation area resides within the 50-foot buffer zone for the Class III watercourse, it will need to be decommissioned and relocated.

Proposed Cultivation Area**Proposed Cultivation Area #1**

Proposed Cultivation Area #1 will be located near the center of the parcel, to the west of Cultivation Area #1. It will consist of the 1,560 square feet of existing full-term cultivation from Area to be Decommissioned #1.

6.0 Setbacks of Cultivation Area**Existing Outdoor Cultivation Area****Cultivation Area #1**

Cultivation Area #1 is setback from the eastern parcel line by approximately 640 feet. This is the closest parcel line to the cultivation.

Cultivation Area #2

Cultivation Area #2 is setback from northern parcel line by 91 feet and the western parcel line by 746 feet.

Proposed Cultivation Area**Proposed Cultivation Area #1**

The Proposed Cultivation Area #1 will be setback from all parcel lines greater than the required 30-foot setback.

7.0 Access Roads

The Parcel is located off Ware Ranch Road, which is in good condition. The interior roads are in good condition and any erosion control measures or remediation necessary are included in the applicant's WRPP.

8.0 Graded Flats

There are no graded flats located on the Parcel. A grading permit application will be submitted to the Humboldt County Building Department for the existing rainwater catchment pond.

9.0 Existing Structures**Carport**

The Carport is a 10'x20' existing structure and has been on the parcel since 2015. It is used for the Applicant and collective members to dry and process the harvested cannabis and will require permitting with the Humboldt County Building Department.

10.0 Water Storage, Use and Watershed Protection

10.1 Water Storage

The Applicant has an existing 400,000-gallon rainwater catchment pond. There are also nine (9) hard water tanks totaling 23,500 gallons and three (3) water bladders totaling 40,000 gallons. Total water storage for the Parcel is 463,500 gallons.

10.2 Water Use

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

All water used for the cultivation of cannabis is sourced on-site from the Parcel's rainwater catchment pond. The Applicant also has an Initial Statement of Water Diversion & Use for the watercourse including the well point of diversion located on the Parcel through the State Water Resources Control Board. A copy of the water rights is included in the Other Permits, Licenses and Documents section of this Application. These diversions are not used for cultivation and were secured for the possibility of a shop/residence in the future.

All irrigation of cannabis is completed by hand, which allows water to be monitored and distributed at an agronomic rate which prevents any over watering or run off.

10.3 Watershed Protection

The Parcel has four (4) unnamed Class II watercourse and six (6) unnamed Class III watercourses.

The Applicant has a Water Resource Protection Plan ("WRPP") for the Parcel and is enrolled in the Water Board's Waiver of Waste Discharge program as a Tier II discharger. A copy of the WRPP is included in the Other Permits, Licenses and Documents section of this application.

The Applicant's WRPP addresses all erosion control measures+ and site drainage.

11.0 Distances from Significant Landmarks

There are no schools, school bus stops, places of worship, state parks or Tribal Cultural Resources within 600 feet of the cultivation site. There also are no neighboring residences within 300 feet of the cultivation area.

II. Cultivation and Operations Plan

1.0 Water Use

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

All water used for the cultivation of cannabis is sourced on-site from the Parcel's rainwater catchment pond. The Applicant also has an Initial Statement of Water Diversion & Use for the watercourse including the well point of diversion located on the Parcel through the State Water Resources Control Board. A copy of the water rights is included in the Other Permits, Licenses and Documents section of this Application. These diversions are not used for cultivation and were secured for the possibility of a shop/residence in the future.

All irrigation of cannabis is completed by hand, which allows water to be monitored and distributed at an agronomic rate which prevents any over watering or run off.

2.0 Watershed Protection

The Parcel has four (4) unnamed Class II watercourse and six (6) unnamed Class III watercourses.

The Applicant has a Water Resource Protection Plan ("WRPP") for the Parcel and is enrolled in the Water Board's Waiver of Waste Discharge program as a Tier II discharger.

A copy of the WRPP is included in the Other Permits, Licenses and Documents section of this application.

The Applicant's WRPP addresses all erosion control measures and site drainage.

3.0 Materials Storage

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

All fertilizers/amendments are brought in to the parcel as needed. Nothing is stored on site. All labels are kept and directions are followed when nutrients are applied. The Applicant is in need of a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (kitty litter). This is outlined in the Applicant's included Water Resource Protection Plan.

The Applicant has a 6.5KW Honda portable generator that is brought to the parcel when needed and then removed from the parcel when it is not in use. There is no fuel storage on site and the Applicant brings in 2-5-gallon containers when needed.

There is no soil pile on-site. The Applicant will be re-using his soil every year and will amend directly in the pots. Once the dirt is no longer viable for cultivation it is removed and disposed of at Wes Green in Arcata.

All cultivation related waste is stored in water tight receptacles and disposed at the Blocksburg County Site, a Redway Transfer Station facility.

4.0 Cultivation Activities

Cultivation activities typically begin sometime during April when cannabis plants are started in 4-inch pots in the Parcel's greenhouses and outside for their full-term cultivation.

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

5.0 Processing Practices

Plants will be harvested one at a time using hand shears and taken into a portable carport tent where it will be dried, machine trimmed, cured and stored. All processing will be performed by the Applicant and collective members. The Applicant is looking into the viability of a 3rd party processor and/or meeting the requirements for employees on site. RV's are on-site seasonally to provide shelter and restrooms.

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

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

6.0 Security Measures

The Parcel's access roads are bared by steel gates with steel locks. Game cameras are in place over the access roads and cultivation areas.

Cultivation Area Verification (CAV)

1) Enter amount of verified cultivation area.

Existing Outdoor Square Footage: 45,465 ϕ

Existing Mixed Light Square Footage: —

2) Enter base year date and source (e.g. 2014 – GIS or 10/27/15 – TerraServer or May 28, 2014 – Google Earth etc)

Base Year Date and Source: 6/29/15

3) Enter person performing verification:

Verified By: Laco JMT

4) Enter date of verification (e.g. current date)

Date Verified: 11.8.17

5) Attach Evidence of Verification (e.g. TerraServer photos w/ polygons etc.)

6) Write “CAV” on the outside of the project file to indicate that cultivation area verification is completed for project.

Water Resource Protection Plan (WRPP)

WDID: _____

February 1, 2017



**GREEN
ROAD**
CONSULTING



Prepared For:

North Coast Regional Water Quality Control Board (NCRWQCB)

Prepared by:

Eric Sorensen, Project Engineer

Eric@greenroadconsulting.com

Green Road Consulting

1650 Central Ave Suite C, McKinleyville CA, 95519

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- A. WRPP Maps
 - A.1 Site Overview Map
- B. WRPP Reporting Forms
 - B.1 Order No. 2015-0023 Appendix C. Reporting Forms
 - B.2 Chemical Use Forms
 - B.3 Water Use and Cultivation Forms
- C. WRPP Monitoring Forms
- D. Order No. 2015-0023
 - D.1 Waiver of Waste Discharge Requirements
 - D.2 Appendix B: Best Management Practices
 - D.3 Appendix E.1: Legal Pest Management Practices for Marijuana Growers in California
 - D.4 Appendix E.2: Pesticide Use on Marijuana

Client: Bairn Niemela

Land Owner: Bairn Niemela

Site address: Lat/Long: 40.2225, -123.5597

Parcel Number: 216-205-011

General Plan: T; AG (FRWK)

Zone: AE; TPZ

Parcel Size: 160 acres

1 INTRODUCTION

The attached report is a Water Resource Protection Plan, designed by Green Road Consulting (GRC) for Green Sanctuary, LLC; parcel number 216-205-011. The purpose of this plan is to monitor and report on the conditions of said parcel, in order to enroll and comply with the Waiver of Waste Discharge Requirements and the General Water Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects in the North Coast Region (Order No. 2015- 0023). The purpose of the order is to provide a water quality regulatory structure and thereby prevent/address poor water quality and other conditions that may have an adverse impact to water resources.

The Water Resource Protection Plan is designed to meet or exceed the requirements of Order No. 2015-0023. Specifically, the plan outlines the remediation measures needed to bring the parcel into compliance with the standard conditions specified within the order. Green Road Consulting (GRC) and Blair Forestry Consulting (BFC) have worked together to assess parcel 216-205-011. Information about the parcel and surrounding areas was collected through a series of site visits as well as through a variety of county, state, and private websites (USDA web soil survey, USGS stream stats program, Google Earth, Humboldt County Web GIS). GRC also used photogrammetry software (Pix4D®) along with CAD software (Auto Desk Civil 3D®) to create an accurate model of the parcel in its current state. In conjunction with additional site visits, this software enables GRC to distinguish and document areas of improvement.

2 BACKGROUND

The site is in Southern Humboldt County approximately 4 miles northeast of the City of Alderpoint which can be accessed from Ware Ranch Road. The elevation of the site is approximately 2,000 feet above sea level. The parcel is located on a mountain hillside with drainage features oriented west into an unnamed waterway which flows into the North Dobbyn Creek, which is a tributary to the South Fork Eel River Watershed. The South Fork Eel River Watershed is on the Section 303(d) List for impairment or threat of impairment to water quality associated with elevated sediment and temperature levels. The South Fork Eel River Watershed is known to have Coho, Chinook, and Steelhead which are listed to be a threatened or endangered species. The parcels slope stability has a relatively instable/high slope with an average percentage of 26.65% and is part of the Franciscan Assemblage, which is primarily comprised of Cretaceous and Jurassic sandstone with smaller amounts of shale, chert, limestone, and conglomerate. The parcel was historically logged with legacy logging roads throughout the site.

3 SITE OVERVIEW

The site has a mobile home and several non-permanent structures. Current cultivation consists of 43,560 square feet of outdoor commercial cannabis. This is distributed across three cultivation areas which utilize a mix of greenhouses and outdoor pots. The parcel has a total of 463,500 gallons of water storage on site. There is a 400,000-gallon pond that is located middle eastern section of the parcel. There are also nine (9) hard water tanks on site that hold a total of 23,500 gallons of water and three (3) bladders that hold a total of 40,000 gallons of water. Water is sourced from the rainwater catchment into the pond. The property has approximately 1.7 miles of rural ranch roads that are crowned, rocked, and generally in good condition. However, general road maintenance is required throughout the property. There are also nine (9) stream crossings on the property that need to be installed, repaired or replaced. Lastly, cultivation areas need to be partially relocated outside of buffer zones and the property is in need of a permitted septic system. There is no access to the southern portion of the parcel across the Class II stream that passes by **MP-1** (see Site Overview Map). Legacy issues from logging activities may exist but nothing was observed due to inaccessibility. The processing and transportation of the Cannabis is specified in the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO).

4 ASSESSMENT OF STANDARD CONDITIONS

Below is a site assessment of Standard Conditions for parcel number 216-205-011. This includes a detailed summary of the parcel and any required remediation measures with respect to each condition.

4.1 Site Maintenance, Erosion Control and Drainage Features

The property has a network of rural roads that are used for annual and seasonal vehicle traffic. Some of the road network is also used for access to neighboring parcels and therefore experiences increased vehicle traffic. Generally, the roads are in good condition with minor rutting. However, general road work such as installation and maintenance of rolling dips, water bars, ditch relief culverts etc. to best management practices (BMPs) is required throughout the property to prevent sediment delivery to surface waters.

Additionally, there is a 200-foot section of through-cut roadway extending downhill from **MP-1** that borders a Class II watercourse. Road runoff upslope of the through-cut section is directed towards a fill terrace at **MP-1** before flowing into the Class II watercourse. Runoff is also delivered almost directly into the watercourse approximately 100 feet downslope of **MP-1**. Sediment delivery was observed at both locations. To minimize sediment delivery, the roadway and inboard ditches (IBD) should be rocked from 50 feet above **MP-1** to 50 feet below the end of the through-cut section (approximately 300 feet). The fill terrace at **MP-1** should also be rocked.

Lastly, the pond outlet forms a Class III watercourse that flows into the IBD of the downslope roadway before converging with another Class III stream crossing (**MP-3**). The IBD and channel extending up to the pond outlet should be rocked to minimize erosion and sediment delivery. The road should also be rocked 50 feet above and below the crossing per BMPs.

4.2 Stream Crossing Maintenance

There are four (4) Class II stream crossings and six (6) Class III stream crossings on the property. Remediation is required on all but two (2) of the observed crossings. All existing stream crossing culverts are 18-inch corrugated plastic pipe (CPP) unless otherwise stated.

The culvert at **MP-2** is undersized, with a high inlet and shotgun outlet. The high inlet has resulted in ponding and subsurface flow through the road fill, and the shotgun outlet has caused erosion downstream. Although the culvert is relatively new, it is buried at significant depth and has been partially crushed and warped. Water was observed pouring into the center of the culvert where the connector came loose. The culvert needs to be resized and replaced, with the inlet and outlet placed more carefully to reflect natural channel grade. The inlet should be armored and rip-rap should be placed at the outlet. Due to the significant depth of the culvert, special care should be taken to properly place and secure the culvert to BMPs so that it is not prematurely crushed or warped. A certified contractor should be utilized.

The crossing at **MP-3** appears to be appropriately sized and properly functioning. The next Class III crossing on that road north of **MP-3** is also appropriately sized and properly functioning. The crossing at **MP-4** has significant sediment deposits at the inlet. The catchment basin at the inlet needs to be excavated and the inlet should be rock armored. Otherwise the crossing is properly functioning. The crossing at **MP-5** utilizes a short (approximately 5 feet) section of 18-inch CPP at the inlet connected to an old thick steel pipe extending to the outlet. The new CPP appears to have been put in place to extend the culvert to allow for widening of the road. The solution is unconventional and the stream alignment is poor, but otherwise the culvert appears to be properly function. At a minimum, the inlet and outlet should be armored. Ideally, the culvert should be resized and realigned with CPP. The head of a Class III watercourse begins just upstream of the road at **MP-6**. No crossing currently exists, leaving water to flow over the top of the road. This is an access road to the main cultivation area (**CA-2**) that receives regular vehicle traffic. Therefore, a culvert needs to be sized and installed to BMPs at the crossing.

The stream crossings at **MP-7**, **MP-8**, and **MP-9** have no developed features to allow the channels to properly cross the road. Water from these channels both crosses the road and is diverted into the IBD. The crossings at **MP-7** and **MP-8** are on unused sections of road. Therefore, installation of rocked fords to restore their natural channels should be acceptable. At **MP-9**, a culvert need to be sized and installed to BMPs. The crossing at **MP-10** was washed out due to a pond overflow incident. The road fill and existing culvert was completely washed out, resulting in significant sediment delivery. The road needs to be reconstructed, with a new culvert sized and installed to BMPs.

4.3 Riparian and Wetland Protection and Management

There are three (3) cultivation areas. **CA-1** and **CA-2** are on terraced clearings and **CA-3** is on an unused section of roadway. **CA-3** is partially within the buffer zones of nearby Class II and Class III watercourses. It needs to be partially relocated or removed. All buffer zones on the property are maintained at natural slope with native vegetation.

Table 1. Cultivation Area summary of natural slope, distance to water body, and water body classification.

Cultivation Area	Cultivation Area (ft ²)	Natural Slope (%)	Distance to Water Body (ft)	Water Body Classification
Area #1	18,000	15%	150	Class III
Area #2	24,000	12%	80	Class III
Area #3	1,560	1%	40	Class II & III

4.4 Spoils Management

There were no spoil sites observed on the property. Any spoils generated should be piled in hydraulically disconnected areas and adequately stabilized to prevent sediment delivery to surface water. **No remediation is required.**

4.5 Water Storage and Use

Water is primarily stored and used via an unpermitted rainwater catchment pond. Forbearance from surface water diversion should be in effect from May 15th to October 31st and there is sufficient storage to permit forbearance. The pond needs to obtain a back permit if it's use is to be continued. The pond is unlined and does not have an adequate overflow. These issues resulted in an overflow incident that caused significant erosion and sediment delivery. At a minimum, an overflow culvert needs to be sized and installed, and French drains should be put in place to divert subsurface flow off the hillside from entering the pond. Ideally, the pond should be drained and lined as well. Given the excess storage capacity afforded by the pond, it would also be ideal to remove the water bladder storage.

Table 2. Summary of water diversion and use.

Source	Use	Start Date	End Date	To Storage (gallons)	To Use (gallons)
Rainwater Catchment Pond	Cannabis	Nov. 1	Mar. 31	400,000	
Storage	Cannabis	Apr. 1	Oct. 31		267,655

Table 3. Summary of Water Storage.

Water Storage Type	Size (gallons)	Number	Total (gallons)
Pond	400,000	1	400,000
Hard Tank	5,000	2	10,000
Hard Tank	2,500	4	10,000
Hard Tank	1,500	2	3,000
Hard Tank	500	1	500
Bladder	20,000	1	20,000
Bladder	10,000	2	20,000
		Total	463,500

4.6 Irrigation Runoff

There were no signs of irrigation runoff during the site investigation. The landowner irrigates at an agronomic rate and does not have any irrigation runoff. The registrant is considering installing a drip irrigation system to limit water use and prevent any irrigation runoff. **No remediation is required.**

4.7 Fertilizers and Soil Amendments

There was no fertilizer or soil amendment storage observed on the property. Any fertilizers or amendments stored onsite need to be placed dry storage where any spill can be contained. Any liquid fertilizer staged near water tanks for mixing should be contained in totes. All labels must be kept and directions followed when amendments and fertilizers are applied and fertilizer must be applied at agronomic rates. The registrant must keep a log of their fertilizer and amendment use for annual reporting (see Chemical Use Form). Amendments and potting soil should be stored in a manner that prevents it from being transported to surface or groundwater. **No remediation is required.**

4.8 Pesticides/Herbicides

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis. Organic pest control substances accepted under the Legal Pest Management Practices for Marijuana Growers in California (see attachment E.4 and E.5). Any future pesticides, herbicides, or fungicides will be stored in totes in a covered building. The Registrant will keep a log of their pesticides, herbicides, or fungicides use for annual

reporting. No remediation is required.

4.9 Petroleum Products and Other Chemicals

There are no large generators in use and no storage of petroleum products on the parcel. Any fuel stored onsite should be kept in above ground, covered storage with secondary containment. Any generators brought onsite should also be covered. Fuel storage tanks that are 110 gallons or larger must be registered with the County Health Department. Spill cleanup kits must be kept in the chemical storage area. The registrant must keep a log of their chemical use for annual reporting (see Chemical Use Form). **No remediation is required.**

4.10 Cultivation-related wastes

There were no cultivation related wastes observed on the property. Any composting and soil piles must be limited to 100 cubic yards or 250 ft². They must also have perimeter controls and be covered during strong winds. Any soil to be disposed of should be brought to Wes Green in Arcata for disposal. Any compost should be stored in a location and manner to ensure pollutants and residuals do not migrate or leach in to surface waters or ground water. Vegetation waste, stems, and root balls should be burned during burn season with a valid permit or otherwise appropriately disposed of. For information contact the North Coast Unified Air Quality Management District (707-443-3093). All cultivation related wastes must be collected and stored daily in suitable water tight containers. **No remediation is required.**

4.11 Refuse and Human Waste

All garbage and recyclables should be stored in water tight containers with a lid near the residence. Recycling must be stored separate from garbage. All waste material must be removed on a weekly basis to maintain a clean and sanitary site. There are no human waste facilities on the property. Portable toilets need to be put in place to accommodate for worker waste until a permitted septic system or other such permanent human waste facility can be designed and installed.

5. SUMMARY OF REQUIRED REMEDIATION

The following is a summary of the remediation measures required to become fully compliant with the Standard Conditions. A more detailed description of the issues and remediation measures is included in the previous section.

Table 4: Required Remediation Summary and Schedule

Standard Condition	Treatment Priority	Issue	Remediation Measure	Map Point	Expected Completion Date	Actual Completion Date
Site maintenance, erosion control, and drainage features	Moderate	Roads are in good condition with minor rutting. Minor erosion and sediment delivery observed throughout property.	General roadwork such as installation and maintenance of rolling dips, water bars, ditch relief culverts etc. to BMPs	N/A	Oct 2018	
	Moderately High	200-foot section of through-cut roadway that borders a Class II watercourse. Observed sediment delivery to water course off roadway at two locations.	The roadway and IBD should be rocked from 50 feet above MP-1 to 50 feet below the end of the through-cut section (approx. 300 feet). The fill terrace at MP-1 should also be rocked.	MP-1	Oct 2017	
	Moderately High	The pond outlet forms a Class III watercourse that flows into the IBD of the downslope roadway before converging with another Class III stream crossing.	The IBD and channel extending up to the pond outlet should be rocked. The road should also be rocked 50 feet above and below the crossing per BMPs.	MP-3	Oct 2017	
Stream crossing maintenance	Moderate	Stream crossing culvert is undersized, with a high inlet and shotgun outlet. It is buried at significant depth and has been partially crushed and warped.	The culvert needs to be resized and replaced, with the inlet and outlet at natural channel grade. The inlet should be armored and rip-rap should be placed at the outlet. Culvert should be oversized to account for significant road fill.	MP-2	Oct 2018	
	Low	Stream crossing has significant sediment deposits at the inlet.	The catchment basin at the inlet needs to be excavated and the inlet should be rock armored.	MP-4	Oct 2019	
	Low	Stream crossing utilizes short (approximately 5 feet) section of 18-inch CP at the inlet connected to an old thick steel pipe extending to the outlet. The stream alignment is poor, but otherwise the culvert is properly function.	The inlet and outlet should be armored. Ideally, the culvert should be resized and realigned with CP.	MP-5	Oct 2019	
	Moderate	Stream crossing with no culvert or rocked Ford. This is an access road to CA-2 that receives regular vehicle traffic.	A culvert needs to be sized and installed to BMPs at the crossing.	MP-6	Oct 2018	

Table 5 cont.: Required Remediation Summary and Schedule

Standard Condition	Treatment Priority	Issue	Remediation Measure	Map Point	Expected Completion Date	Actual Completion Date
Stream crossing maintenance	Moderate	Stream crossings have no developed features to allow the channels to properly cross the road. The crossings are on unused sections of road.	Rocked fords need to be installed to restore natural channels.	MP-7 & MP-8	Oct 2018	
	Moderate	Stream crossing with no culvert or rocked ford. This is an access road to CA-3 that receives regular vehicle traffic.	A culvert needs to be sized and installed to BMPs at the crossing.	MP-9	Oct 2018	
	Moderately High	The stream crossing and road fill was washed out.	The road needs to be reconstructed, with a new culvert sized and installed to BMPs.	MP-10	Oct 2017	
Riparian and Wetland Protection and Management	High	CA-3 is partially within the buffer zones of nearby Class II and Class III watercourses.	CA-3 needs to be partially relocated or removed.	N/A	Aug 2017	
Water Storage and Use	Moderately High	The pond is unlined and does not have an adequate overflow. These issues resulted in an overflow incident that caused significant erosion and sediment delivery.	At a minimum, an overflow needs to be sized and installed, and French drains should be put in place to divert subsurface flow off the hillside from entering the pond. Ideally, the pond should be drained and lined as well.	N/A	Oct 2017	
Refuse and Human Waste	High	There are no human waste facilities on the property.	Portable toilets need to be put in place to accommodate for worker waste until a permitted septic system or other such permanent human waste facility can be designed and installed.	N/A	Aug 2017	

6. MONITORING

Sites shall be inspected periodically to ensure conformance with standard conditions. Site inspections should include visual inspection of the site, including any remediation measures, to ensure they are being implemented and are functioning as expected. Inspections include photographic documentation of any controllable sediment discharge sites, as identified on the site map, and a visual inspection of those locations on the site where pollutants or wastes, if uncontained, could be transported into receiving waters, and those locations where runoff from roads or developed areas drains into or towards surface water. Monitoring forms will be kept in Attachment C. Monitoring will be done by the Enrollee unless contracted by Green Road Consulting, Inc. to do the monitoring. At a minimum, sites shall be inspected at the following times to ensure timely identification of changed site conditions and to determine whether implementation of additional remediation measures is necessary to prevent or minimize discharges of waste to surface water:

1. Before and after any significant alteration or upgrade to a given stream crossing, road segment, or other controllable sediment discharge site. Inspection should include photographic documentation, with photo records to be kept on site.
2. Prior to October 15 to evaluate site preparedness for storm events and stormwater runoff.
3. By December 15.
4. Following any rainfall event with an intensity of 3 in. precipitation in 24 hours. Precipitation data can be obtained from the NWS by entering the site zip code at <http://www.srh.noaa.gov/forecast>.

7. REPORTING

Annual reporting will be submitted to the NCRWQCB by March 31st of each year. Reported information shall be reflective of site conditions. Enrollees shall submit this information either directly to the Regional Water Board or through an approved third party program. Documents to be submitted for annual reporting are kept in Attachment B.1, B.2, and B.3. Initial enrollment and reporting forms are exhibited in the following pages. The annual reporting will include:

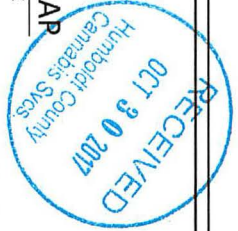
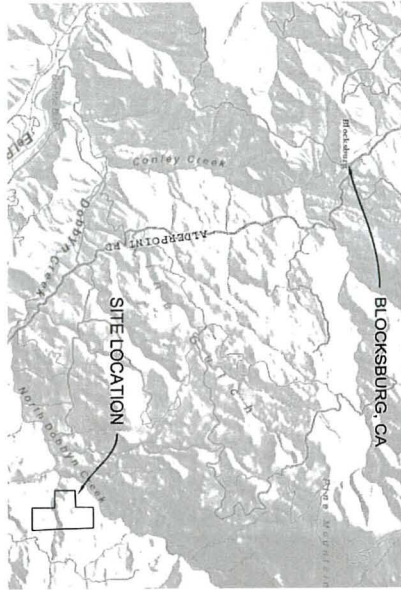
1. Reporting Form (Appendix C of Order 2015-0023)
2. Annual Chemical Use Form (Fertilizer, Petroleum, Pesticides...)
3. Water use and Cultivation Form
4. Re-Enrollment fees (Based off Tier)

The preferred method of submittal is electronically via e-mail to NorthCoast@waterboards.ca.gov or on disk (CD or DVD) in Portable Document Format (PDF) file in lieu of paper-sourced documents. The guidelines for electronic submittal of documents can be found on the Regional Water Board website at <http://www.waterboards.ca.gov/northcoast>. If electronic submission is infeasible, hard copies may be submitted to: North Coast Regional Water Quality Control Board, 5550 Skylane Blvd. Suite A, Santa Rosa, CA 95403.

The Regional Water Board is developing a method for submittal of reporting information directly to the CIWQS Program Web site at <http://www.waterboards.ca.gov/ciwqs/index.html>. Information about this alternative submittal process will be made available on the North Coast Regional Water Board website at: http://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/. Once this method is established, direct submittal to CIWQS will be available for enrollees and approved third party programs, and will become the preferred reporting mechanism

VICINITY MAP

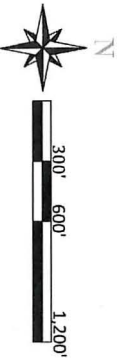
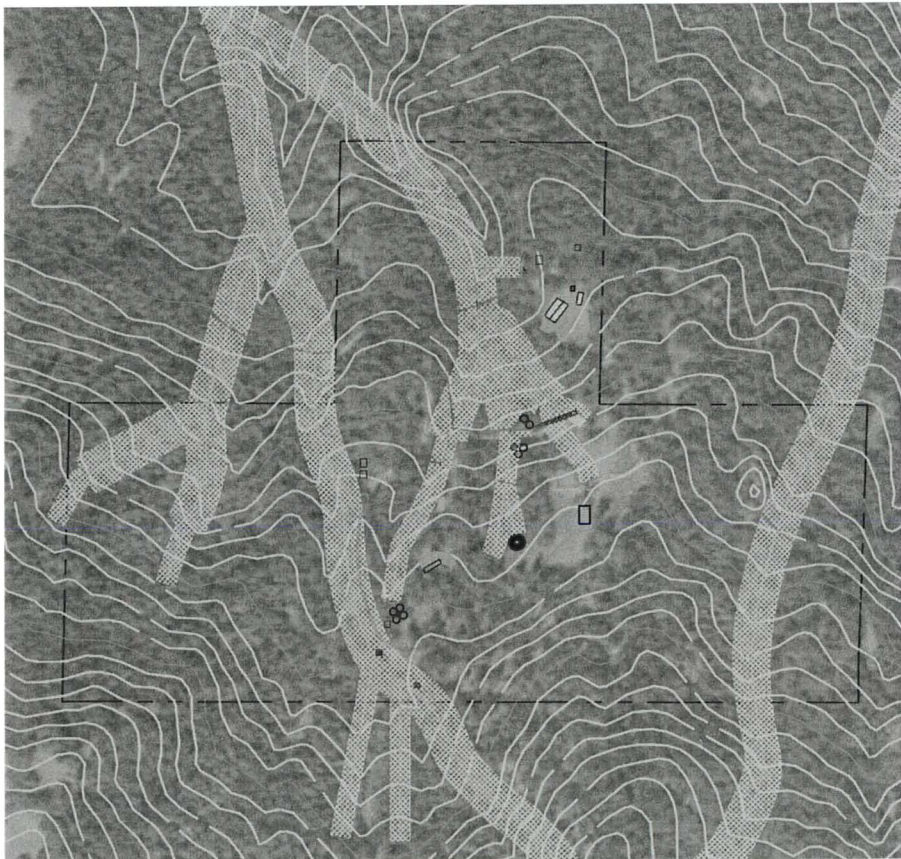
NOT TO SCALE



GREEN SANCTUARY, INC.

APN:216-205-11

AERIAL MAP



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

PROJECT DIRECTIONS

FROM: BLOCKSBURG, CA
-HEAD SOUTHEAST ON ALDERPOINT ROAD (5.7 MI)
-TURN LEFT ONTO STEWART (5.7 MI)
-CONTINUE ONTO WARE RANCH ROAD (2 MI)
-FOLLOW THE ROAD TO THE PROPERTY

TRAVEL TIME

APPROXIMATELY: 9.3 MILES (25 MINUTES)
FROM: BLOCKSBURG, CA

PROJECT INFORMATION

LAT/LONG: 40.2225, -123.5597
APN: 216-205-11
APPLICANT: GREEN SANCTUARY, INC.
PARCEL SIZE: 4158 ACRES
ZONING: AE-TFZ
APPLICATION TYPE: TYPE 3 OUTDOOR USE PERMIT
COASTAL ZONE: NO
100 YEAR FLOOD: YES

SHEET INDEX

AGENT:
KAYLE SAXON
GREEN ROAD CONSULTING INC
1650 CENTRAL AVE. SUITE C
MCKINLEVILLE, CA 95519
707-630-5041

PROJECT INFORMATION

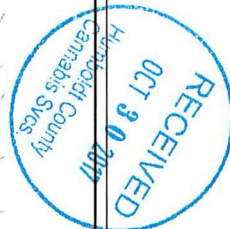
PROPERTY OWNER: BAIRN NIEMELA
APN: 216-205-11
SHEET INFO: COUNTY COVER PAGE



**GREEN
ROAD**
CONSULTING

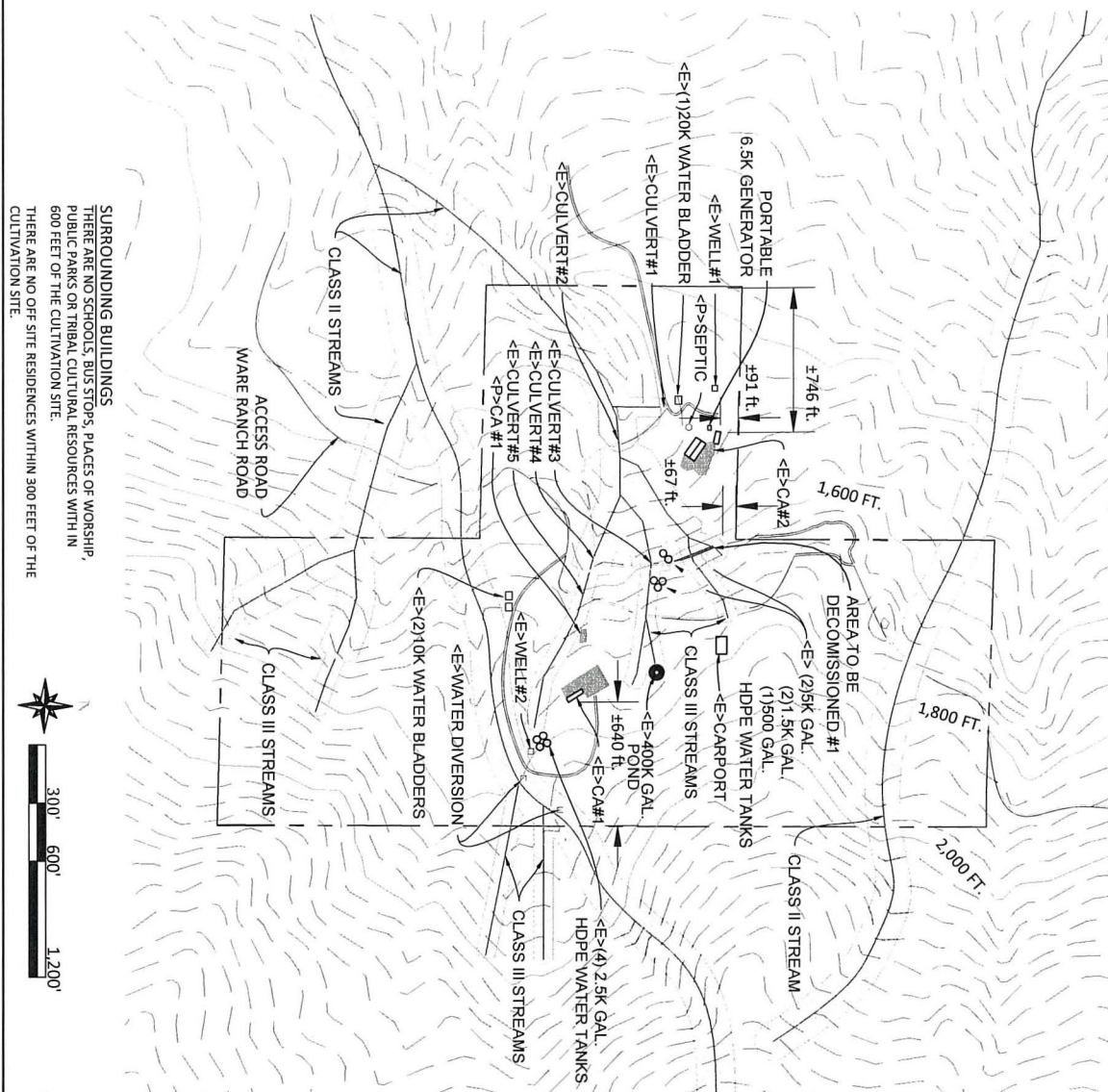
REV.	NOTES	DATE
1		
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DATE
DRAWN
SCALE
SHEET
CP



PARCEL OVERVIEW

APN:216-205-011



CULTIVATION INFORMATION

EXISTING CULTIVATION AREA

 $CA \#1 = 13,720 \text{ FT}^2$

CA #2 = 23,708 FT²

TOTAL AREA TO BE DECOMMISSIONED

AREA #1= 2,192 FT²

TOTAL PROPOSED OUTDOOR CULTIVATION AREA

CA #1= 2,192 FT²

TOTAL EXISTING OUTDOOR CULTIVATION AREA = 37,428 FT²

TOTAL PROPOSED OUTDOOR CULTIVATION AREA= 2,192 FT²

TOTAL OUTDOOR CULTIVATION AREA= 39,620 FT²

CULTIVATION BUILDING AND USE

<u>TYPE</u>	<u>USE</u>	<u>YEAR</u>	<u>SIZE</u>
CARPORT	DRYING/PROCESSING	2015	10'X20'

WATER STORAGE AND USE

STORAGE	NUMBER	SIZE
POND	1	400,000 GALLONS
BLADDER	1	20,000 GALLONS
BLADDER	1	10,000 GALLONS
HARD TANK	2	5,000 GALLONS
HARD TANK	4	2,500 GALLONS
HARD TANK	2	1,500 GALLONS
HARD TANK	1	500 GALLONS

TOTAL AMOUNT OF WATER STORAGE = 463,500 GALLONS

WATER SOURCE

POND

POWER SOURCE
6.5K GENERATOR HONDA

6.5K GENERATOR HONDA

CLASS II STREAMS WITH REQUIRED 100 FT. BUFFER ZONES
CLASS III STREAMS WITH REQUIRED 50 FT. BUFFER ZONES

CLASS III STREAMS WITH REQUIRED 50 FT. BUFFER ZONES

[illegible]

PROJECT INFORMATION

PROPERTY OWNER

BAIRN NIEMEA

APN:

216-205-011

SHEET INFO

PARCEL OVERVIEW



**GREEN
ROAD
CONSULTING**



Site Plan Overview and Cultivation and Operations Plan

Applicant/Owner

Green Sanctuary, Inc.

P.O. Box 3278

Eureka, CA 95502

Parcel: 216-205-011



Agent

Kaylie Saxon

Green Road Consulting

1650 Central Avenue, Suite C

McKinleyville, CA 95519



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I. Site Plan Overview

1.0 Project Information

Green Sanctuary, Inc. ("Applicant") is submitting this application for a Type 3 Use Permit to permit 39,620 square feet of existing outdoor commercial cannabis cultivation on a 158.82-acre parcel, located near Blocksburg, CA.

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

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

- a. Permit 39,620 square feet of outdoor commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CMMLUO.
- b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near Blocksburg, CA. The Parcel is comprised of 158.82-acres and is identified by Assessor's Parcel Number ("APN") 216-205-011. There is no street address for the Parcel.

2.1 Zoning Classification

The County's Zoning Classification of the Parcel is AE; TPZ with a Current General Plan of T;AG (FRWK). The CMMLUO permits existing commercial cannabis cultivation on land zoned as AE or TPZ with cultivation sites up to 43,560 square feet with a Use Permit.

2.2 Site Topography

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

3.0 Easements

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

"DESCRIPTION"

That real property situate in the County of Humboldt, State of California, described as follows:

PARCEL ONE

The Southeast Quarter of the Southeast Quarter of Section 1 and the East Half of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter of Section 12 in Township 3 South of Range 5 East, Humboldt Meridian (also described as the Southeast Quarter of the Southeast

Quarter of Section 1 and the North Half of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 12 in Township 3 South of Range 5 East, Humboldt Meridian).

RESERVING unto the Grantor, personal, assignable easements, in gross, for ingress egress, public and private utilities, for private and commercial use for any and all legal purposes, over, under, and across those portions of said land lying within the following:

- (A) A strip of land, 40 feet in width, the center line of which is described in Parcel Four-D of the Deed to Kevin R. Caballero, a single man, recorded July 3, 2012 as Instrument No. 2012-016841-7, Humboldt County Records.
- (B) A strip of land, 40 feet in width, the centerline of which is described in Parcels Three-A and Three-B of the Deed to Kendall Thrift, a married man, as his sole and separate property, recorded Sept. 4, 2012 as Instrument No. 2012-022232-8, Humboldt County Records.

(C) A strip of land 40 feet in width the centerline of which is described as follows:

BEGINNING at a point where the South line of the Northwest Quarter of the Northeast Quarter of Section 12, Township 3 Range 5 East, Humboldt Base and Meridian, intersects the centerline of an existing road, said point also being the most Northerly terminus of the Easement described in Parcel Three-A below, running thence from said point of beginning the following courses and distances:

North 47 degrees 17 minutes 43 seconds West 135.15 feet;
 North 9 degrees 16 minutes 08 seconds West 84.90 feet;
 North 25 degrees 36 minutes 16 seconds East 38.50 feet;
 North 8 degrees 31 minutes 16 seconds East 49.60 feet;
 North 14 degrees 58 minutes 46 seconds East 227.03 feet;
 North 29 degrees 45 minutes 32 seconds East 42.76 feet;
 North 54 degrees 11 minutes 29 seconds East 33.04 feet;
 North 85 degrees 20 minutes 01 seconds East 84.65 feet;
 North 78 degrees 54 minutes 42 seconds East 81.13 feet;
 North 83 degrees 43 minutes 44 seconds East 123.03 feet;
 North 61 degrees 23 minutes 35 seconds East 54.76 feet;
 North 17 degrees 57 minutes 50 seconds East 41.70 feet;
 North 23 degrees 16 minutes 36 seconds East 75.27 feet;
 North 0 degrees 47 minutes 14 seconds West 65.02 feet;
 North 15 degrees 03 minutes 33 seconds West 87.25 feet;
 North 4 degrees 12 minutes 03 seconds East 85.28 feet;
 North 13 degrees 36 minutes 44 seconds West 68.31 feet;
 North 22 degrees 33 minutes 40 seconds West 144.97 feet;
 North 20 degrees 38 minutes 39 seconds West 149.48 feet;
 North 26 degrees 46 minutes 43 seconds West 42.09 feet;
 North 26 degrees 46 minutes 43 seconds West 82.95 feet;
 North 1 degrees 46 minutes 05 seconds West 187.33 feet;
 North 15 degrees 21 minutes 36 seconds West 55.33 feet;
 North 27 degrees 31 minutes 17 seconds West 131.45 feet;
 North 0 degrees 21 minutes 36 seconds West 62.80 feet;
 North 19 degrees 28 minutes 18 seconds East 91.83 feet;

North 57 degrees 05 minutes 01 seconds East 42.15 feet;
 South 67 degrees 42 minutes 58 seconds East 54.99 feet;
 South 36 degrees 10 minutes 34 seconds East 44.42 feet;
 South 36 degrees 10 minutes 35 seconds East 43.37 feet;
 South 65 degrees 55 minutes 36 seconds East 62.71 feet;
 North 79 degrees 51 minutes 57 seconds East 59.02 feet;
 North 76 degrees 19 minutes 14 seconds East 93.64 feet;
 North 63 degrees 12 minutes 02 seconds East 62.10 feet;
 North 59 degrees 06 minutes 27 seconds East 295.60 feet;
 North 34 degrees 45 minutes 09 seconds East 102.84 feet;
 North 28 degrees 27 minutes 21 seconds East 149.98 feet;
 North 7 degrees 54 minutes 49 seconds East 90.60 feet;
 North 28 degrees 50 minutes 22 seconds East 244.69 feet;
 North 55 degrees 47 minutes 56 seconds East 72.90 feet;
 North 87 degrees 03 minutes 18 seconds East 135.48 feet;
 North 65 degrees 12 minutes 30 seconds East 75.80 feet.

ALSO RESERVING unto the Grantor, the right to construct a road over a portion of the Southeast Quarter of the Northeast Quarter of said Section 12, the specific location and width of said road to be later determined, together with a personal, assignable, easement, in gross, for ingress, egress, public and private utilities, for private and commercial use for any and all legal purposes over, under and across said road.

PARCEL TWO:

A non-exclusive easement for ingress and egress for all purposes over a strip of land, 50 feet in width, the center line of which is described as follows:

BEGINNING at point 2089.45 feet North and 591.33 feet East of the corner to Sections 11, 12, 13, and 14, Township 3 South, Range 5 East, Humboldt Base and Meridian, which point falls in the center of a County Road traveling Easterly through said Section 11; and running thence

South 75 degrees 10 minutes 00 seconds East 109.09 feet;
 North 67 degrees 19 minutes 30 seconds East 240.03 feet;
 North 77 degrees 55 minutes 15 seconds East 75.90 feet;
 South 69 degrees 33 minutes 15 seconds East 94.50 feet;
 South 87 degrees 53 minutes 45 seconds East 78.10 feet;
 North 46 degrees 06 minutes 45 seconds East 152.34 feet;
 North 66 degrees 49 minutes 30 seconds East 230.47 feet;
 North 38 degrees 31 minutes 30 seconds East 217.15 feet;
 North 72 degrees 07 minutes 30 seconds East 80.60 feet;
 South 77 degrees 09 minutes 45 seconds East 124.39 feet;
 North 76 degrees 32 minutes 45 seconds East 78.06 feet;
 North 51 degrees 59 minutes 45 seconds East 126.20 feet;
 North 35 degrees 55 minutes 45 seconds East 137.47 feet;
 North 49 degrees 48 minutes 45 seconds East 88.56 feet;
 North 74 degrees 00 minutes 45 seconds East 242.02 feet;
 North 89 degrees 46 minutes 00 seconds East 145.50 feet;

South 62 degrees 18 minutes 30 seconds East, an undetermined distance to enter the Southwest Quarter of the Northeast Quarter of said Section 12, Township 3 South, Range 5 East, Humboldt Base and Meridian.

EXCEPTING therefrom that portion lying within the Southeast Quarter of the Northwest Quarter of said Section 12.

PARCEL THREE:

Two 40-foot wide non-exclusive easements for ingress, egress and utilities in the South Half of the North Half of Section 12, Township 3 South, Range 5 East, and the Northwest Quarter of the Northwest Quarter of Section 7, Township 3 South, Range 6 East, Humboldt Meridian, for the benefit of the North Half and Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 12, and the Southeast Quarter of the Southeast Quarter of Section 1, Township 3 South, Range 5 East, Humboldt Meridian, the center lines of which are described as follows:

PARCEL A:

BEGINNING at a point that is South 89 degrees 19 minutes 53 seconds East, 2050.97 feet from the One-Quarter Corner to Sections 11 and 12, Township 3 South, Range 5 East, Humboldt Meridian, per Book 51 of Surveys, Pages 145 and 146, Humboldt County Records;

thence North 33 degrees 00 minutes 41 second East, 38.98 feet;
 thence North 46 degrees 06 minutes 31 seconds East, 88.03 feet;
 thence North 72 degrees 59 minutes 35 seconds East, 209.45 feet;
 thence North 80 degrees 36 minutes 22 seconds East, 107.83 feet;
 thence South 85 degrees 00 minutes 30 seconds East, 97.83 feet;
 thence South 60 degrees 42 minutes 46 seconds East, 142.95 feet;
 thence North 83 degrees 59 minutes 02 seconds East, 45.37 feet;
 thence North 75 degrees 58 minutes 41 seconds East, 32.63 feet;
 thence North 68 degrees 51 minutes 54 seconds East, 260.77 feet;
 thence North 65 degrees 14 minutes 50 seconds East, 112.00 feet;
 thence North 61 degrees 02 minutes 15 seconds East, 97.94 feet;
 thence North 41 degrees 25 minutes 41 seconds East, 85.26 feet;
 thence North 40 degrees 51 minutes 52 seconds East, 387.99 feet;
 thence North 49 degrees 37 minutes 26 seconds East, 99.69 feet;
 thence North 26 degrees 18 minutes 44 seconds East, 95.31 feet;
 thence North 48 degrees 56 minutes 49 seconds East, 129.37 feet;
 thence North 13 degrees 22 minutes 42 seconds East, 35.15 feet;
 thence North 05 degrees 45 minutes 35 seconds West, 91.60 feet;
 thence North 17 degrees 10 minutes 19 seconds West, 110.96 feet;
 thence North 03 degrees 17 minutes 40 seconds East, 42.08 feet;
 thence North 15 degrees 51 minutes 30 seconds East, 69.03 feet;
 thence North 13 degrees 50 minutes 43 seconds West, 65.27 feet;

thence North 47 degrees 17 minutes 43 seconds West, 20.51 to the North line of the Southwest Quarter of the Northeast Quarter of Section 12, Township 3 South, Range 5 East, Humboldt Meridian.

The Northeast One-Sixteenth Corner of Section 12 is South 89 degrees 08 minutes 35 seconds East 258.37 feet.

PARCEL B.

BEGINNING at a point that is South 00 degrees 06 minutes 29 seconds West, 865.22 feet from the Northeast Corner to Section 12, Township 3 South, Range 5 East, Humboldt Meridian per Book 51 of Surveys, Pages 145 and 146 Humboldt County Records;

thence North 26 degrees 10 minutes 17 seconds East, 97.47 ;

thence North 67 degrees 02 minutes 19 seconds East, 111.83 ;

thence North 24 degrees 27 minutes 30 seconds East, 39.95 ;

thence North 30 degrees 52 minutes 58 seconds West, 61.12 ;

thence North 66 degrees 11 minutes 21 seconds West, 61.97 ;

thence North 56 degrees 17 minutes 34 seconds West, 88.81 to the East line of Northeast Quarter of the Northeast Quarter of Section 12, Township 3 South, Range 5 East, Humboldt Meridian.

The Southeast Section Corner of Section 1 is North 00 degrees 06 minutes 29 seconds East 570.99 feet."

4.0 Natural Waterways

The Parcel has four (4) unnamed Class II watercourse and six (6) unnamed Class III watercourses.

The Applicant has a Water Resource Protection Plan ("WRPP") for the Parcel and is enrolled in the Water Board's Waiver of Waste Discharge program as a Tier II discharger. A copy of the WRPP is included in the Other Permits, Licenses and Documents section of this application.

5.0 Location and Area of Existing, Propose and Decommission Cultivation

Existing Outdoor Cultivation Area

Cultivation Area #1

Cultivation Area #1 is located near the center of the Parcel to the east of Proposed Cultivation Area #1. It consists of approximately 16,030 square feet of cultivation, including one (1) greenhouse.

Cultivation Area #2

Cultivation Area #2 is located in the western section of the Parcel. It consists of approximately 24,000 square feet of cultivation, including three (3) greenhouses.

Cultivation Areas to Decommission

Area to be Decommissioned #1

Area to be Decommissioned #1 is located near the center of the Parcel, to the east of Cultivation Area #2. It consists of approximately 1,560 square feet of full-term cultivation. Because this cultivation area resides within the 50-foot buffer zone for the Class III watercourse, it will need to be decommissioned and relocated.

Proposed Cultivation Area

Proposed Cultivation Area #1

Proposed Cultivation Area #1 will be located near the center of the parcel, to the west of Cultivation Area #1. It will consist of the 1,560 square feet of existing full-term cultivation from Area to be Decommissioned #1.

6.0 Setbacks of Cultivation Area

Existing Outdoor Cultivation Area

Cultivation Area #1

Cultivation Area #1 is setback from the eastern parcel line by approximately 640 feet. This is the closest parcel line to the cultivation.

Cultivation Area #2

Cultivation Area #2 is setback from northern parcel line by 91 feet and the western parcel line by 746 feet.

Proposed Cultivation Area

Proposed Cultivation Area #1

The Proposed Cultivation Area #1 will be setback from all parcel lines greater than the required 30-foot setback.

7.0 Access Roads

The Parcel is located off Ware Ranch Road, which is in good condition. The interior roads are in good condition and any erosion control measures or remediation necessary are included in the applicant's WRPP.

8.0 Graded Flats

There are no graded flats located on the Parcel. A grading permit application will be submitted to the Humboldt County Building Department for the existing rainwater catchment pond.

9.0 Existing Structures

Carport

The Carport is a 10'x20' existing structure and has been on the parcel since 2015. It is used for the Applicant and collective members to dry and process the harvested cannabis and will require permitting with the Humboldt County Building Department.

10.0 Water Storage, Use and Watershed Protection

10.1 Water Storage

The Applicant has an existing 400,000-gallon rainwater catchment pond. There are also nine (9) hard water tanks totaling 23,500 gallons and three (3) water bladders totaling 40,000 gallons. Total water storage for the Parcel is 463,500 gallons.

10.2 Water Use

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

All water used for the cultivation of cannabis is sourced on-site from the Parcel's rainwater catchment pond. The Applicant also has an Initial Statement of Water Diversion & Use for the watercourse including the well point of diversion located on the Parcel through the State Water Resources Control Board. A copy of the water rights is included in the Other Permits, Licenses and Documents section of this Application. These diversions are not used for cultivation and were secured for the possibility of a shop/residence in the future.

All irrigation of cannabis is completed by hand, which allows water to be monitored and distributed at an agronomic rate which prevents any over watering or run off.

10.3 Watershed Protection

The Parcel has four (4) unnamed Class II watercourse and six (6) unnamed Class III watercourses.

The Applicant has a Water Resource Protection Plan ("WRPP") for the Parcel and is enrolled in the Water Board's Waiver of Waste Discharge program as a Tier II discharger. A copy of the WRPP is included in the Other Permits, Licenses and Documents section of this application.

The Applicant's WRPP addresses all erosion control measures+ and site drainage.

11.0 Distances from Significant Landmarks

There are no schools, school bus stops, places of worship, state parks or Tribal Cultural Resources within 600 feet of the cultivation site. There also are no neighboring residences within 300 feet of the cultivation area.

II. Cultivation and Operations Plan

1.0 Water Use

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

All water used for the cultivation of cannabis is sourced on-site from the Parcel's rainwater catchment pond. The Applicant also has an Initial Statement of Water Diversion & Use for the watercourse including the well point of diversion located on the Parcel through the State Water Resources Control Board. A copy of the water rights is included in the Other Permits, Licenses and Documents section of this Application. These diversions are not used for cultivation and were secured for the possibility of a shop/residence in the future.

All irrigation of cannabis is completed by hand, which allows water to be monitored and distributed at an agronomic rate which prevents any over watering or run off.

2.0 Watershed Protection

The Parcel has four (4) unnamed Class II watercourse and six (6) unnamed Class III watercourses.

The Applicant has a Water Resource Protection Plan ("WRPP") for the Parcel and is enrolled in the Water Board's Waiver of Waste Discharge program as a Tier II discharger.

A copy of the WRPP is included in the Other Permits, Licenses and Documents section of this application.

The Applicant's WRPP addresses all erosion control measures and site drainage.

3.0 Materials Storage

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

All fertilizers/amendments are brought in to the parcel as needed. Nothing is stored on site. All labels are kept and directions are followed when nutrients are applied. The Applicant is in need of a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (kitty litter). This is outlined in the Applicant's included Water Resource Protection Plan.

The Applicant has a 6.5KW Honda portable generator that is brought to the parcel when needed and then removed from the parcel when it is not in use. There is no fuel storage on site and the Applicant brings in 2-5-gallon containers when needed.

There is no soil pile on-site. The Applicant will be re-using his soil every year and will amend directly in the pots. Once the dirt is no longer viable for cultivation it is removed and disposed of at Wes Green in Arcata.

All cultivation related waste is stored in water tight receptacles and disposed at the Blocksburg County Site, a Redway Transfer Station facility.

4.0 Cultivation Activities

Cultivation activities typically begin sometime during April when cannabis plants are started in 4-inch pots in the Parcel's greenhouses and outside for their full-term cultivation.

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

5.0 Processing Practices

Plants will be harvested one at a time using hand shears and taken into a portable carport tent where it will be dried, machine trimmed, cured and stored. All processing will be performed by the Applicant and collective members. The Applicant is looking into the viability of a 3rd party processor and/or meeting the requirements for employees on site. RV's are on-site seasonally to provide shelter and restrooms.

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

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

6.0 Security Measures

The Parcel's access roads are bared by steel gates with steel locks. Game cameras are in place over the access roads and cultivation areas.

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
Division of Environmental Health	✓	Conditional approval	Attached
Public Works, Land Use Division	✓	Conditional approval	Attached
Building Inspection Division	✓	Comments	Attached
CAL FIRE	✓	Comments	Attached
Northwest Information Center (NWIC)	✓	Comments	On file and confidential
Bear River Tribal Band of the Rohnerville Rancheria	✓	Comments	On file and confidential
County Counsel	✓	Comments	On file and confidential
California Department of Fish and Wildlife (CDFW)	✓	Comments	Attached
Regional Water Quality Control Board		No response	
Humboldt County District Attorney		No response	
Humboldt County Agriculture Commissioner		No response	
Humboldt County Sheriff		No response	
Southern Humboldt Unified School District		No response	
State Water Resources Control Board – Division of Water Rights		No response	