



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: May 20, 2021

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Lauren Marlak Special Permit**
Record Number: PLN-13006-SP
Assessor's Parcel Number (APN): 210-250-009
North side of Larabee Valley Road, approximately 0.74 miles from the
intersection of Larabee Valley Road and Coyote Ridge Road , Bridgeville area

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Please contact Cameron Purchio, Associate Planner, at 707-443-5054 or by email at purchioc@lacoassociates.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
May 20, 2021	Special Permit	Cameron Purchio

Project Description: A Special Permit for continued cultivation of 8,000 square feet (SF) outdoor cannabis utilizing light deprivation techniques within five (5) greenhouses. Ancillary propagation occurs within an 800-square-foot nursery area on-site. Irrigation water is sourced from a permitted groundwater well, a rainwater catchment system, and an authorized point of diversion. Existing available water storage is 65,000 gallons in thirteen (13) hard tanks with an additional five (5) 5,000-gallon tanks proposed for a total of 80,000 gallons. Estimated annual water usage is 80,000 gallons. Drying and bucking occurs onsite in a 720-square-foot ag building with all other processing will occur off site at a licensed processing or manufacturing facility. Up to four (4) employees may be utilized during peak operations. Power is provided by solar panels.

Project Location: The project is located in the Dinsmore area, on the north side of Larabee Valley Road, approximately 0.74 miles from the intersection of Larabee Valley Road and Coyote Ridge Road on the property known as APN: 210-250-009.

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

Present Zoning: Agriculture Exclusive (AE), Timber Production (TPZ)

Record Number: PLN-13006-SP

Assessor's Parcel Number: 210-250-009

Applicant

Lauren Marlak
215 #248 Mt. Hermon Road
Scotts Valley, CA 95066

Owner

Marc Gulizio
P.O. Box 188
Bridgeville, CA 95526

Agents

Green Road Consulting
1650 Central Avenue, Suite C
McKinleyville, CA 95519

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

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

Major Issues: None.

Recommended Zoning Administrator Action:

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

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

Executive Summary: Lauren Marlak seeks a Special Permit to allow the continued operation of an existing 8,000 square foot (SF) cannabis cultivation operation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The site is designated as Residential Agriculture (RA40) in the Humboldt County 2017 General Plan Update and zoned Agriculture Exclusive (AE), Timber Production (TPZ). Cultivation takes place in two (2) separate areas: Cultivation Area 1 (upper area) contains 6,560 SF in four greenhouses utilizing light deprivation techniques, and Cultivation Area 2 (lower area) contains 1,440 SF of light deprivation in a single greenhouse. An ancillary propagation occurs in an 800 SF greenhouse in Cultivation Area 2. Two harvests are expected annually for a growing season that extends from May through October.

Drying (and bucking) occurs onsite in an existing 720 SF structure. Additional processing will occur offsite at a licensed processing or manufacturing facility. Up to four (4) employees may be utilized during peak operations. Power is provided by solar panels. The operation is secured behind a gated road and monitored with a camera surveillance system, fenced cultivation areas and locked structures.

Timber Conversion

Review of aerial imagery indicates that no timber conversion has taken place onsite. Prior cultivation utilized a natural clearing near the western edge of the property which was within the Streamside Management Area (SMA) buffer zone. All cultivation has since been relocated to outside of SMA buffer areas into existing open space that required no timber removal.

On-Site Relocation and Remediation

As described in the Addendum to the Cultivation and Operations Plan (Attachment 3) prior cultivation areas which existed within the SMA buffer zone have been relocated and consolidated into their current alignment. As to limit disturbance of riparian habitat, the applicant relocated this cultivation to outdoor soil pots in a central location in an open field directly south of an existing greenhouse. Plans as proposed by this project include converting the 4,460 SF of full sun cultivation as described into 3 additional greenhouses to utilize light deprivation techniques and produce up to two cycles annually. This proposed location is consolidated, centralized, not located within a sensitive habitat area, utilizes a previously disturbed and graded pad, and easily accessed by vehicles and machinery, making it an environmentally superior site for cultivation. Staff supports consolidation of full sun outdoor cultivation into the greenhouses as the number of growing days is approximately the same while water is used more efficiently due to less evaporation and smaller plant sizes.

The preexisting cultivation areas have had all cultivation related materials removed. Potting soil has been collected and reused in the new cultivation areas. All cultivation materials (pots, irrigation lines, fencing stakes, etc.) have been hauled to a waste disposal facility. All disturbed areas were treated with straw

and seed to revegetate bare areas. The previously cultivated area appears well vegetated and restored.

Water Resources

Water for irrigation is provided by a permitted groundwater well, a rainwater catchment system, and an authorized point of diversion. The primary source of water is rainwater catchment system composed of a series of 5,000-gallon rain catchment HDPE tanks. The permitted groundwater well (17/18-0161), a rainwater catchment system, and an authorized point of diversion. The well is located west of the Cultivation area, approximately 300 feet east of the nearest Streamside Management Area and approximately 60 feet higher in elevation. According to the Well Completion Report, the well is 135 feet deep and drilled through sandstone. A blank is installed for the first 135 feet of the well and there is no additional blank or screening. Based on the distance from the nearest watercourse,. The well is also registered with the California Department of Water Resources (WCR2020-003222). Due to these factors, Planning Staff believe the well is likely to be hydrologically disconnected from surface waters and does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements.

The point of diversion (POD) located on an unnamed class III watercourse, tributary to Butte Creek, is registered with the State Water Resources Control Board (SWRCB) as shown on the Right to Divert and Use Water (H100396) (Attachment 3). The applicant is allowed to appropriate up to 0.184-acre-feet (59,957 gallons) annually. Existing available water storage is 65,000 gallons in thirteen (13) 5,000-gallon hard tanks with an additional five (5) 5,000-gallon tanks proposed for a total of 80,000 gallons. Estimated annual water usage is 80,000 gallons (10.0 gal/SF). The rainwater catchment system utilizes the thirteen (13) existing 5,000-gallon water storage tanks, with a proposed increase of an additional five (5) 5,000-gallon tanks. The applicant has indicated the majority of the water utilized for irrigation comes from the catchment of the existing tanks. To confirm there is adequate water for irrigation with rainwater catchment as the primary source supplemented by the permitted well and point of diversion, the project is conditioned to have water monitoring devices on each source of water as described, and storage tanks as applicable to monitor water used for irrigation monthly and annually.

As a result of the referral process DEH requested in June 2018, that the well on site be legalized or destroyed. A well permit application (17/18-0161) dated December 2019, shows that documentation has been provided to verify legal non-conforming status or retroactively permit the well.

Biological Resources

Per the California Department of Fish and Wildlife (CDFW), there are mapped sensitive species directly south of the site with the nearest Northern Spotted Owl (NSO) activity center located approximately 1.31 miles east of the site. On-site relocation has occurred, as previously mentioned under On-Site Relocation and Remediation. The applicant has submitted a proposed Lake or Streambed Alteration Agreement (LSAA) to the California Department of Fish and Wildlife (CDFW) for review of and approval of 14 encroachments across the subject parcel and a nearby parcel identified as APN 210-250-031 which includes two (2) points of diversion (only one is applicable to this project site) and the decommissioning of four (4) stream crossings, and eight (8) other stream crossing upgrades. Per the applicant, the primary source of power is a solar system, with a small generator utilized only for emergency backup and small device power supply. There is no use of artificial lighting authorized by this permit. The conditions of approval require the applicant to refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife.

The Humboldt County's WebGIS shows a single class II watercourse, however, the Site Plan Map shows several Class II and Class III intermittent streams onsite with the associated 50 and 100-foot SMA buffers. All cultivation areas and structures are outside of the SMA buffers. The applicant is required to have a Site Management Plan (SMP) created by a qualified professional that will require adherence to the State Water Resources Control Board (SWRCB) Cannabis General Order (WQ 2017-0023-DWQ) which includes additional evaluation of the site for potential sediment transportation, erosion control, and waste management associated with the proposed commercial activity. As proposed and conditioned the

project is consistent with CMMLUO performance standards and guidance and will not negatively impact NSO or other sensitive species.

Tribal Cultural Resource Coordination

The project is located in the Bear River Band Aboriginal Ancestral Territories. The project was referred to the Northwest Information Center, Bear River Band of Rohnerville Rancheria, and the Sinkyone Intertribal Wilderness Council in January 2018. A Cultural Resources Investigation was prepared in January 2020 by Nick Angeloff, M.A. and Saige Heuer, B.A., Archaeological Research and Supply Co., Rio Dell, CA. Per the Report, outreach letters were sent to the Bear River Band of Rohnerville Rancheria and the Sinkyone Intertribal Wilderness Council. The report concluded that the proposed project will not result in any adverse changes to historical or archaeological resources, recommended Inadvertent Discoveries Protocol.

Access

Access to the site is via a driveway off of Hidden Valley Road via Meadow Lane via Larabee Valley Road via State Highway 36. A Road Evaluation report for Hidden Valley Road, Meadow Lane, and Larabee Valley Road was prepared by Omsberg & Preston (Attachment 3), which concludes that the associated road segments are developed to the equivalent of road category 4 standard. The Humboldt County Department of Public Works requests that any existing or proposed non-county-maintained access roads that serve as access for the proposed project and connect to a county-maintained road shall be improved to current standards for a commercial driveway. The improvements requested by Public Works are included as conditions of approval.

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

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

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

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

**Resolution Number 21-
Record Number: PLN-13006-SP
Assessor's Parcel Number: 210-250-009**

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Lauren Marlak Special Permit request.

WHEREAS, Lauren Marlak submitted an application and evidence in support of approving a Special Permit for continued cultivation of 8,000 square feet (SF) outdoor cannabis utilizing light deprivation techniques within five (5) greenhouses. Ancillary propagation occurs within an 800-square-foot nursery area on-site. Irrigation water is sourced from a permitted groundwater well, a rainwater catchment system, and an authorized point of diversion. Existing available water storage is 65,000 gallons in thirteen (13) hard tanks with an additional five (5) 5,000-gallon tanks proposed for a total of 80,000 gallons. Estimated annual water usage is 80,000 gallons. Drying and bucking occurs onsite in a 720-square-foot ag building with all other processing will occur off site at a licensed processing or manufacturing facility. Up to four (4) employees may be utilized during peak operations. Power is provided by solar panels; and

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

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on May 20, 2021, and reviewed, considered, and discussed the application for a Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:** **Project Description:** A Special Permit for continued cultivation of 8,000 square feet (SF) outdoor cannabis utilizing light deprivation techniques within five (5) greenhouses. Ancillary propagation occurs within an 800-square-foot nursery area on-site. Irrigation water is sourced from a permitted groundwater well, a rainwater catchment system, and an authorized point of diversion. Existing available water storage is 65,000 gallons in thirteen (13) hard tanks with an additional five (5) 5,000-gallon tanks proposed for a total of 80,000 gallons. Estimated annual water usage is 80,000 gallons. Drying and bucking occurs onsite in a 720-square-foot ag building with all other processing will occur off site at a licensed processing or manufacturing facility. Up to four (4) employees may be utilized during peak operations. Power is provided by solar panels.

EVIDENCE: a) Project File: PLN-13006-SP
- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has considered the Addendum to and the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of

Supervisors on January 26, 2016.

EVIDENCE:

- a) Addendum Prepared for the proposed project.
- b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines
- c) A Notice of Applicability was prepared by the applicant and the project is conditioned to require a Site Management Plan be developed to show compliance with the State Water Board Cannabis General Order for Waste Discharge. Conditions of approval require the applicant to adhere to and implement the recommendations in the Site Management Plan and submit annual monitoring reports to the Planning Department.
- d) California Department of Fish and Wildlife Resource Maps indicate no Special Status species are known to occur within the project area. A review of the California Natural Diversity Database (CNDDDB) Spotted Owl Observation Database showed that Northern Spotted Owl habitat exists in the vicinity and the nearest activity center is approximately 1.31 miles from the site. Conditions of approval will require noise to be at below 50 decibels at 100 feet which is below the guidance established by the California Department of Fish and Wildlife for protection of the species.
- e) A Cultural Resources Investigation Report was carried out by Nick Angeloff, M.A. in January 2020 concluded that the proposed project will not result in any adverse changes to historical or archaeological resources and recommended Inadvertent Discoveries Protocol.
- f) A Road Evaluation Report was prepared for Hidden Valley Road, Meadow Lane, and Larabee Valley Road was prepared by Omsberg & Preston which concludes that the associated road segments are developed to the equivalent of road category 4 standard and is suitable for safe access to and from the project site. The project is conditioned to implement the recommended road improvements included in the road evaluation.

FINDINGS FOR SPECIAL PERMIT

3. FINDING

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

EVIDENCE

- a) General agriculture is a use type permitted in the Residential Agriculture (RA) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

4. FINDING

The proposed development is consistent with the purposes of the existing AE zone in which the site is located.

EVIDENCE

- a) The Agriculture Exclusive or AE Zone is intended to be applied in fertile areas in which the agriculture is and should be the desirable predominant use and in which the protection of this use from encroachment from incompatible uses is essential to the general welfare.

- b) All general agricultural uses are principally permitted in the AE zone.
- c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 10,000 square feet of existing outdoor cannabis and up to 10,000 square feet of existing mixed-light cannabis on a parcel over 1 acre subject to approval of a Special Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 8,000 outdoor on a 51-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

5. FINDING

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

EVIDENCE

- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned AE (HCC 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration by deed recorded September 2, 1950, before the establishment of county and state subdivision regulations that would have applied to the creation of the parcel.
- c) The project will obtain water from a non-diversionary water source. Water for irrigation is provided by a permitted groundwater well (17/18-0161), a rainwater catchment system, and an authorized point of diversion. The well is located west of the Cultivation area, approximately 300 feet east of the nearest Streamside Management Area and approximately 60 feet higher in elevation. According to the Well Completion Report, the well is 135 feet deep and drilled through sandstone. A blank is installed for the first 135 feet of the well and there is no additional blank or screening. Based on the distance from the nearest watercourse and the use of a blank for casing of the first 135 feet of the well, the well is likely to be hydrologically disconnected from surface waters and does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements. *Right to Divert and Use Water* (Registration ID H504504; Certificate No. H100396) has been issued for use with the point of diversion. The *Right to Divert and Use Water* allows for 0.50 acre-feet (or 162,925 gallons) of water to be diverted from the unnamed stream that is tributary to Butte Creek. Storage capacity cannot exceed 198,769 gallons. Existing available water storage is 65,000 gallons in thirteen (13) 5,000-gallon hard tanks with an additional five (5) 5,000-gallon tanks proposed for a total of 80,000 gallons. Conditions of approval require the applicant to adhere to all terms and conditions of the Small Irrigation Use Registration and the CDFW FSAA and monitor water use from the well and spring diversion annually to demonstrate there is sufficient water available to continue to meet operational needs.
- d) A Road Evaluation Report was completed by Omsberg & Preston in May 2020. The Evaluation addressed Hidden Valley Road to Meadow Lane to Larabee Valley Road to State Highway 36, which is a state-maintained road. All road segments evaluated were found to be functionally appropriate for the expected traffic. The project is conditioned to implement the recommended road improvements included in the road evaluation.
- e) The slope of the land where cannabis will be cultivated is less than 30% as depicted by the Humboldt County WebGIS interactive map portal.

- f) The cultivation of cannabis will not result in the net conversion of timberland. Site evaluation utilizing aerial imagery by staff determined that no timber conversion has occurred post-baseline and the project will not result in a net loss of timberland as a result of the cultivation operation.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, church, public park or Tribal Cultural Resource.

6. FINDING

The cultivation of 8,000 square feet of cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) A Road Evaluation Report was completed by Omsberg & Preston in May 2020. The Evaluation addressed Hidden Valley Road to Meadow Lane to Larabee Valley Road to State Highway 36, which is a state-maintained road. All road segments evaluated were found to be functionally appropriate for the expected traffic. The project is conditioned to implement the recommended road improvements included in the road evaluation.
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
- d) The project will obtain water from a non-diversionary water source. Water for irrigation is provided by a permitted groundwater well (17/18-0161), a rainwater catchment system, and an authorized point of diversion. The well is located west of the Cultivation area, approximately 300 feet east of the nearest Streamside Management Area and approximately 60 feet higher in elevation. According to the Well Completion Report, the well is 135 feet deep and drilled through sandstone. A blank is installed for the first 135 feet of the well and there is no additional blank or screening. Based on the distance from the nearest watercourse and the use of a blank for casing of the first 135 feet of the well, the well is likely to be hydrologically disconnected from surface waters and does not require additional water rights from the State Water Resources Control Board and is not subject to forbearance or water storage requirements. *Right to Divert and Use Water* (Registration ID H504504; Certificate No. H100396) has been issued for use with the point of diversion. The *Right to Divert and Use Water* allows for 0.50 acre-feet (or 162,925 gallons) of water to be diverted from the unnamed stream that is tributary to Butte Creek. Storage capacity cannot exceed 198,769 gallons. Existing available water storage is 65,000 gallons in thirteen (13) 5,000-gallon hard tanks with an additional five (5) 5,000-gallon tanks proposed for a total of 80,000 gallons. Conditions of approval require the applicant to adhere to all terms and conditions of the Small Irrigation Use Registration and the CDFW FSAA and monitor water use from the well and spring diversion annually to demonstrate there is sufficient water available

to continue to meet operational needs.

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

7. FINDING

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

EVIDENCE

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

DECISION

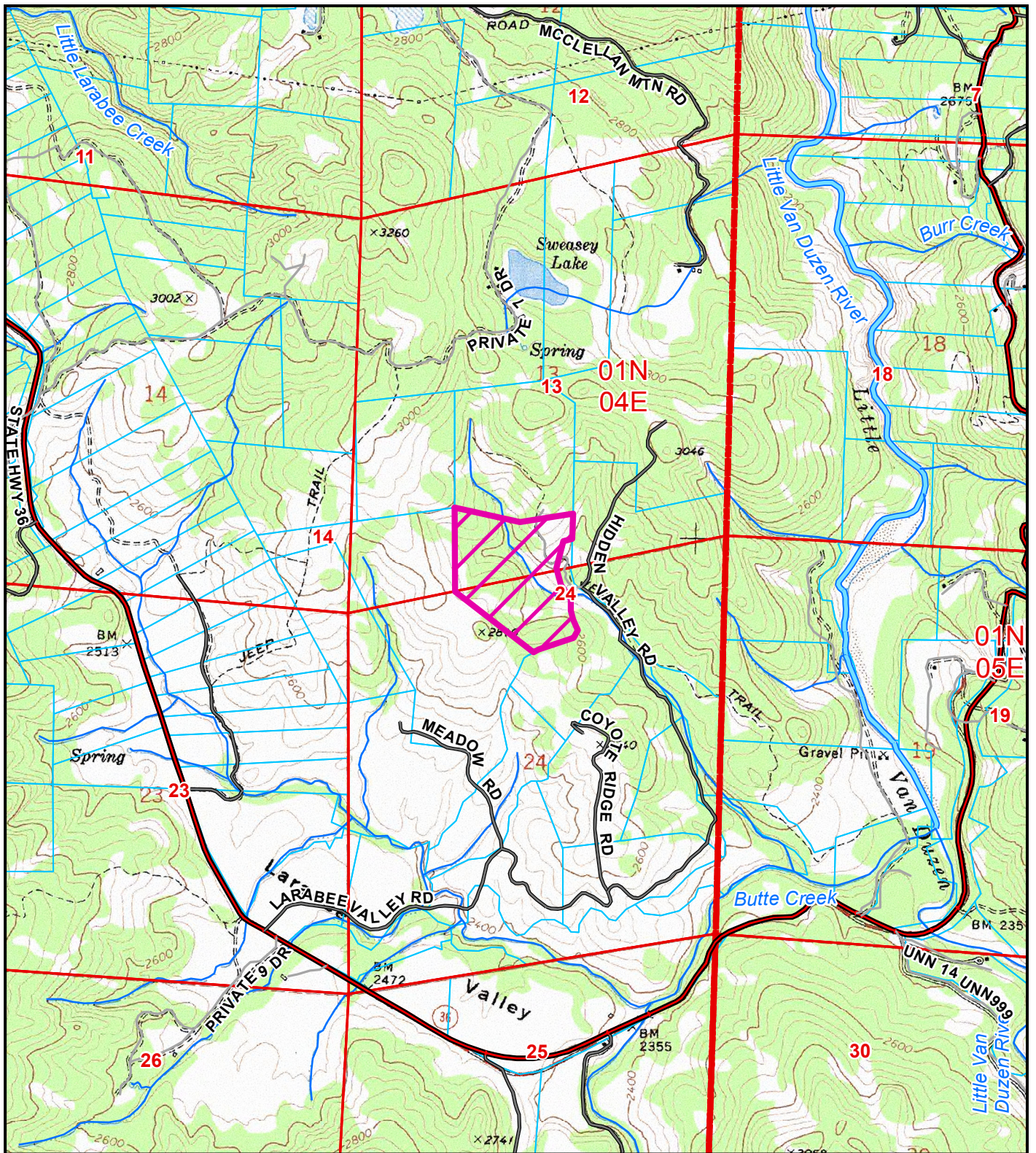
NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

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

Adopted after review and consideration of all the evidence on May 20, 2021.

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

John H. Ford, Zoning Administrator
Planning and Building Department



**TOPO MAP
PROPOSED LAUREN MARLAK
DINSMORE AREA
SP-16-722**

Project Area = 

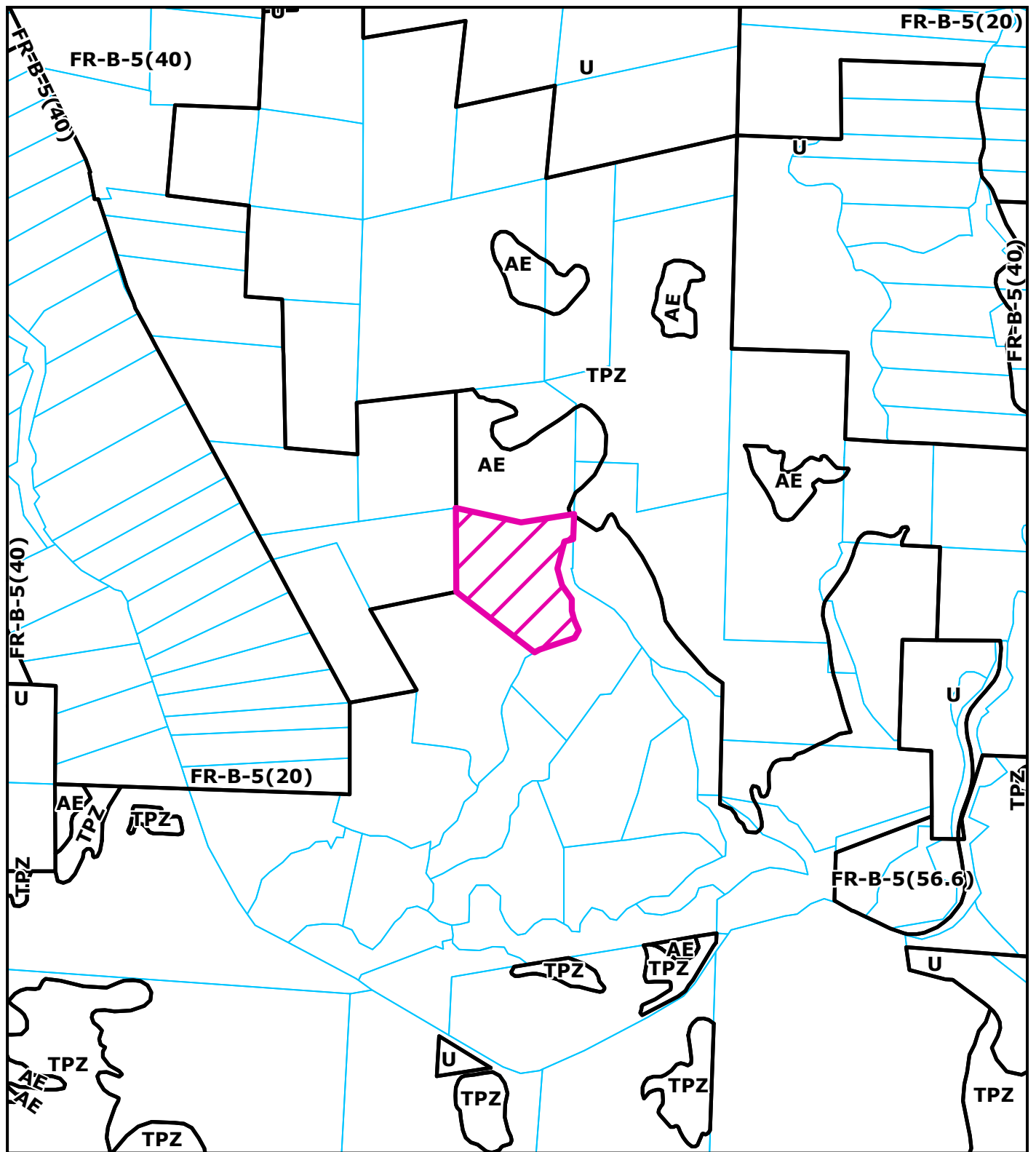
APN: 210-250-009

T01N R04E S13; S24 HB&M (LARABEE VALLEY)

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

0 1,000 2,000 4,000 Feet

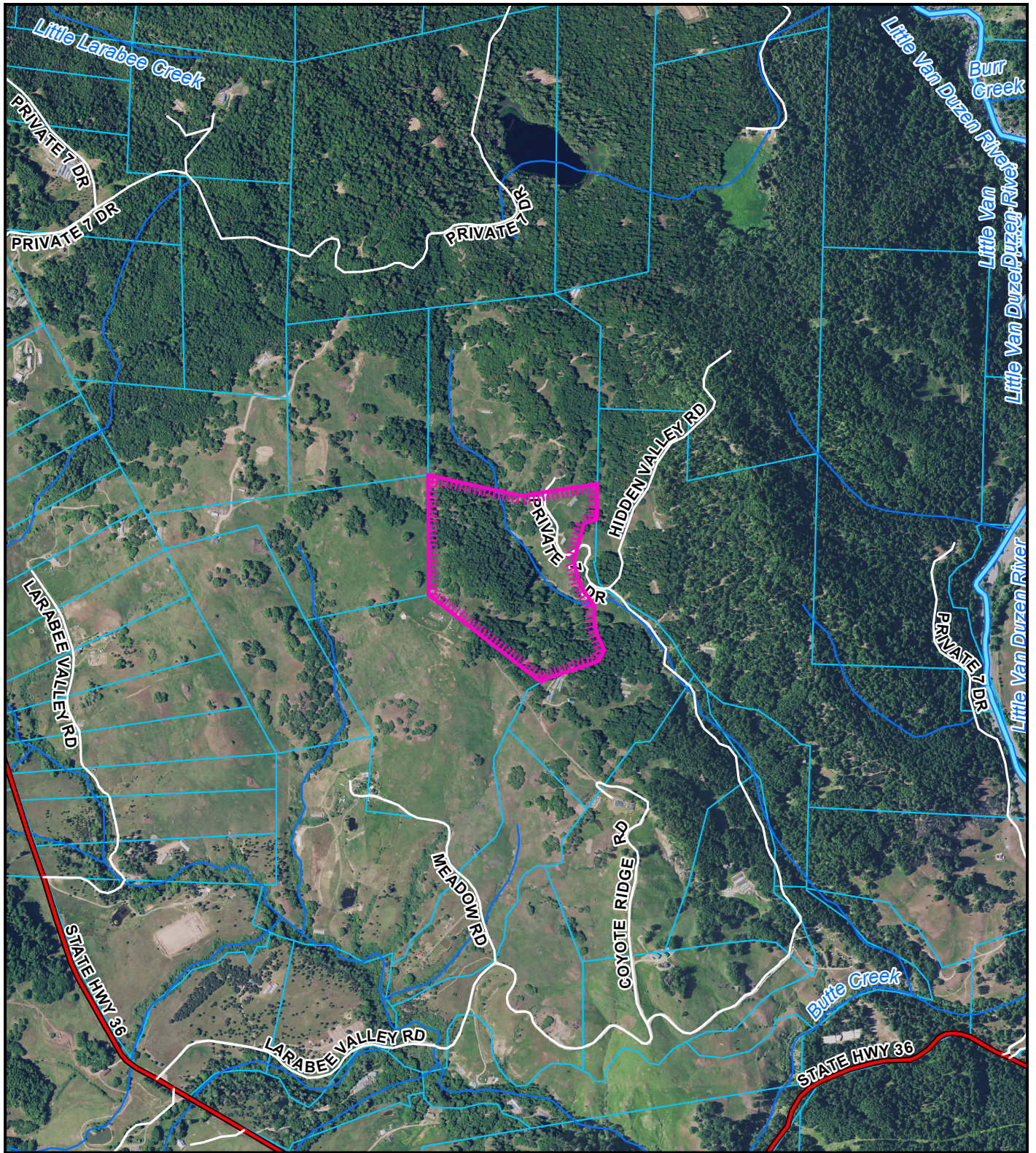




Project Area =

ZONING MAP
PROPOSED LAUREN MARLAK
DINSMORE AREA
SP-16-722
APN: 210-250-009
T01N R04E S13; S24 HB&M (LARABEE VALLEY)

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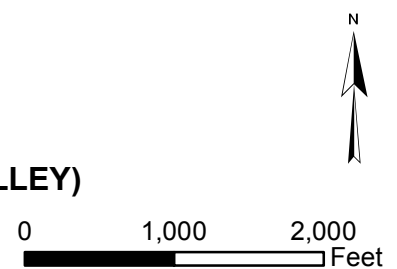
**AERIAL MAP
PROPOSED LAUREN MARLAK
DINSMORE AREA
SP-16-722**

APN: 210-250-009

T01N R04E S13; S24 HB&M (LARABEE VALLEY)

Project Area = 

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



VICINITY MAP

1:10,000

LARRABEE FAMILY VALLEY FARMS

APN: 210-250-009

AERIAL MAP

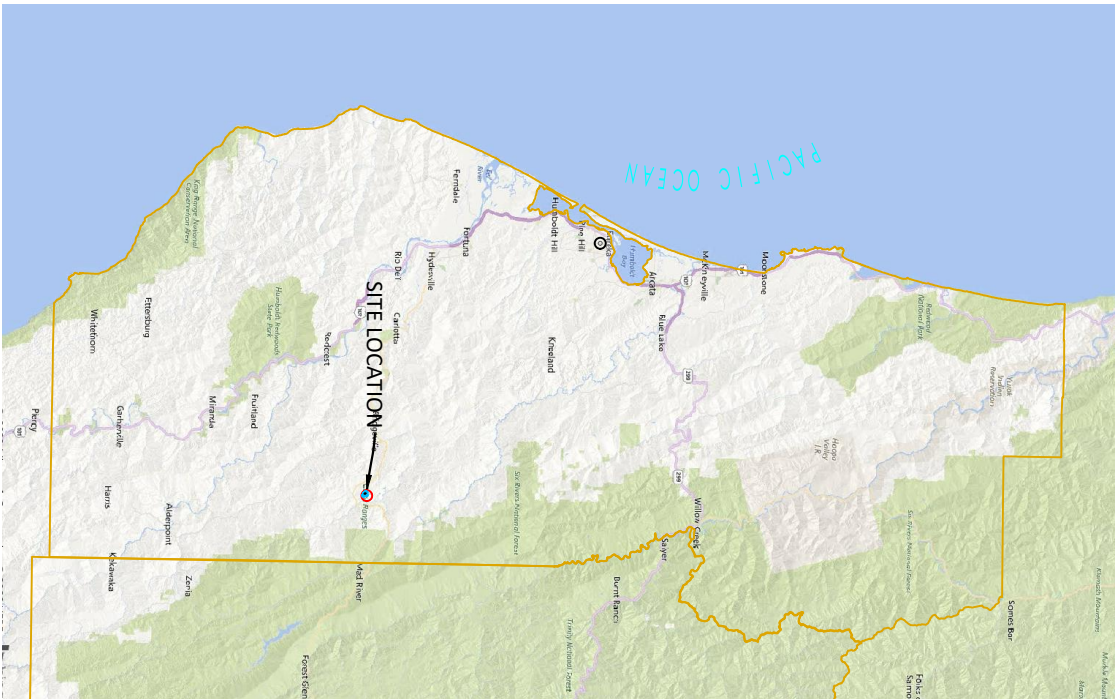


IMAGE SOURCE: BING 2020

PROJECT DIRECTIONS

- FROM: EUREKA, CA
- HEAD SOUTH ON US-101 (19.9 MI)
 - TAKE EXIT 685 FOR CA-36 E (0.3 MI)
 - TURN LEFT ONTO CA-36 E (33.4 MI)
 - TURN LEFT ONTO LARABEE VALLEY RD (1.2 MI)
 - CONTINUE STRAIGHT ONTO COYOTE RIDGE RD (.9 MI)
 - TURN RIGHT ON HIDDEN VALLEY RD.

TRAVEL TIME

APPROXIMATELY: 1 H 20 MIN (58 MI)

SHEET INDEX

CP-COVER PAGE
C1-PARCEL OVERVIEW
PROPERTY LINES, DISTANCES, AND
BUILDING LOCATIONS ARE APPROXIMATE
AND BASED ON AERIAL MAPS AND GPS DATA
TAKEN IN THE FIELD.

PROJECT INFORMATION

LAT/LONG: 40.4572, -123.6760

APN: 210-250-009

APPLICANT: LAUREN MARLAK

PARCEL SIZE: ± 51 ACRES

ZONING: FIND ON INFO PAGE

APPLICATION TYPE:

COASTAL ZONE: **N**

100 YEAR FLOOD: **N**

AGENT:

KAYLIE SAXON
GREEN ROAD CONSULTING INC
1650 CENTRAL AVE, SUITE C
MCKINLEVILLE, CA 95519
707-630-5041

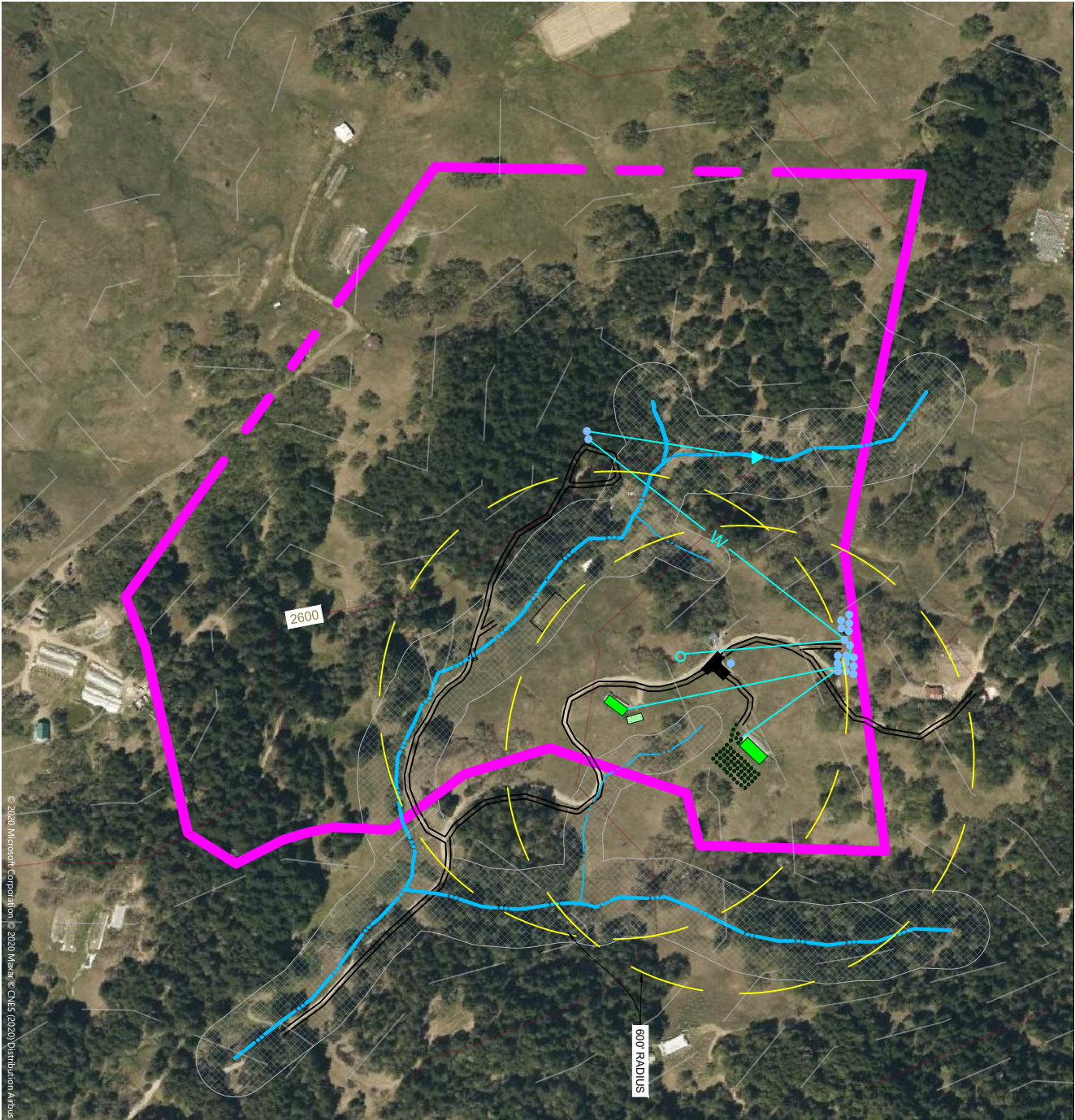


IMAGE SOURCE: BING 2020

PROJECT INFORMATION

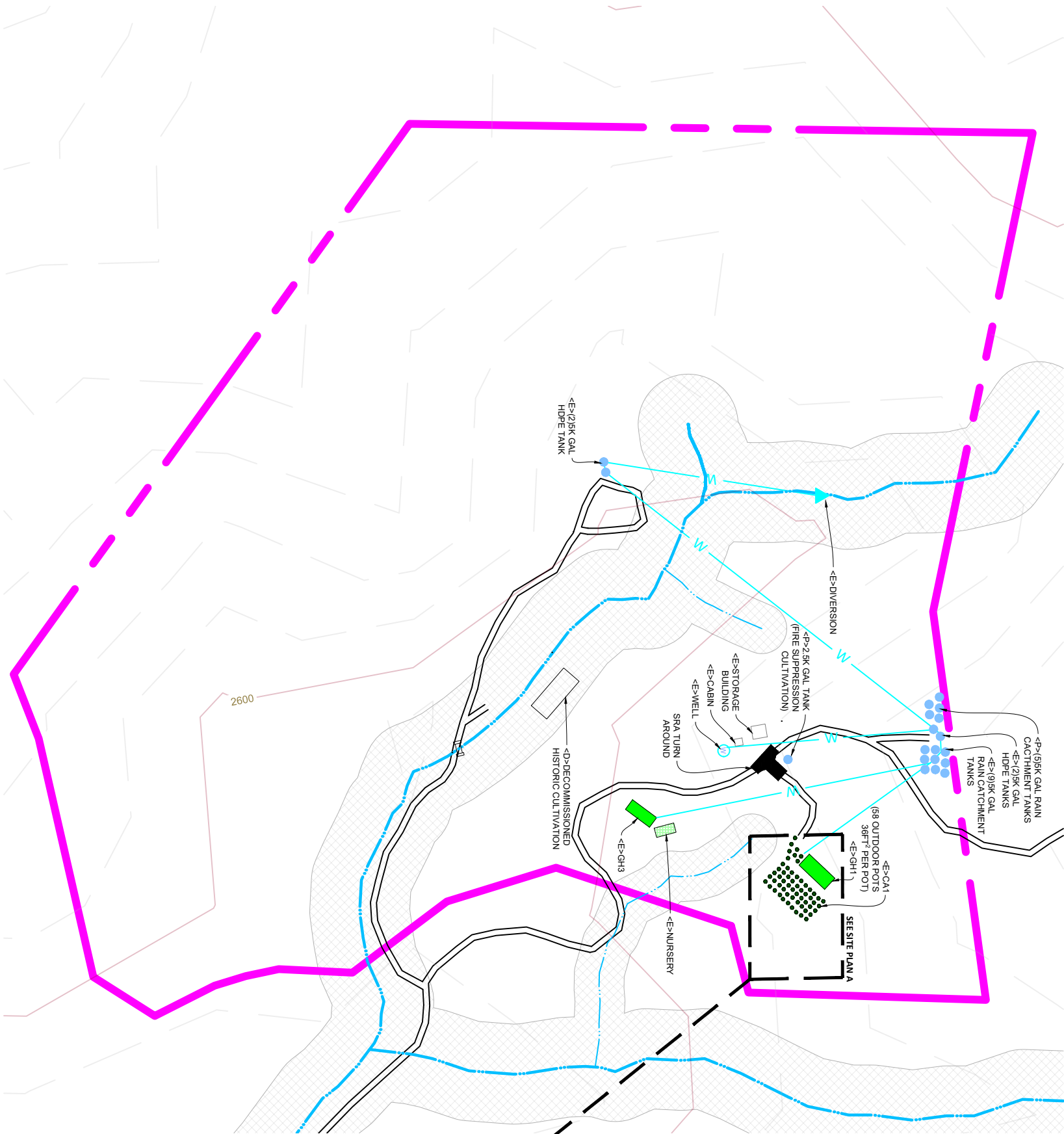
PROPERTY OWNER		LARRABEE VALLEY FAMILY FARMS
ADDRESS		APN: 210-250-009
SHEET INFO		COVER PAGE



REVISIONS		
NO	NOTES	DATE
1	NOTES-INITIALS	00-00-00
2	NOTES-INITIALS	00-00-00
3	NOTES-INITIALS	00-00-00
4	NOTES-INITIALS	00-00-00
5	NOTES-INITIALS	00-00-00
6	NOTES-INITIALS	00-00-00
DATE		
1/22/21		
DRAFTER		
XX		
SCALE		
AS SHOWN		
SHEET		
CP		

PARCEL OVERVIEW

APN: 210-250-009



CULTIVATION INFORMATION

LIGHT DEPRIVATION (OUTDOOR) CULTIVATION AREA				LIGHT DEPRIVATION (OUTDOOR) CULTIVATION AREA (PROPOSED RELOCATED/CONVERTED CULTIVATION)			
GH	LENGTH	WIDTH	SQ. FT	GH	LENGTH	WIDTH	SQ. FT
1	70	X	2,100	2	62	X	620
3	60	X	1,440	4	96	X	1,920
TOTAL CULTIVATION AREA =			3,540 SQ. FT	5	96	X	1,920
IMMATURE PLANT AREA				TOTAL CULTIVATION AREA = 4,460 SQ. FT			
NURSERY	LENGTH	WIDTH	SQ. FT				
1	40	X	800				
TOTAL IMMATURE PLANT AREA =			800 SQ. FT				
OUTDOOR CULTIVATION AREA (TO BE CONVERTED TO LIGHT DEPRIVATION CULTIVATION)							

CULTIVATION BUILDINGS AND USE

BUILDINGS	USE	SIZE	YEAR
STORAGE BUILDING	HARVEST STORAGE/CHEMICAL AG STORAGE	30'x24'	-

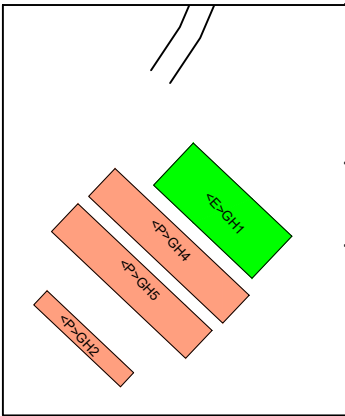
WATER STORAGE AND USE		QUANTITY	GALLONS	TOTAL GALLONS
HDPE TANK	40.4592, -123.6751	11	5,000	55,000
HDPE TANK	40.4573, -123.6733	2	5,000	10,000
(PROPOSED) HDPE TANK	40.4592, -123.6751	5	5,000	25,000
TOTAL AMOUNT OF WATER STORAGE=				90,000 GALLONS

WATER SOURCE		LAT/LONG
WELL		40.4593, -123.6754
POINT OF DIVERSION		40.4595, -123.6770
RAINWATER CATCHMENT		40.4593, -123.6754

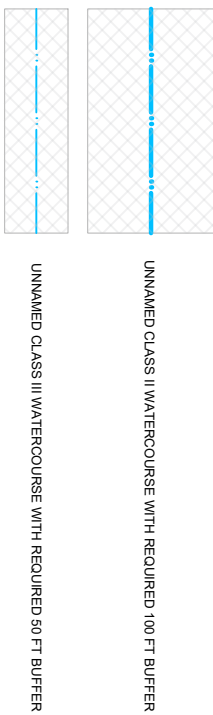
SURROUNDING BUILDINGS

THERE ARE NO SCHOOLS, BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL CULTURAL RESOURCES WITHIN 800 FEET OF THE CULTIVATION SITE.
THERE ARE NO OFF SITE RESIDENCES WITHIN 300 FEET OF THE CULTIVATION SITE.

SEE SITE PLAN A PROPOSAL
(1"=150')



LEGEND



PROJECT INFORMATION

PROPERTY OWNER	LARRABEE VALLEY FAMILY FARMS
ADDRESS	APN: 210-250-009
SHEET INFO	PARCEL OVERVIEW



REVISIONS

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

DATE	1/22/21
DRAFTER	XX
SCALE	AS SHOWN
SHEET	C1

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **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 #7 through #17. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures and grading 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, graded flats and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
7. The applicant shall demonstrate to the satisfaction of the Department of Environmental Health compliance with the following conditions:
 - a. No processing can be approved until an acceptable site suitability report can establish potential for onsite waste treatment system.

- b. The approval of an unpermitted OWTS described in the provided Attachment for Commercial Medical Marijuana Clearances/Permits is dependent upon demonstration of site suitability from a qualified professional.
 - c. An invoice, or equivalent documentation, is provided to DEH to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to reissuance of annual permit.
- 8. The applicant shall legalize or destroy the well onsite. In order to meet this condition, the applicant shall provide documentation to Humboldt County Planning Department and Division of Environmental Health to verify legal non-conforming status, retroactively permit the well, or complete a destruction permit for the well.
- 9. The applicant shall submit a copy of the Final Lake or Streambed Alteration Agreement issued by CDFW that includes but is not limited to the five (5) violations as noted in the Executive Summary. The applicant shall adhere to reporting requirements which shall be submitted to the Planning Department and the California Department of Fish and Wildlife at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year.
- 10. The applicant shall adhere to the Final Lake or Streambed Alteration Agreement issued by the California Department of Fish and Wildlife (CDFW) and comply with all applicable terms.
- 11. The applicant to submit copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Availability and Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order, the Site Management Plan and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.
- 12. The applicant shall install and utilize a water meter to demonstrate that there is sufficient water supply to meet the demands of the project. Each water source (groundwater well, point of diversion and rainwater catchment system) shall be separately metered to demonstrate the quantity of water used from each water source. The water use for cultivation is limited to the use of the pond and amount of water available in storage tanks and shall be provided annually prior to or during the annual inspection.
- 13. 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.
- 14. 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.
- 15. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

- 1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be

evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.

2. 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.
3. Ensure all generators be located on stable surfaces with a minimum 200 feet buffer from all waterways measured horizontally from the outer edge of the riparian drip zone, per CDFW referral comments received January 4, 2018.
4. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
9. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.

12. 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. 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. 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. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. 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. 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. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
19. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
20. Pay all applicable application, review for conformance with conditions and annual inspection fees.
21. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

24. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
25. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws,

Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).

26. Cultivators engaged in processing shall comply with the following Processing Practices:
 - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - d. Employees must wash hands sufficiently when handling cannabis or use gloves.
27. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (1) Emergency action response planning as necessary;
 - (2) Employee accident reporting and investigation policies;
 - (3) Fire prevention;
 - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (5) Materials handling policies;
 - (6) Job hazard analyses; and
 - (7) Personal protective equipment policies, including respiratory protection.
 - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts; and
 - (3) Poison control contacts.
 - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
28. All cultivators shall comply with the approved processing plan 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 Cultivation SP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.

30. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
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:
- Identifying information for the new owner(s) and management as required in an initial permit application;
 - A written acknowledgment by the new owner in accordance as required for the initial permit application;
 - The specific date on which the transfer is to occur;
 - Acknowledgement of full responsibility for complying with the existing permit; and
 - Execution of an Affidavit of Non-diversion of Medical Cannabis.
34. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

- Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
- This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance

Agreement per Condition of Approval #6 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #26 and 27 of the Ongoing Requirements/Development Restrictions, above.

3. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

ATTACHMENT 2

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

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

**APN: 210-250-009; North side of Larabee Valley Road, approximately 0.74 miles from the intersection of
Larabee Valley Road and Coyote Ridge Road, Bridgeville, County of Humboldt**

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

May 2021

Background

Modified Project Description and Project History –

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

The modified project involves a Special Permit to allow the continued operation of an existing 8,000 square foot (SF) cannabis cultivation operation. Cultivation takes place in two (2) separate areas: Cultivation Area 1 (upper area) contains 6,560 SF in four greenhouses utilizing light deprivation techniques, and Cultivation Area 2 (lower area) contains 1,440 SF of light deprivation in a single greenhouse. An ancillary propagation occurs in an 800 SF greenhouse in Cultivation Area 2. Two harvests are expected annually for a growing season that extends from May through October. Drying (and bucking) occurs onsite in an existing 720 SF structure. Additional processing will occur offsite at a licensed processing or manufacturing facility. Up to four (4) employees may be utilized during peak operations. Power is provided by solar panels. The operation is secured behind a gated road and monitored with a camera surveillance system, fenced cultivation areas and locked structures.

Per the California Department of Fish and Wildlife (CDFW), there are mapped sensitive species directly south of the site with the nearest Northern Spotted Owl (NSO) activity center located approximately 1.31 miles east of the site. On-site relocation has occurred, as previously mentioned under On-Site Relocation and Remediation. The applicant has submitted a proposed Lake or Streambed Alteration Agreement (LSAA) to the California Department of Fish and Wildlife (CDFW) for review of and approval of 14 encroachments across the subject parcel and a nearby parcel identified as APN 210-250-031 which includes two (2) points of diversion (only one is applicable to this project site) and the decommissioning of four (4) stream crossings, and eight (8) other stream crossing upgrades. Per the applicant, the primary source of power is a solar system, with a small generator utilized only for emergency backup and small device power supply. There is no use of artificial lighting authorized by this permit. The conditions of approval require the applicant to refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife.

The Humboldt County's WebGIS shows a single class II watercourse, however, the Site Plan Map shows several Class II and Class III intermittent streams onsite with the associated 50 and 100-foot SMA buffers. All cultivation areas and structures are outside of the SMA buffers. The applicant is required to have a Site Management Plan (SMP) created by a qualified professional that will require adherence to the State Water Resources Control Board (SWRCB) Cannabis General Order (WQ 2017-0023-DWQ) which includes additional evaluation of the site for potential sediment transportation, erosion control, and waste management associated with the proposed commercial activity. As proposed and conditioned the project is consistent with CMMLUO performance standards and guidance and will not negatively impact NSO or other sensitive species.

A Cultural Resources Investigation was prepared in January 2020 by Nick Angeloff, M.A. and Saige Heuer, B.A., Archaeological Research and Supply Co., Rio Dell, CA. Per the Report, outreach letters were sent to the Bear River Band of Rohnerville Rancheria and the Sinkyone Intertribal Wilderness Council. The report concluded that the proposed project will not result in any adverse changes to historical or archaeological resources, recommended Inadvertent Discoveries Protocol. Additionally, all development currently meets, or will meet as a condition of approval, appropriate Streamside Management Area (SMA) setbacks preserving them as wildlife corridors.

The project site has several Class II and Class III intermittent streams that run north to south through the parcel. Prior cultivation areas which existed within the SMA buffer zone have been relocated and consolidated into their current alignment. As to limit disturbance of riparian habitat, the applicant relocated this cultivation to outdoor soil pots in a central location in an open field directly south of an existing greenhouse. Plans as proposed by this project include converting the 4,460 SF of full sun cultivation as described into 3 additional greenhouses to utilize light deprivation techniques and produce up to two cycles annually. This proposed location is consolidated, centralized, not located within a sensitive habitat area, utilizes a previously disturbed and graded pad, and easily accessed by vehicles and machinery, making it an environmentally superior site for cultivation. The applicant is in the process to have a Lake or Streambed Alteration Agreement finalized through the California Department of Fish and Wildlife to include the improvements of twelve (12) stream crossings, and maintenance of two points of diversion.

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

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

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

Summary of Significant Project Effects and Mitigation Recommended

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

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

- Plot Plans prepared by Green Road Consulting dated 1/22/21 and received 1/27/2021.
- Cultivation and Operations Plan prepared by applicant and addendums prepared by Green Road Consulting dated 12/23/19 and 1/22/2021 respectively.
- Right to Divert and Use Water, Certificate H100396 with the State Water Resources Control Board, Division of Water Rights.
- Engineer's Road Evaluation Report for Hidden Valley Road, Meadow Lane, and Larabee Valley Road prepared by Omsberg & Preston dated 5/1/2020 and received 8/10/2020.
- Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits.
- DEH Water Well Application prepared by Fisch Drilling received 12/23/2019.
- Cultural Resources Investigation of the Larabee Gulizio Property, Humboldt County California, prepared Nick Angeloff, M.A., Archaeological Research and Supply Co., Rio Dell, CA., dated January 2020.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See Purpose statement above.

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

FINDINGS

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

CONCLUSION

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

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (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. (Plot Plans prepared by Green Road Consulting received 1/27/2021 – Attached with project Maps)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan prepared by applicant and addendums prepared by Green Road Consulting dated 12/23/19 and 1/22/2021 respectively - Attached)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Right to Divert and Use Water (Registration No. H504504 and Certificate No. H100396– Attached)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan. (item 4. above)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Notice of Applicability: Waste Discharge Requirements Water Quality Order WQ 2019-0001-DWQ, WDID 1_12CC406609 – Attached)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (On file - Notification of Lake or Streambed Alteration prepared by Pacific Watershed Associates stamped received 12/23/2019)
9. If the source of water is a well, a copy of the County well permit, if available. (Permit Number 17/18-0161 - Attached)

10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Not applicable)
11. Consent for 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, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
14. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts 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. Cultural Resources Investigation of the Larabee Gulizio Property, Humboldt County California, prepared Nick Angeloff, M.A., Archaeological Research and Supply Co., Rio Dell, CA., dated January 2020. (On file and confidential)
16. Engineer's Road Evaluation Report for Hidden Valley Road, Meadow Lane, and Larabee Valley Road prepared by Omsberg & Preston dated 5/1/2020 and received 8/10/2020. (Attached)
17. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On file)
18. CDFW Resource map for Humboldt County APN 210-250-009. (On File)

TV 3

Marlak
Cultivation and Operations Plan
APN: 210-250-009

8000 square ft
E1

Description of water source, storage, irrigation plan, and projected water usage:

The water source for cultivation at this site is a well. Water storage consists of one (1) 20,000 gallon bladder and four (4) 5,000 gallon tanks for a total of 20,000 gallons in tank storage and 40,000 gallons of total storage.

Water is applied to the cultivation sites via drip irrigation regulated by timers. Site one receives approximately 840 gallons per week or 16,800 for the 20-week growing season. Site two receives approximately 560 gallons per week or 11,200 for the 20-week season. And site three receives approximately 560 gallons per week or 11,200 for the 20-week season. Projected water use is 39,200 gallons for the season.

Pacific Watershed Associates is scheduled to come do an initial assessment of the parcel at their first available time. Any of their advised changes for the water system will be implemented as soon as possible.

Description of site drainage, including runoff and erosion control measures:

The cultivation sites are flat and are irrigated with drip irrigation systems regulated by timers. Water is applied minimally with the goal of conserving as much as possible, and timers are monitored and adjusted for climate conditions, as necessary. Overwinter, garden sites are planted with cover crops to prevent erosion of the growing medium. There is no runoff at any of the cultivation sites.

As for parcel-wide runoff and erosion control measures, any and all improvements recommended by Pacific Watershed Associates will be implemented as soon as possible.

Detail of measures taken to ensure protection of watershed and nearby habitat:

As mentioned above, water is methodically regulated and applied conservatively to prevent runoff at all of the cultivation sites. Garden sites are planted with cover crops overwinter to prevent erosion of the growing medium. All of the garden sites are well beyond the recommended distance from the streams and watercourses. The entire property boundary is fenced, preventing wildlife from accessing garden sites. And all pumps and fans run off solar power.

Protocols for proper storage and use of fertilizers, pesticides and other regulated products utilized:

Garden sites are amended only once in the spring, and at that time the amendments are purchased and applied to the garden sites immediately. Any additional products needed throughout the season are stored in the two fully enclosed AG buildings on site, which have solid flooring. All products are organized and stored on shelving.

Description of cultivation activities:

Cultivation at this parcel is outdoors.

Processing plan:

Plant material is harvested and dried in the two AG buildings and processed on-site with a trimming machine.

Schedule of activities during each month of the growing and harvesting seasons:

Overwinter: Cover cropping at garden sites; water collection and movement to storage locations; routine maintenance, structural improvements and or upkeep; general winterization and preparation for spring.

March: Amend soil with the only amendments required for the entire year; germinate seedlings.

April/May: Transplant seedlings into larger pots; maintain seedlings; prep garden sites; cover crop gets tilled in.

June: Sex seedlings and transplant them into their final location.

July/August: Regular plant maintenance including supporting and deleafing fan leaves and pinching tops to control the shape of the plant for maximum yield; checking drip systems to make sure they are functioning properly.

September/October: Prep for harvest; continue to strip the majority of the fan leaves off; harvest early finishers from September into October; everything is usually down by the first week in October.

November: Prep property for winter and general cleanup; take down greenhouse covers; put solar panels away; take down fans; process dry material through trim machine.

***No projected generator use at this site.**

Security plan:

The property is fully fenced and only accessible through two locked gates, including a gate at the driveway. There are motion sensors at each gate that alert to handheld walkie talkies. The parcel is also equipped with motion sensor lights and is under surveillance with game cameras. The AG building is secure and equipped with fire extinguishers. Fully-stocked first aid kits are on-hand at all times.

Visitors are accepted by appointment only, and regular communication is maintained with neighbors. Finished product is stored in a secure, undisclosed location. Cell service is robust and the neighbor has a landline and access to a flat spot suitable for helicopter landing in case of emergency.



**Larabee Valley Family Farms
Lauren MarlaK
Revised Operations Plan APN 210-250-009**

-The total amount of existing outdoor cultivation supported with verifiable evidence of pre-2016 cultivation

5,650 square feet

-This application includes an on-site relocation for environmental reasons:

A portion of the cultivation area was within a stream side management area. See site map for proposed new location. For environmental reasons this area is proposed to be moved to an area that is NOT within the stream side management area. For this reason the proposed new site is environmentally superior to the historic location that was within the stream side management area.

-A Clear description of how energy needs will be met / Solar description:

Greenhouse fans are powered by DC (direct current) Fans. The fans receive their energy from 8 - 240 watt solar panels located at each greenhouse. The system is very basic requiring no batteries. The solar panels connect directly to DC fans. When the solar panels receive sunlight they operate the fans. The fans do not operate when the sunlight is not available to power the solar panels.

-The number of individuals required for operations both full time and seasonally:

Are between two to four people. Two people full time. During peak season an additional two people will be needed to run the operation for a total of four full time people.

-Elaboration on processing plan:

-Summary of processing practices

Plant material is harvested and dried in the AG building and processed off site by a sub-contractor.

-Description of location where processing will occur

The processing sub-contractor used will be SISU Extracts. The processing will occur at their premises located at 112 W. Third ST. Eureka, CA 95501

-Summary of employee safety practices:

All OSHA recommendations are implemented and followed. Employees participate in

emergency drills covering a variety of emergency topics including administering first aid and how to use a spill kit. All employees are required to attend our weekly safety meetings where any new topics are covered as they arise.

-Description of toilet and hand washing facilities:

Located next to the AG building is a bathroom complete with a shower and sink with hot water. To be used for rinsing off after dirty jobs and also for washing hands after using the restroom.

-Description of plumbing and/or septic system and whether or not the system is capable of handling increased usage:

The bathroom is connected to a septic system consisting of a 2500 gallon septic tank and a leach field. Which is more than capable of handling the increased usage from 2 people to 4 during peak work months. Omsberg and Preston has been contracted to permit the septic system and it is our goal to have this completed as soon as possible. B&B portable toilets has been contracted to provide both restroom and hand washing stations until the septic is fully permitted.

-Description of source drinking water for employees:

There is a domestic ground water well on site. Fisch Well Drilling has been contracted to seal the well and certify its safe for domestic use. Additional drinking water is purchased and brought in 5 gallons at a time and available for employees as needed.

-Statement of retired 20,000 gallon water bladder:

The 20,000 gallon water bladder previously used to store irrigation water will be retired and removed. A plan has been devised to retire and remove the water bladder and to replace it with rain water catchment water tanks of equal or greater total capacity of 20,000 gallons

-Soil management plan:

soil will be amended for re-use annually with composted chicken manure and steamed bone meal by applying amendments in the spring time and tilling them into the previously existing soil.

-Plan for managing all solid waste generated by the project:

All solid waste generated by project will be stored onsite inside of the AG building until a weekly dump run is made. All solid waste will then be transported to the Fortuna transfer station to be disposed of properly.

-Protocols for proper storage and use of fertilizers, pesticides and other regulated products:

Any fertilizer/pesticides or other regulated products are stored inside of secure AG building on organized shelving.

-Description of increased road use resulting from processing and a plan to minimize that impact:

We have taken steps to ensure that there will not be much of an increase of road use resulting from processing, by sub-contacting the processing job to an off site location. This is our plan to minimize impact.

-Description of on site housing, if any.

A tiny home exists on the property and Omsberg & Preston has been contracted to permit the tiny home.



Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

RE: Lauren Marlak– Humboldt County APPS 13006– APN: 210-250-009
January 22nd, 2021

To Whom It May Concern:

The following information should be added to the Cultivation and Operations Plan for Lauren Marlak, APPS #13006, APN: 210-250-009

Cultivation Area Verification

A Cultivation Area Verification (CAV) was completed on 1/6/2021, using 2014 as a base year for preexisting cultivation. Based upon the 2014 satellite imagery, the Applicant cultivated 8,440-ft² of greenhouse cultivation area and 1,323-ft² of outdoor cultivation, totaling 9,762-ft². Please see the attached CAV for specifics. An interim permit was previously issued for only 5,650 ft² based on a CAV prepared by Humboldt County. Preexisting cultivation areas identified partially under tree canopy and within the Streamside Management Areas were decommissioned and remediated (detailed below), for relocation into the central field as shown on the site map.

Remediation of Preexisting Cultivation:

Much of the preexisting cultivation existed within the stream management area (SMA) around the class II watercourse running through the center of the property or in small, obscured patches amongst the trees on the west side of this stream. As to limit disturbance of riparian and upland habitat, the applicant relocated this cultivation to outdoor soil pots in a central location in an open field shortly after entering the permitting process. This central location is consolidated, centralized, far from sensitive habitat, and easily accessed by vehicles and machinery proving it an environmentally superior site for cultivation.

The preexisting cultivation areas, as well as ancillary developments in the SMA including a water bladder, have been cleaned up. Greenhouses have been dismantled and moved off-property. Potting soil has been collected and reused in the new cultivation areas. All cultivation materials (pots, irrigation lines, fencing, stakes, etc.) have been hauled to a waste disposal facility. All disturbed areas, after removal of debris, were treated with straw and seed to revegetate bare areas. At this point, the previously cultivated areas are restored and pose no risk to habitat or riparian health.

Cultivation Area Conversion

Under the Special Use Permit, the Applicant will relocate their existing outdoor cultivation into two (2) light deprivation greenhouses totaling 3,540-square feet and one (1) full-term cultivation area totaling 2,088-square feet. The outdoor cultivation is located in 58 individual soil pots spaced 12-14 feet apart, each representing 36-ft² of canopy. With this configuration, the

Applicant has 5,548-square feet of outdoor cultivation, with an increase to 8,000-ft² anticipated following decision and issuance of full entitlement.

Once the final permit is approved, the applicant will be filing building permits for the two existing greenhouses and for three additional light deprivation greenhouses to replace the outdoor cultivation. The proposed greenhouses will fit within the footprint of the current outdoor cultivation area.

The proposed cultivation configuration is as follows:

- **Existing Light Deprivation**

The 3,540-square feet of existing light deprivation is composed of one (1) 70'x30' and one (1) 60'x24' greenhouse.

- **Proposed Light Deprivation**

The 2,088-square feet of existing full-term cultivation area is proposed to be converted into three (3) light deprivation greenhouses totaling 4,460-square feet. The 4,460-square feet of existing light deprivation is composed of one (1) 62'x10' and two (2) 96'x20' greenhouses. The proposed greenhouses will occupy the same location as the full-term cultivation area.

The Applicant will not be using artificial lighting in their greenhouses. The Applicant will be using light deprivation to produce two (2) annual harvest.

*Total Outdoor Cultivation=8,000 ft²

Nursery

The Applicant has an existing 40'x20' nursery area located northeast of Greenhouse #3. The Applicant utilizes the 800-square feet nursery for the propagation of immature plants to supply on-site cultivation areas.

Water Source

The Applicant sources water from three (3) water sources on-site, which include a rain catchment system (composed of a series of 5,000 gallon rain catchment HDPE tanks), a well, and a diversion. All water sources are used as needed to fill storage during the wet season and none are used during the forbearance period (aside from periodical forbearance-period rain events that may add to rain catchment tanks). At this time, the well and diversion are used minimally as the rain catchment tanks fill themselves during a typical winter. There are currently thirteen (13) 5,000-gallon water storage tanks onsite totaling 65,000 gallons with an additional five (5) proposed to supply the increase from the interim permit canopy area to the full 8,000ft².

Annual Water Usage

The Applicant estimates their annual water use will be 80,000-gallons once cultivating 8,000 ft² of cannabis. The cultivation operation utilizes metered micro drip irrigation lines to each plant to ensure no water is wasted and that water is used as efficiently as possible.

North Coast Regional Water Quality Control Board

May 14, 2019

WDID:1_12CC406609

LAUREN MARLAK
HIDDEN VALLEY ROAD OFF HIGHWAY 36 ROAD
BRIDGEVILLE, CA 95526

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

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

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

Sincerely,

 2019.05.20 12:11:10 PDT
On Behalf Of
Water Boards

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

190514_1L_1_12CC406609_Hidden Creek_NOA_TW

NOTICE OF APPLICABILITY – WASTE DISCHARGE REQUIREMENTS, WATER QUALITY ORDER WQ 2019-0001-DWQ, LAUREN MARLAK, HUMBOLDT COUNTY APN(s) 201-250-009-000 & 201-250-031-000

Lauren Marlak (hereafter “Discharger”) submitted information through the State Water Resources Control Board’s (State Water Board’s) online portal on November 27, 2018, for discharges of waste associated with cannabis cultivation related activities. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the Policy and General Order. This letter provides notice that the Policy and General Order are applicable to the site as described below. You are hereby assigned waste discharge identification (WDID) number **1_12CC406609**.

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

1. FACILITY AND DISCHARGE DESCRIPTION

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

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

2. SITE-SPECIFIC REQUIREMENTS

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

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

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

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

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

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

3. TECHNICAL REPORT REQUIREMENTS

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

A Site Management Plan, by February 24, 2019, consistent with the requirements of General Order Provision C.1.a., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the Site Management Plan.

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

4. MONITORING AND REPORTING PROGRAM

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

A copy of Attachment B to the General Order can be obtained online at the following location, or by contacting staff at the phone number and email address listed below.

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf#page=32

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

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

5. ANNUAL FEE

According to the information submitted, the discharge is classified as Tier 1 Low Risk with the current annual fee assessed at \$600. The fee is due and payable on an annual basis until coverage under this General Order is formally rescinded. To rescind coverage, the Discharger must submit a Notice of Termination, including a Site Closure Report at least 90 days prior to termination of activities and include a final MRP report.

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

Cannabis cultivators that propose to terminate coverage under the Conditional Waiver or General Order must submit a Notice of Termination (NOT). The NOT must include a *Site Closure Report* (see Technical Report Requirements above), and Dischargers enrolled under the General Order must also submit a final monitoring report. The Regional Water Board reserves the right to inspect the site before approving a NOT. Attachment C of the General Order includes the NOT form and Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

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

Cc: Kevin Porzio, State Water Resources Control Board,
dwq.cannabis@waterboards.ca.gov
Cheri Sanville, California Department of Fish and Wildlife,
cheri.sanville@wildlife.ca.gov
Cliff Johnson, Humboldt County Planning and Building,
cjohnson@co.humboldt.ca.us
Lauren Marlak Hidden valley road off Highway 36 Road Bridgeville, CA 95526
Marc Gulizio 9 Zappa Court Felton, CA 95018
Cristinzio, Simon 760 Redwood Drive #75 0



STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

REGISTRATION H504504

CERTIFICATE H100396

Right Holder: Lauren Marlak
Hidden valley road off Highway 36 Road
Bridgeville, CA 95526



The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from 12/03/2018. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated October 19, 2017.

The Deputy Director for Water Rights finds that this registration meets the requirements for registration of small irrigation use appropriation. (Wat. Code, § 1228 et seq.)

Right holder is hereby granted a right to divert and use water as follows:

1. Location of point(s) of diversion (**Coordinates in WGS 84**)

Name of Diversion	Source	Tributary To:	Thence	Latitude	Longitude	County	Assessor's Parcel Numbers (APN)
Primary POD	Unnamed Stream	Butte Creek	Little Van Duzen River	40.458507	-123.676766	Humboldt	210250009
Butte Creek POD	Little Van Duzen River	Van Duzen River	Eel River	40.452156	-123.659675	Humboldt	210250031

2. Purpose of Use and 3. Place of Use

2. Purpose of Use	3. Place of Use		
	County	Assessor's Parcel Numbers (APN)	Acres
Irrigation	Humboldt	210-250-009	0.184
Irrigation	Humboldt	210250031	0.344

Note: Assessor's Parcel Numbers provided are based on the user's entries in this portal on 01/02/2019.

The place of use is shown on the map filed on 01/02/2019 with the State Water Board.

4. Quantity and Season:

The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 0.50 **acre-feet per year** to be collected from 01/01 to 12/31 and as permitted in the diversion season specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive. The total storage capacity shall not exceed 0.61 acre-feet. The rate of diversion to storage shall not exceed **42,000 gallons per day (gpd) or the diversion rate specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive.**

5. No water shall be diverted or used under this right unless the water right holder is in compliance with all applicable conditions, including the numeric and narrative instream flow requirements, of the current version of the State Water Board's Cannabis Policy, except as follows:

- Section 1 – Term Numbers 4, 15, 17, 24, 26, and 36.
- Section 2 – Term Numbers 23, 63, 64, 66, 69 – 78, 82 – 94, 96, and 98 – 103.
- Section 3 – All Instream Flow Requirements for Surface Water Diversions (Requirements 1 – 7) and the Gage Installation, Maintenance, and Operation Requirements.
- Section 4 – All requirements and conditions.

6. No water shall be diverted or used under this right, and no construction related to such diversion shall commence, unless right holder has obtained and is in compliance with all necessary permits or other approvals required by other agencies.
7. Diversion works shall be constructed and water applied to beneficial use with due diligence.
8. No water shall be diverted under this right unless right holder complies with all lawful conditions required by the California Department of Fish and Wildlife. (Wat. Code, § 1228.6, subd. (a)(2).)
9. No water shall be diverted under this right unless it is diverted in accordance with the information set forth in the completed registration form as to source, location of point of diversion, purpose of use, place of use, quantity, and season of diversion. This information is reproduced as conditions 1 through 4 of this certificate.
10. No water shall be diverted under this right unless right holder complies with all applicable state, city, county, and local laws, regulations, ordinances, permits, and license requirements including, but not limited to those for cannabis cultivation, grading, construction, and building.
11. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this right, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.
12. The State Water Board reserves jurisdiction over this registration to change the season of diversion and rate of diversion based on later findings of the State Water Board concerning availability of water and the protection of beneficial uses. Any action to change the authorized season of diversion and rate of diversion will be taken only after notice to interested parties and opportunity for hearing.
13. Right holder shall grant, or secure authorization through right holder's right of access to property owned by another party, the staff of the State Water Board, and any other authorized representatives of the State Water Board the following:
 - a. Entry upon property where water is being diverted, stored, or used under a right issued by the State Water Board or where monitoring, samples and/or records must be collected under the conditions of this right;
 - b. Access to copy any records at reasonable times that are kept under the terms and conditions of a right or other order issued by the State Water Board;
 - c. Access to inspect at reasonable times any project covered by a right issued by the State Water Board, equipment (including monitoring and control equipment), practices, or operations regulated by or required under this right; and,
 - d. Access to photograph, sample, measure, and monitor at reasonable times for the purpose of ensuring compliance with a right or other order issued by the State Water Board, or as otherwise authorized by the Water Code.
14. Diversion of water under this right is subject to prior rights. Right holder may be required to curtail diversion or release water stored during the most recent collection season should diversion under this right result in injury to holders of legal downstream senior rights. If a reservoir is involved, right holder may be required to bypass or release water through, over, or

15. This right shall not be construed as conferring right of access to any lands or facilities not owned by right holder.
16. All rights are issued subject to available flows. Inasmuch as the source contains treated wastewater, imported water from another stream system, or return flow from other projects, there is no guarantee that such supply will continue.
17. If storage or diversion of water under this right is by means of a dam, right holder shall allow sufficient water at all times to pass through a fishway or, in the absence of a fishway, allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist below the dam; provided that, during a period of low flow in the stream, upon approval of the California Department of Fish and Wildlife, this requirement will be satisfied if sufficient water is passed through a culvert, waste gate, or over or around the dam to keep in good condition any fish that may be planted or exist below the dam if it is impracticable or detrimental to pass the water through a fishway. In the case of a reservoir, this provision shall not require the passage or release of water at a greater rate than the unimpaired natural inflow into the reservoir. (Fish & G. Code, § 5937.)
18. The facilities for diversion under this right shall include satisfactory means of measuring and bypassing sufficient water to satisfy downstream prior rights and any requirements of the California Department of Fish and Wildlife and the State Water Board's Cannabis Policy.
19. This right does not authorize any act which results in the taking of a threatened, endangered, or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code section 2050 et seq.) or the federal Endangered Species Act (16 U.S.C.A. section 1531 et seq.). If a "take" will result from any act authorized under this water right, the right holder shall obtain authorization for an incidental take prior to construction or operation of the project. Right holder shall be responsible for meeting all requirements of the state and Federal Endangered Species Acts for the project authorized under this right.
20. This right is subject to the submittal of an annual report of water use and satisfactory renewal, on forms to be furnished by the State Water Board, including payment of the then-current annual renewal fees. (Wat. Code, § 1228.5.)
21. This right shall be totally or partially forfeited for nonuse if the diversion is abandoned or if all or any part of the diversion is not beneficially used for a continuous period of five years.
22. This right is subject to enforcement, including but not limited to revocation, by the State Water Board if 1) the State Water Board finds that the right holder knowingly made any false statement, or knowingly concealed any material fact, in the right; 2) the right is not renewed as required by the conditions of this certificate; or 3) the State Water Board finds that the right holder is in violation of the conditions of this right. (Wat. Code, § 1228.4 et seq.)
23. The State Water Board intends to develop and implement a basin-wide program for real-time electronic monitoring and reporting of diversions, withdrawals, releases, and streamflow in a standardized format if and when resources become available. Such real-time reporting will be required upon a showing by the State Water Board that the program and the infrastructure are in place to accept real-time electronic reports. Implementation of the reporting requirements shall not necessitate amendment to this right.

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

This certificate was issued automatically as a result of the registrant self-certifying submittal of a water right registration filing in substantial compliance with Water Code §1228.3.

Dated: 01/02/2019 09:45:36

© 2019 - State Water Resources Control Board



Environmental Health
100 H Street, Suite 100, Eureka, CA 95501
phone: (707) 445-6215 fax: (707) 441-5699

17/18-0161

WATER WELL APPLICATION

CONSTRUCTION – REPAIR – DESTRUCTION

The Well Permit will be returned to the property owner when approved by
Humboldt County Division of Environmental Health (DEH)

JUL 27 2017

HUMBOLDT CO. DIVISION
OF ENVIRONMENTAL HEALTH

Instructions:

1. Complete pages 1 and 2 of the application and submit the required fee with the Well Permit application, including Well Driller's signature and property owner's signature.
2. Work on the well shall not be started prior to approval of the Well Permit Application by DEH.
3. Any changes made to the location of a new well shall be approved by DEH prior to commencement of drilling.
4. DEH shall be notified by the Well Driller a minimum of 24 hours prior to sealing the annular space.

Site Address	<u>Hidden Valley Road</u>	APN <u>210-250-009</u>
City/State/Zip	<u>Bridgeville, CA 95526</u>	
Directions to Site		

Applicant	<u>FISCH DRILLING</u>	Contact <u>CHRIS FISCH</u>
Mailing Address	<u>3150 JOHNSON RD</u>	Work Phone <u>(707) 768-9800</u>
City/State/Zip	<u>HYDESVILLE, CA 95547</u>	Cell Phone <u>(707) 601-3042</u>

Property Owner	<u>Marc Gulizio</u>	Home Phone <u>707-672-5516</u>
Mailing Address	<u>P.O. Box 188</u>	Work Phone _____
City/State/Zip	<u>Bridgeville, CA 95526</u>	Cell Phone _____

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

Drilling

Contractor FISCH DRILLING

C-57

License # 683865

I hereby agree to comply with all laws and regulations of the County of Humboldt and the State of California Department of Water Resources Bulletin 74 pertaining to water well construction. I will contact Humboldt County Division of Environmental Health (DEH) when I commence work. Within 30 days after completion of work, I will furnish DEH a report of the work performed.

Well Driller Signature: Chris Fisch

Would driller like a copy of approved application? ☒ Yes ☐ No

☐ U.S. Mail address: _____

☒ Email address: chris@fischdrilling.com

Type of Application:

- ☐ Construction
☐ Destruction
☒ Repair/Modification

Construction:

Estimated Depth (ft.) 150
Diameter (in.) 10
Depth of Seal (ft.) 20
Sealing Material Bentonite


Intended Use:

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

Estimated Work Dates:		Casing:	Type of Sewage System:
Start _____		Diameter (in.) <u>5</u>	<input type="checkbox"/> Community Sewer
Completion _____		Material <u>PVC</u>	<input checked="" type="checkbox"/> OWTS (Septic)
			Distance from well site to OWTS <u>500'</u>

Special Requirements/Comments:

PLOT PLAN

		FOR OFFICE USE ONLY	
Fee: <u>\$ 149.00</u>	<u>✓ #16025</u>	Site Approved by: <u></u>	
Date: <u>7-27-17</u>		Site Approved Date: <u>7/27/17</u>	
Receipt: <u>694825</u>		Sealed to Depth of: _____	
Project #: _____		Seal observed: <input type="checkbox"/> Yes <input type="checkbox"/> No	
<u>pd For by Fisch Drilling</u>		Final Approved Date: _____	

State of California
Well Completion Report
 Form DWR 188 Complete 5/1/2020
 WCR2020-003222

Owner's Well Number _____ Date Work Began 03/05/2020 Date Work Ended 03/05/2020
 Local Permit Agency Humboldt County Department of Health & Human Services - Land Use Program
 Secondary Permit Agency _____ Permit Number 17/18-0161 Permit Date 08/08/2017

Well Owner (must remain confidential pursuant to Water Code 13752)				Planned Use and Activity	
Name <u>XXXXXXXXXXXXXXXXXXXX</u>				Activity <u>Other - Install Sanitary Seal</u>	
Mailing Address <u>XXXXXXXXXXXXXXXXXXXX</u> <u>XXXXXXXXXXXXXXXXXXXX</u>				Planned Use <u>Water Supply Domestic</u>	
City <u>XXXXXXXXXXXXXXXXXXXX</u>		State <u>XX</u>		Zip <u>XXXXX</u>	

Well Location									
Address <u>0 Hidden Valley RD</u>						APN <u>210-250-009</u>			
City <u>Bridgeville</u>		Zip <u>95526</u>		County <u>Humboldt</u>		Township <u>01 N</u>			
Latitude <u>40</u> <u>27</u> <u>29.1599</u> <u>N</u>		Longitude <u>-123</u> <u>40</u> <u>30.1764</u> <u>W</u>		Range <u>04 E</u>		Section <u>13</u>			
Deg. Min. Sec.		Deg. Min. Sec.		Baseline Meridian <u>Humboldt</u>		Ground Surface Elevation _____			
Dec. Lat. <u>40.4581</u>				Dec. Long. <u>-123.675049</u>		Elevation Accuracy _____			
Vertical Datum _____				Horizontal Datum <u>WGS84</u>		Elevation Determination Method _____			
Location Accuracy _____				Location Determination Method _____					

Borehole Information				Water Level and Yield of Completed Well			
Orientation <u>Vertical</u>		Specify _____		Depth to first water _____ (Feet below surface)			
Drilling Method <u>Auger</u>		Drilling Fluid <u>Air</u>		Depth to Static _____			
Total Depth of Boring <u>135</u> Feet		Total Depth of Completed Well <u>135</u> Feet		Water Level <u>98</u> (Feet)		Date Measured <u>03/05/2020</u>	
				Estimated Yield* <u>2.5</u> (GPM)		Test Type <u>Pump</u>	
				Test Length <u>2</u> (Hours)		Total Drawdown _____ (feet)	
*May not be representative of a well's long term yield.							

Geologic Log - Free Form		
Depth from Surface Feet to Feet		Description
0	135	Franciscan Sandstone

Casings									
Casing #	Depth from Surface Feet to Feet	Casing Type	Material	Casings Specificatons	Wall Thickness (inches)	Outside Diameter (inches)	Screen Type	Slot Size if any (inches)	Description
1	0	135	Blank	PVC	OD: 5.563 in. Thickness: 0.375 in.	0.375	5.563		

Annular Material				
Depth from Surface Feet to Feet	Fill	Fill Type Details	Filter Pack Size	Description
0	20	Bentonite	Other Bentonite	Sanitary Seal

Other Observations:

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: SIMON CRISTINZIO & MARC GULIZIO APN: 210-250-009 APP# 13006

Planning & Building Department Case/File No.: 210-250-031 APP# 13009

Road Name: LAIBEE VALLEY ROAD (complete a separate form for each road)

From Road (Cross street): HIGHWAY 36

To Road (Cross street): MEADOW LAKE

Length of road segment: 0.7 miles Date Inspected: 3/9/19

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

Check one of the following:

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

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

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

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

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

Signature

Name Printed

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

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: SIMON CRISTIANZO
MARC GULLIZIO APN: 210-250-009 App# 13006

Planning & Building Department Case/File No.: 210-250-031 App# 13009

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

From Road (Cross street): LARABEE VALLEY ROAD

To Road (Cross street): HIDDEN VALLEY ROAD

Length of road segment: 0.6 miles Date Inspected: 3/9/19

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

Check one of the following:

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

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

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

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

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

Signature

Name Printed

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



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: SIMON CRISTINZIO
MARK GULLIZIO APN: 210-250-009 App # 13006

Planning & Building Department Case/File No.: 210-250-031 App # 13009

Road Name: HIDDEN VALLEY ROAD (complete a separate form for each road)

From Road (Cross street): MEADOW LANE

To Road (Cross street): PROJECT SITE

Length of road segment: 1.0 miles Date Inspected: 3/9/19

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

Check one of the following:

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

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

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

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

The statements in PART A are true and correct and have been made by Stephen G. Nesvold personally inspecting and measuring the road.

Signature

Name Printed

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



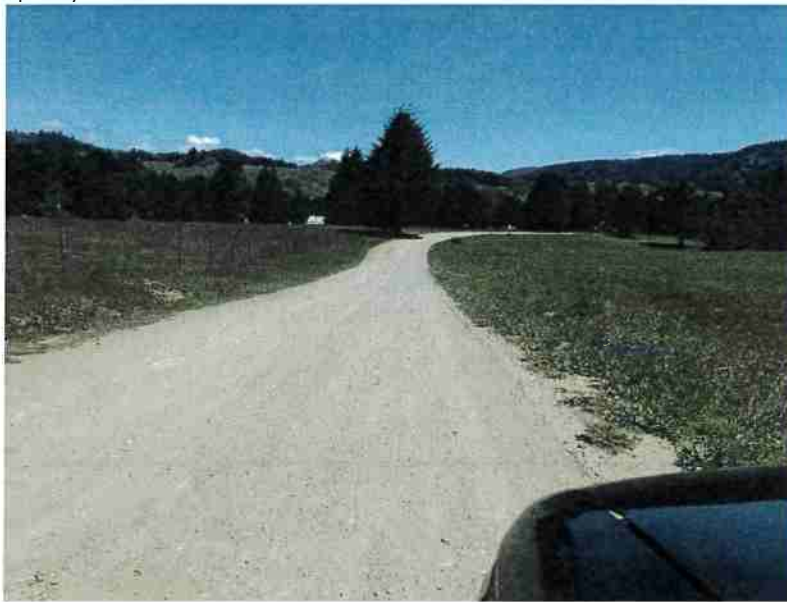
Road Evaluation – Supporting Imagery

Larabee Valley Road, Meadow Lane, and Hidden Valley Road
Bridgeville, CA

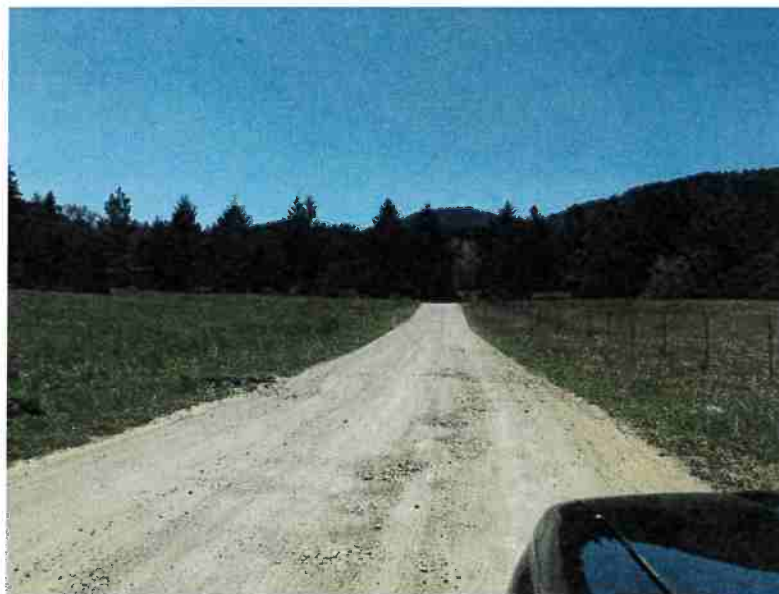
May 1st, 2020

Photos by Marc Gulizio, Prepared by Ben Voelz, EIT of Omsberg & Preston
APNs 210-250-009 (App. #13006) & 210-250-031 (App. #13009)

Larabee Valley Road
Forward – To Property



Backward



Meadow Lane
Forward – To Property



Backward



Hidden Valley Road
Forward – To Property



Backward



ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division		No Response	Attached
Division Environmental Health	✓	Conditional Approval	Attached
Public Works, Land Use Division	✓	Conditional Approval	Attached
CalFIRE	✓	Conditional Approval	Attached
California Department of Fish & Wildlife		No Response	Attached – staff request for comments
Northwest Information Center	✓	Further Study	On file and confidential
Bear River Band of Rohnerville Rancheria		No Response	
Intertribal Sinkiyone Wilderness Council		No Response	
Fortuna Union High School District		No Response	
Bridgeville School District		No response	
Bridgeville Fire Protection District		No Response	
Humboldt County Sheriff		No Response	
Humboldt County Agricultural Commissioner		No response	
Humboldt County District Attorney		No response	
North Coast Unified Air Quality Management District		No Response	
North Coast Regional Water Quality Control Board		No response	
State Water Resources Control Board – Division of Water Rights		No response	

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Humboldt – Del Norte Unit

118 Fortuna Blvd.
Fortuna, CA 95540
Website: www.fire.ca.gov
(707) 726-1272



Ref: 7100 Planning
Date: October 5, 2017

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

Attention: Cannabis Planner (CPOD)
Applicant: Marlak, Lauren
APN: 210-250-009-000
Area: Dinsmore
Case Numbers: SP16-722

Humboldt County Application #: 13006
Type of Application: Special Permit
Date Received: 9/26/2017
Due Date: 10/10/2017

Project Description: An application for a Special Permit for 8,000 square feet of existing, outdoor, medical cannabis cultivation is requested. Water for irrigation is sourced from an existing on-site well. Water is stored in a bladder and hard tanks for a total of 40,000 gallons of available water storage. Processing, including drying and trimming, occurs on-site in two (2) existing AG buildings. Electricity source is unknown.

Mr. Ford,

The California Department of Forestry and Fire Protection (CALFIRE) provides these standard project review comments on the above noted project for the following subject matter:

- Fire Safe
- Resource Management
- Cannabis

The following pages address these concerns directly.

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

By: Planning Battalion
CALFIRE Humboldt – Del Norte Unit

For **Hugh Scanlon**, Unit Chief

FIRE SAFE

General:

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

Local Responsibility Areas:

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

State Responsibility Areas:

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

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

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

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

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

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

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

RESOURCE MANAGEMENT

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

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

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

CANNABIS PROJECTS

Local Responsibility Areas:

CAL FIRE is the primary command and control dispatch center for many local agency fire districts and departments. Potential life hazard threats associated with a project must be identified and documented for the protection of the public and first responders. Projects which include timber harvesting or conversion of timberland are subject to the Forest Practices Act and Rules, regardless of wildland fire responsibility area.

State Responsibility Areas:

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

Conversion of timberland to a non-timber producing use is subject to permit from CAL FIRE. Commercial timber harvesting operations to facilitate cannabis cultivation and processing are subject to permitting and regulation under the Forest Practice Act and Rules. Please refer to the RESOURCE MANAGEMENT comments.

General Recommendations:

The following recommendations are made by CAL FIRE with the understanding that most areas of Humboldt County do not have a paid fire department providing fire prevention services.

1. Cannabis growing operations shall have easily accessible safety data sheets (SDS) for all chemicals and hazardous materials on site. Commercial operations must have a current Hazardous Materials Business Plan on file with Humboldt County Environmental Health, where applicable.
2. California Health and Safety Code (HSC 11362.769.) Requires that indoor and outdoor medical marijuana cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.
3. Cannabis growing and extraction shall be in accordance with Chapter N101.1 of the International Fire Code, the International Building Code, and the International Mechanical Code. Hazardous materials shall comply with Chapter 50. Compressed gases shall comply with Chapter 53. Cryogenic fluids shall comply with Chapter 55. Flammable and combustible liquids shall comply with Chapter 57. LP-gas shall comply with Chapter 61 and the International Fuel Gas Code. All applicable California State Fire Marshal standards and regulations for the designated occupancy must be met.
4. Growing and processing of cannabis is generally an agricultural operation. However, manufacture of marijuana extracts and concentrates are commercial or industrial activities, and may be subject to the county's SRA Fire Safe Ordinance. Any new residential units associated with cannabis cultivation and processing may also be subject to the SRA Fire Safe Ordinance. All materials hazardous and non-hazardous associated with the extraction process shall be utilized in conformance of the law and fire safe codes.

Zander, AnaCena

From: Lee, Bo@CALFIRE <Bo.Lee@fire.ca.gov>
Sent: Saturday, October 07, 2017 9:59 PM
To: Planning Clerk; HUU CEQA@CALFIRE
Subject: 210-250-009 Mariak, Lauren



Reviewed by B1213. Recommend:

- Emergency access
 - Turnarounds
- Signing & building numbers
- Emergency water standards
 - Designated water storage for fire
- Fuel modification standards

Bo Lee
Battalion Chief
CAL FIRE
Humboldt-Del Norte Unit
707-499-2244



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

PROJECT REFERRAL TO: Health and Human Services Environmental
Health Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Sheriff, SWRCQB - Division of Water Rights, Bridgeville Fire Protection District, Fortuna Union High School District, Bridgeville School District

Applicant Name Lauren Marlak Key Parcel Number 210-250-009-000

Application (APPS#) 13006 Assigned Planner Cannabis Planner (CPOD) (707) 445-7541 Case Number(s) SP16-722

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

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

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

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

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

We have reviewed the above application and recommend the following:

Conditional Approval

Comments:

DEH recommends approval with the following conditions:

1. **No processing can be approved** until an acceptable site suitability report can establish potential for onsite waste treatment system.
2. The approval of an unpermitted OWTS described in the provided Attachment for Commercial Medical Marijuana Clearances/Permits is **dependent upon demonstration of site suitability** from a Qualified Professional.
3. **An invoice, or equivalent documentation, is provided to DEH** to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to reissuance of annual permit.
4. One well is shown on the provided site plan. **Legalize or destroy the well:** Provide documentation to verify legal non-conforming status, retroactively permit the well or complete a well destruction permit for the well.

*Please provide a copy of the written Approved Compliance Agreement to DEH per HCC §313-55.4.11

PLN-13006 SP Lauren Marlak

May 20, 2021

Page 62 of 69

*This review and recommendation is for the Land Use aspects of the planning project and does not include or imply compliance

with all DEH programs. Although DEH recommends the approval of the Planning project, Solid Waste and HazMat Program requirements need to be addressed directly with staff from those programs.

Response Date: 6/19/2018 Recommendation By: Joey Whittlesey



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT

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

ARCATA-EUREKA AIRPORT TERMINAL
MCKINLEYVILLE
FAX 839-3596

AVIATION

839-5401

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

ADMINISTRATION
BUSINESS
ENGINEERING
FACILITY MAINTENANCE

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

NATURAL RESOURCES
NATURAL RESOURCES PLANNING
PARKS
ROADS & EQUIPMENT MAINTENANCE

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

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7368

LAND USE

445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Michelle Nielsen, Senior Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 4-26-18

RE:

Applicant Name	Lauren Marlak
APN	210-250-009
APPS#	13006 SP16-722

The Department has reviewed the above project and has the following comments:

- ☐ The Department's recommended conditions of approval are attached as **Exhibit "A"**.
- ☐ Additional information identified on **Exhibit "B"** is required before the Department can review the project. **Please re-refer the project to the Department when all of the requested information has been provided.**
- ☒ Additional review is required by Planning & Building staff for the items on **Exhibit "C"**. **No re-refer is required.**
- ☒ *Road Evaluation Reports(s)* are required; ~~See Exhibit "D"~~. **No re-refer is required.**

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Review items 1 and 2 on Exhibit "C".

// END //

Additional Review is Required by Planning & Building Staff

APPS # 13006

All of the following questions are to be answered by Planning and Building Department staff. No further involvement with the Department of Public Works is required for these items; however Public Works staff is available to answer any questions that may arise.

1. **ROADS – PART 1.** Does the project takes access from a series of non-county maintained roads that connect directly to a State Highway (36, 96, 101, 255, 299, etc...)?

☐ YES ☐ NO

If **YES**, the project does not need to be referred to the Department. Include the following requirement:

All recommendations in the Road Evaluation Report(s) for non-county maintained road(s) shall be constructed/implemented to the satisfaction of the Planning & Building Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. A grading permit may be required; check with the Building Division of the Planning and Building Department for any permit requirements.

2. **ROADS – PART 2.** Does the project takes access from a series of non-county maintained roads that connect directly to a Caltrans State Highway, US Forest Service Road, BLM Road, or a City road?

☐ YES ☐ NO

If **YES**, the Department recommends that prior to the project presented to the Planning Commission or Zoning Administrator, that the project should be referred to the affected road agency(ies).

3. **ROADS – PART 3.** Does the project take access or use a county maintained road that does not have a centerline stripe or is not on the "approved list" of known category 4 roads? ☐ YES ☐ NO

If **YES**, a *Road Evaluation Report* must be done for the County road(s) that do not have a centerline stripe or are not on the "approved" list. The project along with the road evaluation report(s) for the County maintained road(s) must be referred to Public Works for review to ensure that the Department supports the findings in the report. If the road is on the "not approved" list, then Part B of the *Road Evaluation Report* form must be completed.

4. **Deferred Subdivision Improvements.** Does the project have deferred subdivision improvements? ☐ YES ☐ NO

How to check: Method 1: Planning and Building Department staff review the legal description for the subject property in the deed. If the deed reads similar to "Parcel ___ of Parcel Map No. ___" then there may be deferred subdivision improvements; further research will be needed. Method 2: Planning and Building Department staff need to review the title report(s) for the subject property(ies) to see if a "Notice of Construction Requirements" document is listed. If the document is listed, then there are deferred subdivision improvements.

If **YES** then the subject property has deferred subdivision improvements. The project cannot be presented to the Zoning Administrator or the Planning Commission until the deferred subdivision improvements are completed. The applicant should be directed to the Department of Public Works regarding the deferred subdivision improvements.

5. **AIRPORT- PART 1 (ALUCP).** Is the project located within Airport Land Use Compatibility Plan (ALUCP) Zone A, B, B1, B2, or B3 as shown on the ALUCP GIS layer? ☐ YES ☐ NO

If **YES**, include the following requirement:

The applicant shall cause to be dedicated to the County of Humboldt an Avigation Easement. The avigation easement shall be on the form prescribed by the Department of Public Works. 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.

Additional Review is Required by Planning & Building Staff

The applicant shall conduct all operations consistent with the ALUCP and in a manner that does not attract flocks of birds. Open ponds shall not be permitted.

6. **AIRPORT – PART 2 (County Code Section 333).** Is the project is located within the County Code Section 333 GIS layer **AND** is the project proposing to construct (or permit) a fence, building or other structure? ☐ YES ☐ NO

If **YES**, the applicant shall submit a completed *Airspace Certification Form* prior to the project being presented to the Zoning Administrator or the Planning Commission for approval.

7. **AIRPORT – PART 3 (Height Restrictions).** Planning & Building Staff shall review the completed *Airspace Certification Form* as follows:
- If Box 1 is checked **NO**, the applicant shall either modify the project to comply with County Code Section 333-4 or the applicant shall request a variance pursuant to County Code Section 333-8. The project shall not be presented to the Zoning Administrator or the Planning Commission for approval until the variance is approved by the Board of Supervisors, or the project was modified to comply with County Code Section 333-4.
 - If Box 2 is checked **YES**, the applicant shall submit form FAA 7460-1 to the FAA for review and comment. The project shall not be presented to the Zoning Administrator or the Planning Commission for approval until the FAA supports the project.
 - If Box 3 is checked **YES**, then the project cannot be permitted and must be modified to conform to the easement. As an alternative, the applicant may wish to seek approval from both the County and the FAA to quitclaim a portion of the easement to allow the project to be permitted.
 - If Box 1 is checked **YES** and Box 2 is checked **NO** and Box 3 checked **NO or NA**, then Planning & Building staff shall signoff on the project in the "county use only" section of the form. In the "pre-construction" right of way (or "post construction" right of way if the building exists), check the approval box; date and initial your work.

Note that if the proposed structure is close to the imaginary surface (within 5 feet), then require a post construction certificate to be filed. By including the following requirement:

Applicant shall file a post construction *Airspace Certification Form* to ensure that the proposed structures are in compliance with County Code 333-3. This shall be completed within 90 days of completion of construction or prior to building final, whichever occurs first.

Submit a copy of all processed *Airspace Certification Forms* to the Land Use Division.

8. **MS4/ASBS Areas.** Is the project located within MS4 Permit Area as shown on the GIS layer? ☐ YES ☐ NO

If **YES**, include the following requirement:

The applicant shall demonstrate to the satisfaction of the Planning & Building Department that the project is in compliance with MS4/ASBS requirements.

// END //



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ON-LINE
WEB: CO.HUMBOLDT.CA.US

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

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MANAGEMENT	445-7493	ROADS	445-7421

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

LAND USE	445-7205
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LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Elizabeth Moreno, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer 

DATE: 09/03/2020

RE:

Applicant Name	LAUREN MARLAK
APN	210-250-009
APPS#	PLN-13006-SP

The Department has reviewed the above project and has the following comments:

- ☐ The Department's recommended conditions of approval are attached as **Exhibit "A"**.
- ☐ Additional information identified on **Exhibit "B"** is required before the Department can review the project. **Please re-refer the project to the Department when all of the requested information has been provided.**
- ☒ Additional review is required by Planning & Building staff for the items on **Exhibit "C"**. **No re-refer is required.**
- ☐ *Road Evaluation Reports(s)* are required; See **Exhibit "D"**.

Note: Prior to requesting an applicant to submit a road evaluation report, verify if the project is exempt from meeting road system performance standards under CCLUO v2.0 sections 313-55.4.6.5.1 and 314-55.4.6.5.1, even if this box is checked.

No re-refer is required.

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a road evaluation report, dated 4/3/2019, with Part A –Box 2 checked, certifying that the roads are equivalent to a road Category 4 standard.

Review items #1 and #2

// END //

Additional Review is Required by Planning & Building Staff

APPS # 13006

All of the following questions are to be answered by Planning and Building Department staff.

No further involvement with the Department of Public Works is required for these items; however Public Works staff is available to answer any questions that may arise.

1. **ROADS – PART 1.** Does the project take access from a series of non-county maintained roads that connect directly to a State Highway (36, 96, 101, 255, 299, etc...)?

☒ YES ☐ NO

If YES, the project does not need to be referred to the Department. Include the following requirement:

All recommendations in the Road Evaluation Report(s) for non-county maintained road(s) shall be constructed/implemented to the satisfaction of the Planning & Building Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. A grading permit may be required; check with the Building Division of the Planning and Building Department for any permit requirements.

2. **ROADS – PART 2.** Does the project take access from a series of non-county maintained roads that connect directly to a Caltrans State Highway, US Forest Service Road, BLM Road, or a City road?

☒ YES ☐ NO

If YES, the Department recommends that prior to the project presented to the Planning Commission or Zoning Administrator, that the project should be referred to the affected road agency(ies).

3. **ROADS – PART 3.** Does the project take access or use a county maintained road that does not have a centerline stripe or is not on the "approved list" of known category 4 roads? ☐ YES ☐ NO

If YES, a *Road Evaluation Report* must be done for the County road(s) that do not have a centerline stripe or are not on the "approved" list. The project along with the road evaluation report(s) for the County maintained road(s) must be referred to Public Works for review to ensure that the Department supports the findings in the report. If the road is on the "not approved" list, then Part B of the *Road Evaluation Report* form must be completed.

4. **Deferred Subdivision Improvements.** Does the project have deferred subdivision improvements? ☐ YES ☐ NO

How to check: Method 1: Planning and Building Department staff review the legal description for the subject property in the deed. If the deed reads similar to "Parcel ___ of Parcel Map No. ___" then there may be deferred subdivision improvements; further research will be needed. Method 2: Planning and Building Department staff need to review the title report(s) for the subject property(ies) to see if a "Notice of Construction Requirements" document is listed. If the document is listed, then there are deferred subdivision improvements.

If YES then the subject property has deferred subdivision improvements. The project cannot be presented to the Zoning Administrator or the Planning Commission until the deferred subdivision improvements are completed. The applicant should be directed to the Department of Public Works regarding the deferred subdivision improvements.

5. **AIRPORT:** If the project is located within Airport Land Use Compatibility Plan (ALUCP) Zone A, B, B1, B2, or B3 as shown on the ALUCP GIS layer **or** if the project is located within the County Code Section 333 GIS layer **AND** the project is proposing to construct (or permit) a fence, building or other structure. ☐ YES ☐ NO

If YES, the Department recommends that prior to the project presented to the Planning Commission or Zoning Administrator, that the project should be referred to the Humboldt County Airports Department.

6. **MS4/ASBS Areas.** Is the project located within MS4 Permit Area as shown on the GIS layer? ☐ YES ☐ NO

If YES, include the following requirement:

The applicant shall demonstrate to the satisfaction of the Planning & Building Department that the project is in compliance with MS4/ASBS requirements.

// END //

From: [Meghan Ryan](#)
To: [Bauer, Scott@Wildlife](mailto:Bauer.Scott@Wildlife)
Cc: ["Johnson, Cliff"](#)
Subject: APPS #13006 - Lauren Marlak - APN: 210-250-009 / HEARING DATE: MAY 20, 2021
Date: Sunday, May 9, 2021 10:54:00 AM

Good morning, Scott – I hope you are doing well! I am reaching out to see if CDFW has any comments on the Lauren Marlak project located near the community of Bridgeville. There is a Notification of Lake or Streambed Alteration in the project files. The project description is the following:

A Special Permit for continued cultivation of 8,000 square feet (SF) outdoor cannabis utilizing light deprivation techniques within five (5) greenhouses. Ancillary propagation occurs within an 800-square-foot nursery area on-site. Irrigation water is sourced from a permitted groundwater well, a rainwater catchment system, and an authorized point of diversion. Existing available water storage is 65,000 gallons in thirteen (13) hard tanks with an additional five (5) 5,000-gallon tanks proposed for a total of 80,000 gallons. Estimated annual water usage is 80,000 gallons. Drying and bucking occurs onsite in a 720-square-foot ag building with all other processing will occur off site at a licensed processing or manufacturing facility. Up to four (4) employees may be utilized during peak operations. Power is provided by solar panels.

Please let me know if you have any comments or questions on this project.

Best,
Meghan



Meghan Ryan
Planning Director
LACO Associates
Eureka | Ukiah | Santa Rosa | Chico
Advancing the quality of life for generations to come
707 443-5054
<http://www.lacoassociates.com>

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