



**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: July 1, 2021

To: Humboldt County Planning Commission

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

Subject: **Vajra Gita Grounds, LLC Conditional Use Permit**  
Application Number 10677  
Record Number PLN-10677-CUP  
Assessor's Parcel Number (APN) 314-153-004 & 314-143-005  
Kneeland Area

**Table of Contents**

**Page**

Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	7
Maps	
Topo Map	12
Zoning Map	13
Aerial Map	14
Site Plans	15
Attachments	
Attachment 1: Recommended Conditions of Approval	16
Attachment 2: CEQA Addendum	23
Attachment 3: Applicant's Evidence in Support of the Required Findings	27
Attachment 4: Referral Agency Comments and Recommendations	77

Please contact Megan Acevedo, Supervising Planner, at 707-441-2634 or by email at [macevedo@co.humboldt.ca.us](mailto:macevedo@co.humboldt.ca.us), if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
July 1, 2021	Conditional Use Permit	Megan Acevedo

**Project Description:** Vajra Gita Grounds, LLC seeks a Conditional Use Permit for 1-acre of existing outdoor commercial cannabis cultivation, with 4,356 square feet of ancillary propagation space. Irrigation water is sourced from a permitted well on-site, and the applicant plans to install a 500,000-gallon rainwater catchment pond. The projected water usage is approximately 350,000 gallons a year (8.03 gallons/square foot/year). Total existing water storage on-site is 27,500 gallons in hard water tanks. The applicant estimates a maximum of twenty individuals are needed for operations during peak season. Processing will occur on-site within an existing building. Power is currently sourced by on-site generators, and the applicant is planning to install a solar system with solar arrays to provide 80% renewable energy within three years from the date of approval.

**Project Location:** The project is located in the Kneeland area, on the north side of Mountain View Road, approximately 1.92 miles due east from the intersection of Kneeland Road and Mountain View Road, on the property known to be in the west half of the southeast quarter of Section 13 and the northeast quarter of the northwest quarter and the northwest quarter of the northeast quarter of Section 24, Township 04 North, Range 02 East.

**Present Plan Land Use Designations:** Timberland (T), 2017 General Plan, Density: 40-160 acres per unit, Slope Stability: High Instability (3)

**Present Zoning:** Timberland Production Zone (TPZ)

**Record Number:** PLN-10677-CUP

**Assessor's Parcel Number:** 314-153-004 & 314-143-005

**Applicant**

Vajra Gita Grounds, LLC  
2854 Moore Ave.  
Eureka, CA 95501

**Owner**

Kneeland Holdings, LLC  
2854 Moore Ave.  
Eureka, CA 95501

**Agents**

N/A

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

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

**Major Issues:** None

**Vajra Gita Grounds, LLC**  
Record Number: PLN-10677-CUP  
Assessor's Parcel Number: 314-153-004 & 314-143-005

**Recommended Commission Action**

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

*Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and adopt the Resolution approving the Vajra Gita Grounds, LLC Conditional Use Permit as recommended by staff subject to the recommended conditions.*

**Executive Summary:** Vajra Gita Grounds, LLC seeks a Conditional Use Permit for 1-acre of existing outdoor commercial cannabis cultivation, with 4,356 square feet of ancillary propagation space. Irrigation water is sourced from a permitted well on-site, and the applicant plans to install a 500,000-gallon rainwater catchment pond. The projected water usage is approximately 350,000 gallons a year (8.03 gallons/square foot/year). Total existing water storage is 27,500 gallons in hard water tanks. The applicant estimates a maximum of twenty individuals are needed for operations during peak season. Full processing will occur on-site within an existing building. Power is currently sourced by generators, and the applicant is planning to install a solar system with solar arrays to provide 80% renewable energy within three years from the date of approval.

The applicant plans to conduct 15,560 ft<sup>2</sup> of full-sun outdoor cultivation in three distinct areas, and 28,000 ft<sup>2</sup> of light-deprivation cultivation within four (4) greenhouses with no use of supplemental lights. Solar fans will be utilized within the light-deprivation greenhouses. Additional structures on-site with a nexus to cannabis are two (2) ancillary propagation greenhouses, one (1) 2,400 ft<sup>2</sup> Processing building, one (1) storage container for storage, two (2) generator sheds, one (1) 1,800 ft<sup>2</sup> Harvest Storage/Office building, and one (1) 160 ft<sup>2</sup> Pesticide Storage building. The applicant had a building inspection conducted on August 4, 2017. Comments from the Building Division recommended conditional approval for the project based on the condition that all required grading, building plumbing electrical and mechanical permits and or Agricultural Exemption are obtained. The project is conditioned to permit all structures with a nexus to cannabis, and to obtain grading permits for all grading on-site including the proposed 500,000-gallon rainwater catchment pond.

The project includes the proposal of a processing facility that will comprise on-site trimming, and an ADA compliant bathroom. The project was referred to the Department of Environmental Health (DEH) on July 19, 2017. DEH commented on the project on September 20, 2017, recommending conditional approval for the project. Recommended conditions include that no processing can be approved until an acceptable site suitability report can establish potential for onsite waste water treatment system, and the applicant shall provide an invoice, or equivalent documentation to DEH to confirm the continual use of portable toilets to serve the needs of cultivation staff. These have been included in the Conditions of Approval for the project.

**Timber Conversion**

From aerial imagery it appears that timber conversion occurred on the subject parcel between 2010 and 2018. The project was referred to CalFire on July 19, 2017, and the agency commented on the project on August 17, 2017 stating that they could not support the project due to conversion activities that occurred without CalFire permits. The applicant had a Timber Conversion Report with a Restocking Plan prepared by Timberland Resource Consultants, dated October 11, 2019. The report concluded that a total of 1.38 acres of timber conversion occurred on the site. Timberland Resource Consultants prepared a Less Than 3-Acre Conversion Exemption (1-11EX-213-HUM) for the project, and CalFire signed

off on the conversion exemption on April 19, 2013. Further tree removal of 1.85 acres occurred on the site after receiving the conversion exemption permit between December 2016 and July 2018, which occurred mostly within the footprint of the southern unit of Conversion Exemption 1-11EX-213-HUM. The Timber Conversion Report recommends restocking the 1.85 acres with Douglas-fir seedlings per the Restocking Plan. The Timber Conversion Report and Restocking Plan was submitted to CalFire, and the agency responded on October 21, 2020 stating that they had no further comments on the project. The applicant is conditioned to adhere to the recommendations within the Restocking Plan.

### **Water Resources**

Water for irrigation is provided by a permitted well (16/17-1162) (Attachment 3) which appears to not be hydrologically connected to surface water. The applicant also proposes to add a 500,000-gallon rainwater catchment pond for future water supply. The anticipated amount of water to be used annually for irrigation is 350,000 gallons, and existing water storage on-site exists in the amount of 27,500 gallons in hard tanks.

The applicant enrolled the North Coast Regional Water Quality Control Board for coverage under Order No. R1-2015-0023, as a Tier 2 site under WDID: 1B161505CHUM. A Water Resource Protection Plan (WRPP) was prepared for the project site by Mother Earth Engineering dated October 3, 2018. The WRPP mentions the existence of non-fish bearing streams on the property which are not shown on a map or shown on the Site Plan. Utilizing topographic maps of the site, it appears that all potential Class III streams are away from cannabis cultivation.

The applicant has also enrolled in the State Water Resources Control Board's General Order No. 2019-0001-DWQ, under WDID: 1\_12CC401403. The project is required to have a Site Management Plan (SMP) prepared to outline remedial actions required for compliance with the General Order. The project is conditioned to have an SMP prepared for the project, provide a copy of the SMP to the Planning Division when available, and shall adhere to any recommendations included in the SMP.

### **Biological Resources**

There are mapped sensitive species on-site and although the nearest NSO activity center is located approximately 1 mile from the site, lands surrounding the site are heavily forested thus there is high potential for NSO habitat. A Biological Assessment (BA) was prepared by Leopardo Wildlife Associates on April 5, 2019. The BA concluded that while there is the potential for some sensitive and protected species to be present on-site, that no plant or animal communities potentially impacted by proposed activities in a manner that would be CEQA significant. As well, with the restocking plan the project will be increasing the available habitat for potential NSO's on-site.

The project does include the use of three generators (one 62 kW, one 24kW, and one Honda EU 3,000), which will all be housed within the two generator sheds shown on the Site Plan. The generator sheds must be permitted with the Building Department, have a concrete floor designed to incorporate containment for fuel leaks and spills which must be located on a stable surface with a minimum 200-foot buffer from Class I and Class II streams. The project is also conditioned to ensure that noise from generators and equipment associated with cannabis cultivation does not result in more than 50 decibels at 100 feet or the nearest canopy, whichever is closer. Additionally, the project is conditioned to adhere to International Dark Sky Standards, and any supplemental lighting used within propagation nursery greenhouses shall not escape between the hours of dusk and dawn.

The project was referred to CDFW on July 19, 2017, and the agency replied on September 26, 2017. The agency recommended that the applicant provide additional information on water source, submit a Lake or Streambed Alteration Agreement for all instream work required on-site, identify energy sources for the project, obtain a biological assessment, address timber conversion that occurred, and obtain a WRPP. The applicant has provided all of the requested information for the processing of their application. The applicant has also obtained a Streambed Alteration Agreement (SAA) with the CDFW (No. 1600-2019-0070-R1), which included the replacement of one culvert, and the replacement of one existing



diversion infrastructure. The applicant shall adhere to the conditions and the project described within the SAA.

### **Airport Districts**

The project is located near the Kneeland Airport, and the project area is within the Airport Influence Area 2. Because the project consists of a proposed rainwater catchment pond, this is considered to be a potential wildlife hazard for the potential of attracting birds to the pond within aircraft airspace. The county is required to consult with the Airports District per the Humboldt County Land Use Compatibility Plan. The project was referred to the Humboldt County Airports District on May 18, 2021, and no response was received. A review from the Federal Aviation Administration's website was done to verify that no building height restrictions are subject to the project, and it was found that no building height restrictions are required for the project.

### **Tribal Cultural Resource Coordination**

The project is located within the Bear River Band tribe's ancestral aboriginal territories. The project was referred to the Bear River Band tribe and the Northwest Information Center (NWIC) on July 19, 2017. The NWIC responded on August 2, 2017, recommending that the lead agency contact the local Native American tribe regarding traditional cultural, and religious heritage values. The Bear River Band THPO responded on August 10, 2017, stating that they were not aware of any known archaeological sites on the project parcel, nor did it appear to be sensitive for cultural resources. The Bear River Band THPO recommended that inadvertent discovery protocols, which has been included in the Ongoing Conditions of Approval for the project.

### **Energy**

The project is currently powered by three generators on-site (one 62 kW, one 24kW, and one Honda EU 3,000) which will be located within the two generator sheds on-site. The applicant plans to install a solar system with solar arrays to provide 80% renewable energy within three years from approval. The applicant shall install the solar system within three years from the date of approval, and shall obtain necessary permits with the Building Division.

### **Access**

Access to the site is via a driveway off of Mountain View Road, which is a County maintained road. The applicant had a Road Evaluation Report (RER) prepared by Mother Earth Engineering for 0.57 miles of the private road to the project site. The RER designates the road as not being developed to the equivalent of road category 4 or better, but concludes that the roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified. The project was referred to the Department of Public Works on February 13, 2019, and the agency commented on the project on February 28, 2019 recommending conditional approval. Conditions for the project include that the applicant shall rock the access road where it intersects the County road for a minimum width of 20 feet and a length of 50 feet. This has been included in the Conditions of Approval for the project.

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 Planning Commission (See Attachment 2 for more information).

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

**ALTERNATIVES:** The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. If modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning staff has stated

that the required findings in support of the proposal have been made. Consequently, Planning staff does not recommend further consideration of any alternative.

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

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 21-  
Record Number PLN-10677-CUP  
Assessor's Parcel Number: 314-153-004 & 314-143-005**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Vajra Gita Grounds, LLC, Conditional Use Permit.**

**WHEREAS, Vajra Gita Grounds, LLC,** submitted an application and evidence in support of approving a Conditional Use Permit for the continued operation of 1-acre of outdoor cannabis cultivation with 4,356 ft<sup>2</sup> of appurtenant propagation, drying & trimming activities;

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

**WHEREAS,** the Humboldt County Planning Commission held a duly-noticed public hearing on July 1, 2021, and reviewed, considered, and discussed the application for a Conditional Use Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:**                      **Project Description:** A Conditional Use Permit for 1-acre of existing outdoor commercial cannabis cultivation, with 4,356 square feet of ancillary propagation space. Irrigation water is sourced from a permitted well on-site, and the applicant plans to install a 500,000-gallon rainwater catchment pond. The projected water usage is approximately 350,000 gallons a year (8.03 gallons/square foot/year). Total existing water storage is 27,500 gallons in hard water tanks. The applicant estimates a maximum of twenty individuals are needed for operations during peak season. Full processing will occur on-site within an existing building. Power is currently sourced by generators, and the applicant is planning to install a solar system with solar arrays to provide 80% renewable energy within three years from the date of approval.

**EVIDENCE:**                      a) Project File: PLN-10677-CUP

- 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 Water Resources Protection Plan was prepared by Mother Earth Engineering to show compliance with the North Coast Regional Water Quality Control Board Order No. 2015-0023.
- d) A Biological Assessment (BA) was prepared by Leopardo Wildlife Associates on April 5, 2019. The BA concluded that while there is the potential for some sensitive and protected species to be present on-site, that no plant or animal communities potentially impacted by proposed activities in a manner that would be CEQA significant.
- e) A Timber Conversion Report and Restocking Plan dated October 11, 2019 was prepared by Timberland Resource Consultants which demonstrates how previously unauthorized timber conversion is consistent with the Forest Practices Act and how the project can be implemented with no net loss of timberland after the environmental baseline of December 31, 2015.
- f) A Road Evaluation Report was prepared for the Private Road by Mother Earth Engineering in November 2018 which identified that the road is suitable for safe access to and from the project site.

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

### **3. FINDING**

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

#### **EVIDENCE**

- a) General agriculture is a use type permitted in the Timberland (T) 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 TPZ zone in which the site is located.

#### **EVIDENCE**

- a) The Timberland Production Zone or TPZ Zone is intended to be applied to areas of the County in which general agriculture residential uses are the desirable predominant uses.
- b) All general agricultural uses are principally permitted in the TPZ zone.
- c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis and up to 22,000 square feet of existing mixed-light cannabis on a parcel over 1 acres subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 1-acre of outdoor on a 141 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 TPZ (HCC 314-55.4.8.2.2).
  - b) Per DS 09-22 Certificate of Subdivision Compliance 2010-12616, Assessor Parcel Numbers (APN) 314-143-005 & 314-153-004 are one legal parcel.
  - c) The project will obtain water from a non-diversionary water source.
  - d) A Road Evaluation Report was completed by Mother Earth Engineering in November 2018, which identified that the road is suitable for safe access to and from the project site.
  - e) The cultivation of cannabis will not result in the net conversion of timberland. A Timber Conversion Report and a Restocking Report was completed by Timberland Resource Consulting in October 2019. The Report found the site had been converted primarily before the environmental baseline established in the CMMLUO but that approximately 1.85 acres of non-timber conversion tree removal occurred post-baseline. Non-the-less the restocking plan includes requirements to restock the 1.85 acres with Douglas-fir seedlings.
  - f) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, church, public park or Tribal Cultural Resource.
- 6. FINDING** The continued cultivation of 1-acre of outdoor cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
- EVIDENCE**
- a) The site is located on road that has been certified by a licensed engineer to safely accommodate the amount of traffic generated by the cannabis cultivation.
  - b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
  - c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
  - d) Irrigation water will come from a groundwater well that has been permitted by the Environmental Health Department, and a proposed 500,000-gallon rainwater catchment pond.
- 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 Planning Commission does hereby:

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

Adopted after review and consideration of all the evidence on July 1, 2021.

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

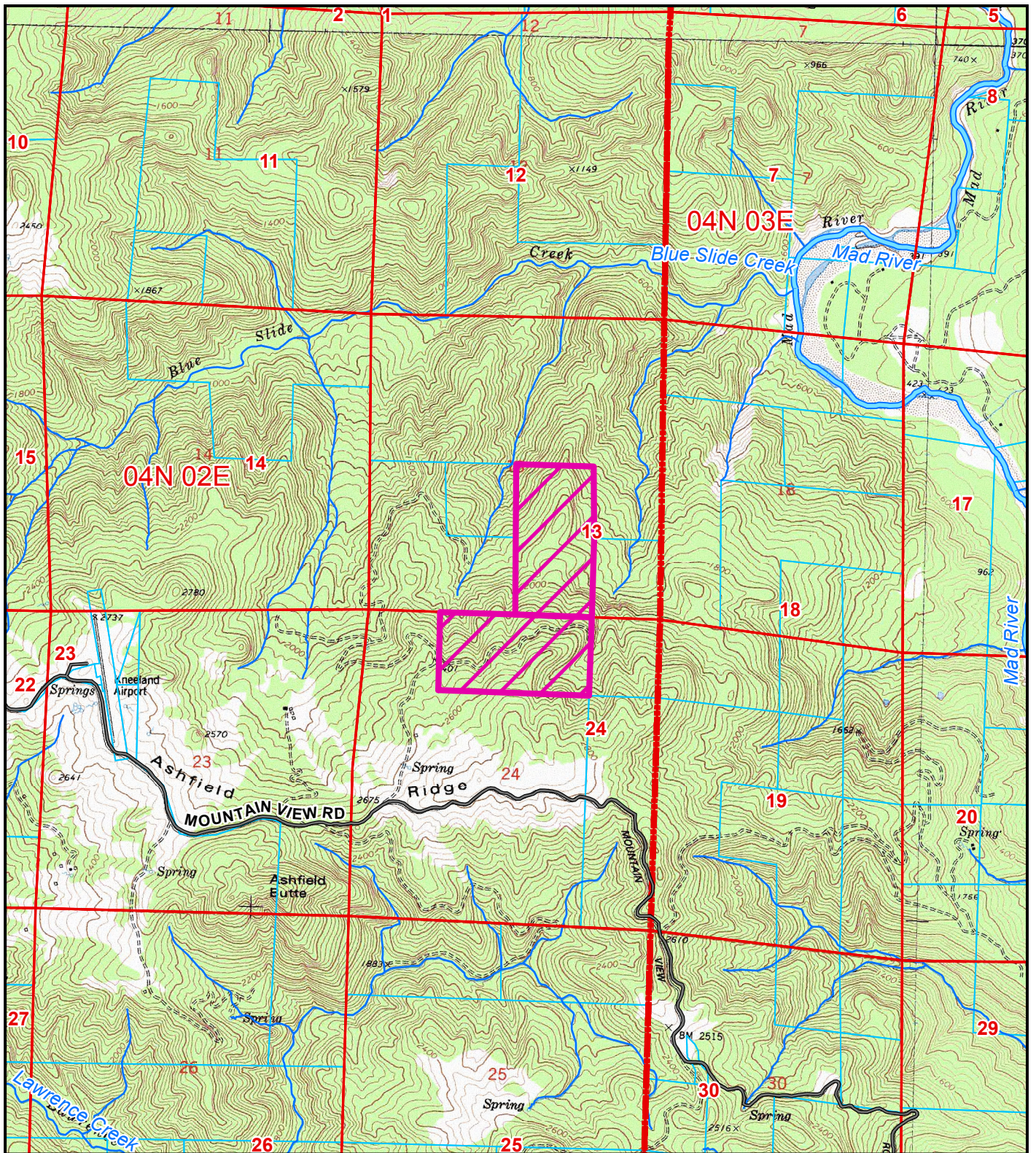
AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:
DECISION:	

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

---

John Ford, Director  
Planning and Building Department





**TOPO MAP**  
**PROPOSED VAJRA GITA GROUNDS LLC**  
**KORBEL AREA**  
**CUP-16-048**  
**APN: 314-153-004-000; ET AL.**  
**T04N R02E S13; S24 HB&M (IAQUA BUTTES)**

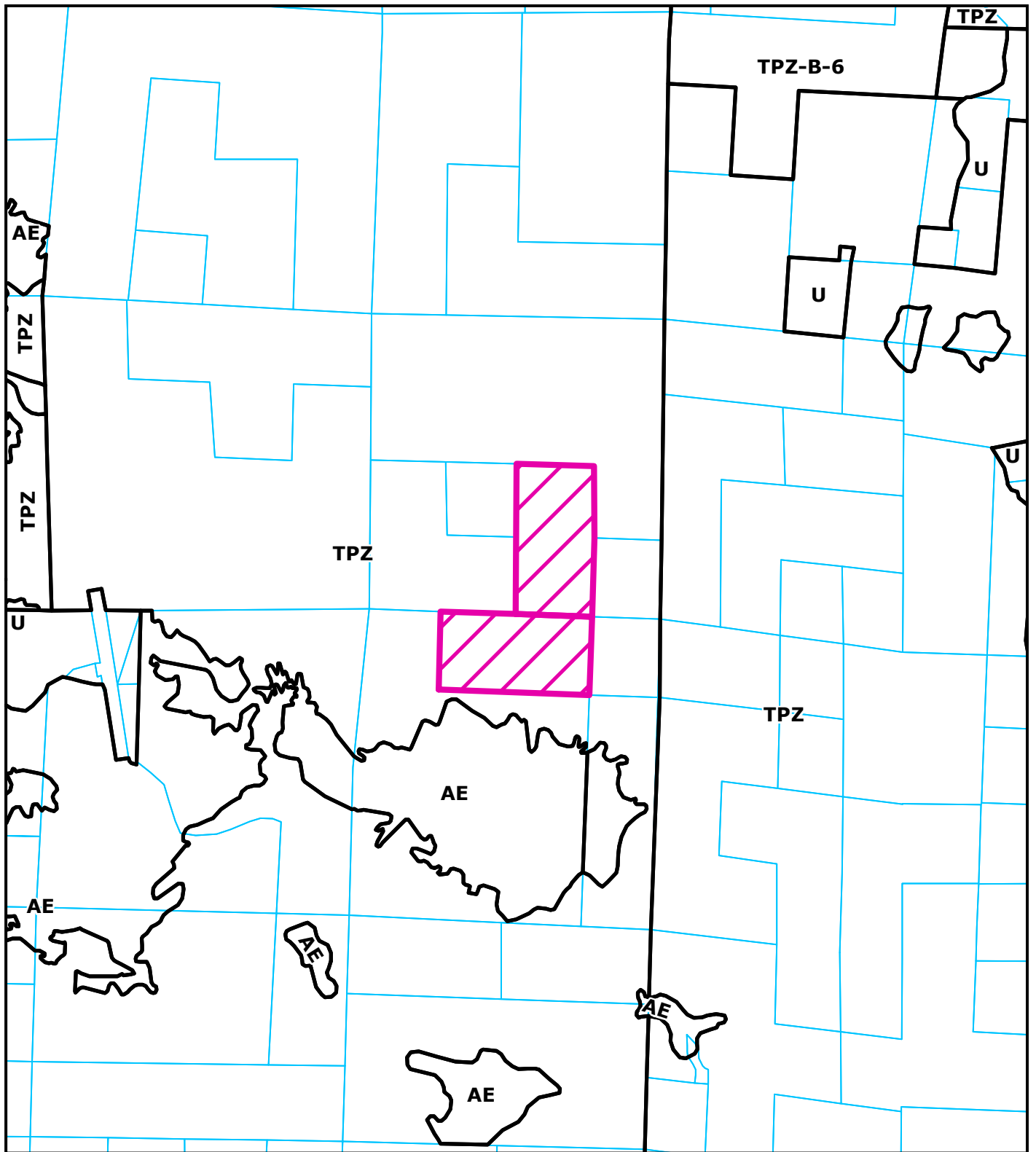
Project Area = 



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

0 1,000 2,000 4,000 6,000 Feet





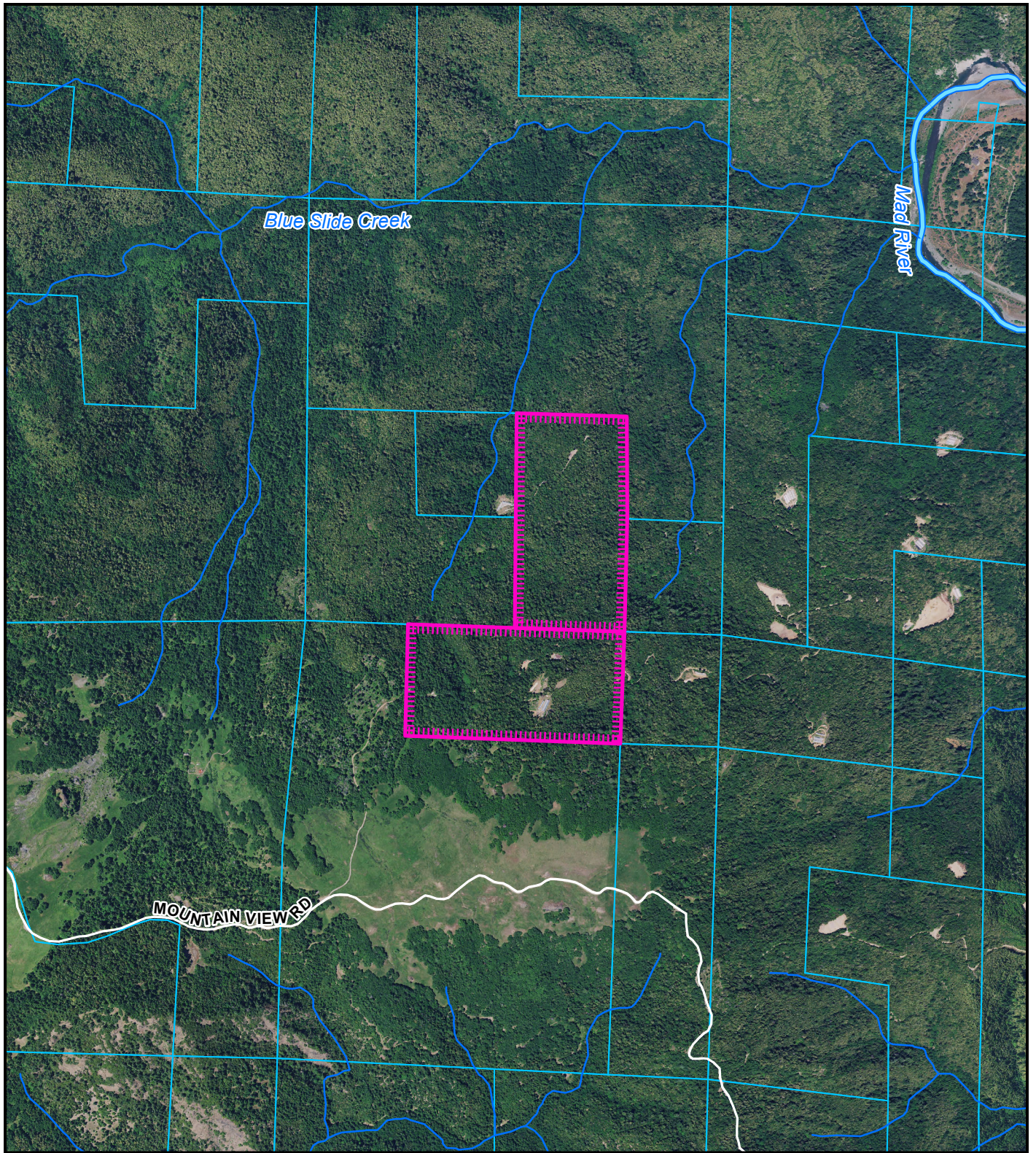
**Project Area =**

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.

**ZONING MAP**  
**PROPOSED VAJRA GITA GROUNDS LLC**  
**KORBEL AREA**  
**CUP-16-048**  
**APN: 314-153-004-000; ET AL.**  
**T04N R02E S13; S24 HB&M (IAQUA BUTTES)**

0 1,000 2,000 4,000 6,000 Feet





Project Area = 

**AERIAL MAP  
PROPOSED VAJRA GITA GROUNDS LLC  
KORBEL AREA  
CUP-16-048**

**APN: 314-153-004-000; ET AL.  
T04N R02E S13; S24 HB&M (IAQUA BUTTES)**

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

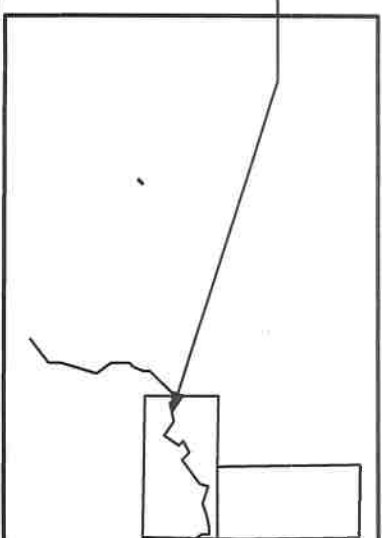




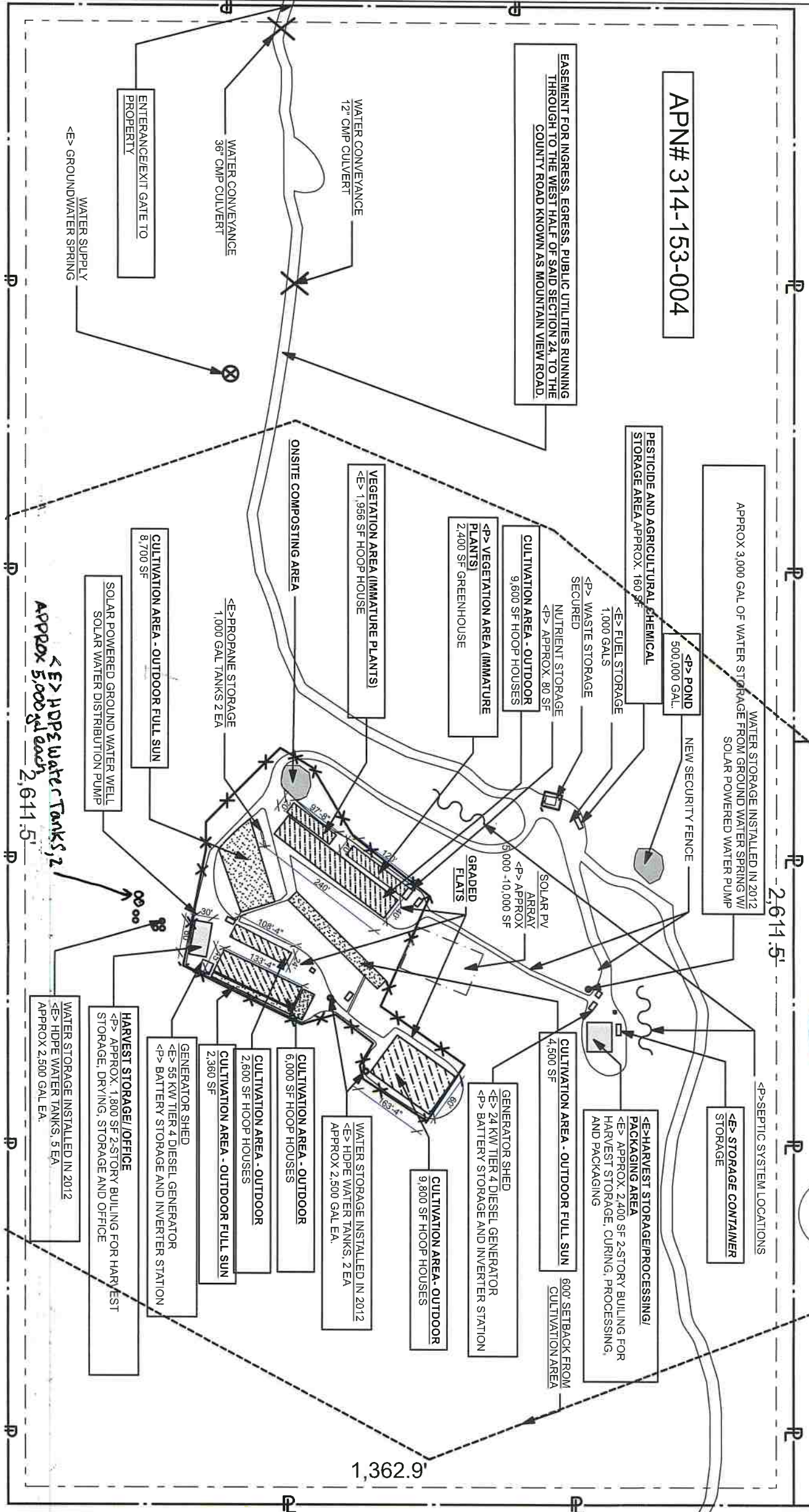
GENERAL NOTES :

1. PROPERTY IS SERVED BY AN ON SITE SEPTIC SYSTEM
2. NO RESIDENCES ON ADJACENT PARCELS WITHIN 300 FEET.
3. PARCEL LINES AND BUILDING LOCATIONS ARE APPROXIMATE
4. ALL CULTIVATION AREAS ARE SET BACK AT LEAST 30 FEET FROM PROPERTY LINE
5. NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF CULTIVATION AREAS.

SITE LOCATION:  
APN'S: 314-153-004, 314-143-005  
APPROX 1.1 MILES EAST OF KNEELAND AIRPORT  
EASEMENT FOR INGRESS, EGRESS, PUBLIC  
UTILITIES RUNNING THROUGH TO THE WEST HALF  
OF SAID SECTION 24, TO THE COUNTY ROAD  
KNOWN AS MOUNTAIN VIEW ROAD.



2 VACINITY MAP  
SCALE: 1:41463.90



1 SITE PLAN  
SCALE: 1" = 200'

LEGEND	
	PROPERTY LINE
	30' SETBACK
	PREMISES AREA
	WATER CONVEYANCE
	600' CULTIVATION AREA SETBACK
	FENCE
	PRIVATE ACCESS ROAD
	GROUND WATER SPRING
	EXISTING
	PROPOSED
	CULTIVATION AREA OUTDOOR HOOP HOUSES
	CULTIVATION AREA OUTDOOR
	BUILDING/STRUCTURE

CULTIVATION AREA CALCULATIONS	
CULTIVATION AREA - OUTDOOR HOOP HOUSES	2,600 SF HOOP HOUSES 9,600 SF HOOP HOUSES 9,800 SF HOOP HOUSES 6,000 SF HOOP HOUSES
28,000 SF TOTAL - OUTDOOR HOOP HOUSES	
CULTIVATION AREA - OUTDOOR FULL SUN	8,700 SF OUTDOOR FULL SUN 4,500 SF OUTDOOR FULL SUN 2,360 SF OUTDOOR FULL SUN
15,560 SF TOTAL - OUTDOOR FULL SUN	
TOTAL OUTDOOR CULTIVATION SF	28,000 SF = OUTDOOR HOOP HOUSES 15,560 SF = OUTDOOR FULL SUN 43,560 SF = TOTAL CULTIVATION 43,560 SF = HISTORICAL CULTIVATION

**SITE PLAN CUP# 16-048**  
**APPLICATION NO. 10677**  
**APN # 314-153-004/314-143-005**

Project	VAJRA GITA GROUNDS	Scale:	Date
Location	APN# 314-153-004	Project No.	Reference / Sheet
Title	SITE PLAN	Field Notice No.	Dwg. No.

## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

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

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

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #17. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to: four (4) light-deprivation greenhouses, two (2) ancillary propagation greenhouses, one (1) 2,400 ft<sup>2</sup> Processing building, one (1) storage container for storage, two (2) generator sheds, one (1) 1,800 ft<sup>2</sup> Harvest Storage/Office building, and one (1) 160 ft<sup>2</sup> Pesticide Storage building. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
7. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.
8. The applicant shall submit a grading, erosion and sediment control plan shall be prepared by a qualified engineer. The plan shall identify the cubic yards of all grading that has been completed,

and any proposed. A letter or similar communication from the Building Division verifying that all grading related to the cannabis cultivation operation are permitted, or not needed, will satisfy this condition.

9. The applicant shall permit the proposed grading associated with the 500,000-gallon rainwater catchment pond, and shall be prepared by a qualified engineer. The plan shall identify the cubic yards of all grading that has been completed, and any proposed. A letter or similar communication from the Building Division verifying that all grading related to the cannabis cultivation operation are permitted, or not needed, will satisfy this condition.
10. The applicant shall rock the access road where it intersects the County road for a minimum width of 20 feet and a length of 50 feet.
11. The applicant shall obtain an acceptable site suitability report to establish potential for the onsite waste water treatment system. A letter or similar communication from DEH verifying that the OWTS is permitted will satisfy this condition.
12. The applicant shall provide an invoice, or equivalent documentation to DEH to confirm the continual use of portable toilets to serve the needs of cultivation staff.
13. The applicant shall install the solar powered system within three years from the date of permit approval, and shall obtain necessary permits from the Building Division.
14. The applicant is required to have a Site Management Plan (SMP) prepared for the project to show measures required to meet compliance with the State Water Resource Control Board's General Order. A condition of approval for the project is to provide a copy of the final SMP report to the Planning Department when available, and to adhere to the mitigation measures outlined within the SMP Report.
15. The applicant shall implement recommendations in the Timber Conversion Report and Restocking Plan dated October 2019, which were prepared by Timberland Resource Consultants (TRC). A monitoring report prepared by a licensed professional forester shall be submitted to the Planning and Building Department.
16. 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.
17. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.

2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
4. 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 State Water Resources Control Board (SWRCB) General Order No. 2019-0001-DWQ, 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 Conditional Use Permit. Any Commercial Cannabis Cultivation CUP 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:
  - a. Identifying information for the new owner(s) and management as required in an initial permit application;
  - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
  - c. The specific date on which the transfer is to occur;
  - d. Acknowledgement of full responsibility for complying with the existing permit; and
  - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
34. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

#### **Informational Notes:**

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

Agreement per Condition of Approval #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 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.

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

**ATTACHMENT 2**

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

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

**APN 314-153-004 & 314-143-005; Kneeland Area  
County of Humboldt**

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

**June 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.

**Project Description:** The modified project involves a Conditional Use Permit for 1-acre of existing outdoor commercial cannabis cultivation, with 4,356 square feet of ancillary propagation space. Irrigation water is sourced from a permitted well on-site, and the applicant plans to install a 500,000-gallon rainwater catchment pond. The projected water usage is approximately 350,000 gallons a year (8.03 gallons/square foot/year). Total existing water storage is 27,500 gallons in hard water tanks. The applicant estimates a maximum of twenty individuals are needed for operations during peak season. Full processing will occur on-site within an existing building. Power is currently sourced by generators, and the applicant is planning to install a solar system with solar arrays to provide 80% renewable energy within three years from the date of approval.

The applicant had a Timber Conversion Report with a Restocking Plan prepared by Timberland Resource Consultants, dated October 11, 2019. The report concluded that a total of 1.38 acres of timber conversion occurred on the site. Timberland Resource Consultants prepared a Less Than 3-Acre Conversion Exemption (1-11EX-213-HUM) for the project, and CalFire signed off on the conversion exemption on April 19, 2013. Further tree removal of 1.85 acres occurred on the site after receiving the conversion exemption permit between December 2016 and July 2018, which occurred mostly within the footprint of the southern unit of Conversion Exemption 1-11EX-213-HUM. The Timber Conversion Report recommends restocking the 1.85 acres with Douglas-fir seedlings per the Restocking Plan. The Timber Conversion Report and Restocking Plan was submitted to CalFire, and the agency responded on October 21, 2020 stating that they had no further comments on the project. The applicant is conditioned to adhere to the recommendations within the Restocking Plan.

There are mapped sensitive species on-site and although the nearest NSO activity center is located approximately 1 mile from the site, lands surrounding the site are heavily forested thus there is high potential for NSO habitat. A Biological Assessment (BA) was prepared by Leopardo Wildlife Associates on April 5, 2019. The BA concluded that while there is the potential for some sensitive and protected species to be present on-site, that no plant or animal communities potentially impacted by proposed activities in a manner that would be CEQA significant. As well, with the restocking plan the project will be increasing the available habitat for potential NSO's on-site.

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 1.85 acres 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 1-acre of outdoor cultivation with ancillary propagation and full processing, is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

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

- Site Plan received 5/6/2021.
- Cultivation and Operations Plan received 4/12/2021.
- Addendum to Site Plan & Cultivation/Operations Plan received 5/20/2021.
- Water Resources Protection Plan (WRPP) prepared by Mother Earth Engineering for the North Coast Regional Water Quality Control Board Order No. 2015-0023.
- Timber Conversion Report dated 10/11/2019 and a Restocking Plan dated 10/10/19, both prepared by Timberland Resource Consultants.
- Engineer's Road Evaluation Report for the Private Road prepared by Mother Earth Engineering, dated 11/5/18 and received 12/21/18.
- Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits.
- Well Completion Report (16/17-1162) received 4/12/21.
- Biological Assessment prepared by Leopardo Wildlife Association, received 8/17/20.

- Streambed Alteration Agreement (1600-2019-0070-R1) stamped 2/27/21, received 8/17/20.
- Review of Federal Aviation Administration building height restrictions.

### **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. (**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. (**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. (Not Applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan)
7. Copy of proof of enrollment in the State Water Resource Control Board's General Order No. 2019-0001-DWQ, under WDID: 1\_12CC401403. (Proof of Enrollment – **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. (Streambed Alteration Agreement No. 1600-2019-0070 – **Attached**)
9. If the source of water is a well, a copy of the County well permit, if available. (Permit Number 16/171162 - **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. (Timber Conversion Report dated 10/11/2019 and a Restocking Plan dated 10/10/19, both prepared by Timberland Resource Consultants – **Attached**)

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. Addendum to Site Plan & Cultivation/Operations Plan received 5/20/2021. (**Attached**)
16. Engineer's Road Evaluation Report for the Private Road prepared by Mother Earth Engineering, dated 11/5/18 and received 12/21/18. (**Attached**)
17. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)
18. Biological Assessment prepared by Leopardo Wildlife Association, received 8/17/20. (On file & Confidential)
19. Water Resources Protection Plan (WRPP) prepared by Mother Earth Engineering for the North Coast Regional Water Quality Control Board Order No. 2015-0023. (**Attached**)
20. Federal Aviation Administration review of building height restrictions. (**Attached**)



April 11th, 2021  
Vajra Gita Grounds LLC

### Cultivation and Standard Operating Procedures

#### Schedule of monthly growing activities:

Jan. – Mar. – cutting and transplanting clones

Apr. – weather permitting, all plants go into an outside nursery to reduce energy usage and harden off plants

Apr. - May – hoop houses are planted and flowering begins

Jun. – full sun outdoor plants are planted

Jul. – hoop houses are harvested, processed and replanted with another round of plants

Sep. – Oct. – full sun and hoop houses are harvested and processed

Nov. – Dec. – planting mother plants and popping seeds which become mothers



Cultivation Area Description	1 <sup>st</sup> Harvest	2 <sup>nd</sup> Harvest
<u>Outdoor Hoop House (40' x 240')</u> 9,600 sf with 6 raised beds	July	October
<u>Outdoor Hoop House (60' x 163')</u> 9,800 sf with 9 raised beds	July	October
<u>Outdoor Hoop House (40' x 150')</u> 6,000 sf with 6 raised beds	July	October
<u>Outdoor Hoop House (24'x108')</u> 2,500 sf with 3 raised beds	July	October
<u>Outdoor Area (61' x 151')</u> 8,700 sf with raised beds	July	October
<u>Outdoor Area (21' x 218')</u> 4,500 sf in raised beds.	October	

Attachment E

<u>Outdoor Area (8' x 152') &amp; (21 x 50')</u>	October	
2,360 sf in raised beds.		

**Generator usage:** 1 25kw generator will be used on average 24 hours daily year-round. 65 Kw Generator will be used from May-Oct for 3-8 hours and then 3-6 hours on average Nov.-Dec. Diesel generators will provide power for the first year. Plans are being rendered to build an efficient solar array with state-of-the-art battery backup.

**Irrigation schedule:** On average monthly water usage of 50k gallons and approximately an annual usage of 350k gallons of water. Watering occurs every other day. We utilize patented water saving technology that will reduce water waste by approximately 25%. Water usage will reduce over time as best methods are developed.

**Irrigation Plan:** We have invested in water saving sub-surface automated irrigation technology all greenhouses and gardens. During the heart of the outdoor cultivation season, May-Oct., we begin our work day at 6:30am. Our standard operating procedure (SOP) includes completing all watering no later than 11am daily to reduce evaporation associated with hotter parts of the day. When we hand water occasionally for a variety of reasons due to irrigation maintenance, malfunction or sediment rich watering (e.g. compost teas do not emit through drip line well), we seek to finish before 11am and abide by "agronomic rates".

**Water source:** Water is sourced from a permitted 320 foot, 3.2 gpm well located on the property. Existing water storage included 2 x 50k gallons of bladder space which has been removed from the property and a nursery has been built where the bladders once where. The bladder will be replaced with 75,000 -100,000 gallon water tanks to be installed between 2018-2022. There is an existing approximate 3,000 gallon water tank next the lower processing barn

Attachment E

April 11th, 2021  
Vajra Gita Grounds LLC

which collects spring water during the designated allotted times based on our 1600 permit. We have an existing 1600 permit notification number 1600-2019-0070-R1 and small irrigation use registration (SIUR) H502514 active. Well Completion Report completed and filed under permit number 16/17-1162 for new well activity with a total depth of 400 feet and first water at 150 feet.

**Water Storage:** Water storage consists of an above-ground 2400-4900 gallon tanks totaling 19,500 gallons. Historic bladders have been removed and there are plans to incrementally expand storage to 100,000 gallons in non-forested areas. We plan to designate 2,500 gallons of water storage to be used exclusively for fire suppression. We also plan to install a 500,000 gal pond.

**Parking spaces for employees:** approximately 5 parking spaces available.

**Employee Travel:** Each permanent employee will make 5 trips a week, we have 5 employees so at total of 25 weekly trips for permeant employees. Seasonal employees will make 10-15 trips a week during harvest times and processing. An additional 5-10 employees will help during harvesting time and processing for a total of 5 weeks throughout the year.

**Employee Safety Practice:** We have a full manual for employee safety and all required postings in our lower barn area. Onsite Portable sanitation toilets are used year-round and serviced by BnB Portable Toilets. We have provided potable water from our onsite well down to the barn area for drinking water and an outdoor sink in the back of our existing barn for washing hands. Eyewash stations have been installed in the barn as well for emergency use. We also provide full cover body suits, gloves, and goggles for PPE used during spraying of herbicides as required for cultivation activities.

**Processing Plan:** Number of employees involved in processing operations consist of 4-6 full-time employees with an emphasis on packaging, processing pre-rolled joints and labeling. In

Attachment E

addition, 5-10 part-time employees focused on trimming, bucking and other assigned tasks. Until all permits have been acquired, processing will take place at a 3<sup>rd</sup> party licensed facility.

**Security Plan:** Our security system includes locked gates and LED motion lights at one primary entry point and a secondary access point. All facilities, housing, curing, vegging and processing, require a code for entry and have security cameras. We also have 24-hour surveillance with our security cameras.

**Noise Mitigation Plan:** In order to mitigate noise produced from our generators, we have built sheds around each generator to reduce noise to the acceptable 50 decibels at a 100 foot edge of the generators. All fans noise is reduced by having completely covered greenhouses that keep the noise within the structure and within 50 decibels outside the greenhouse at a 100 foot edge distance. We have three generators on our property.

- 1) 62 KW Low noise Kohler diesel Generator which produces less than 60 decibels when running. Shed is built around generator to reduce noise.
- 2) 25 KW Cummins low noise diesel generator which produces less than 60 decibels when running. Shed is built around generator to reduce noise.
- 3) Honda EU 3000iS ultra quiet gasoline generator produces 50 decibels when running. Shed is built around generator to reduce noise.

**Electricity plan:** Currently we are efficiently allocating generator usage and are planning to provide renewable energy to our project by installing solar panels to meet energy requirements described in section 314-55.4.8.3 of the Zoning Code. We are utilizing energy efficient LED lighting to reduce electrical consumption by approximately 40%. Energy efficient par sensor controllers and automated controllers sense the light level of the canopy and are set to only turn

Attachment E

lights on when it is at a level necessary for supplemental lighting. The automated greenhouse technology further reduce the need for electrical lighting by only using supplemental lighting to minimize the use of artificial lighting for the nursery. All other electricity aside from lighting will be powered by a solar array. We plan to reach the 80% renewable energy requirement within the following three years. We intend to invest annually towards our renewable energy plan.

**Site Drainage Description:** We've consulted with licensed geologists and consultants and have been informed that we are in compliance in terms of buffers respecting various class creeks and have sufficient physical buffers and space to prohibit water runoff and sediment to reach surface waters. We have also created drainage bumps/water bars to divert water away from roads during the wet season. We have also planted grass to help avoid any land disruptions during the winter months. Grading has been done in areas to help achieve controlled water drainage.

**Runoff and Erosion Control Measures:** Besides using the latest information and agronomic rates, we use water bars, rolling dips, erosion wattles and natural filtration and erosion mediators, like planting grass seed. We have planted over 2000 lbs. of erosion control seed in order to do our part in preventing erosion and sediment infiltration into sensitive habitats and waterways.

**Detailed measures to ensure protection of watershed and nearby habitat:** Aside from our efforts detailed above, additional measures range from property sized catchment of fuels, amendments, nutrient, pesticides, and all other products respecting creek buffers as prescribed by licensed consultants and conversations with the county on the phone. All greenhouse floors are pervious.

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

We keep regulated products in labeled totes and in a locked room. Excess is brought into hazardous waste disposal and we are actively seeking to comply and have safer handling

Attachment E

April 11th, 2021  
Vajra Gita Grounds LLC

practices. Humboldt County Division of Environmental Health has approved the following programs at this facility: PT0007998 APSA Tier I Facility, PT0007999 HMBP and/or Inventory, and PT0008000 Hazardous Waste Generator (SQG), all of which are to be renewed by 07/31/2019.

**Description of Cultivation Activities:** Nursery vegetation activities commence year-round which relies on (30) 340-watt LED light fixtures. All lighting will be controlled by sensors that efficiently monitor light levels and allocate supplemental lighting as necessary. Outdoor hoop houses are initial planted between April & May, after two-three weeks of vegetation in hoop houses flowering is induced with the use of light deprivation. This flowering cycle completes in July and then all hoop houses are replanted. The second flowering cycle of hoop houses completes in October. All other outdoor areas are planted in the first week of June and the flowering cycle completes and the plants are harvested in October. Processing will occur on site in the lower barn.

**Number of cultivation cycles for hoop houses:** Our infrastructure allows only for 2 cycles year round.

Attachment E

## Facility At-A-Glance Report

### SEARCH CRITERIA:

### DRILLDOWN HISTORY:

Place ID 823847



#### General Information

Region	Place ID	Place Name	Place Type	Place Address	Place County
1	823847	Humboldt Edge Farm	Cannabis Site	Willow Creek, CA, 95573	Humboldt



#### Related Parties

Party	Party Type	Party Name	Role	Classification	Relationship Start Date	Relationship End Date
613513	Person	<a href="#">Samantha Shull</a>	Contact		03/27/2018	
613514	Organization	<a href="#">Humboldt Edge Farm</a>	Operator	Privately-Owned Business	03/27/2018	
555760	Organization	<a href="#">Nagel, Matthew</a>	Owner and Operator	Private-Individual	04/15/2016	

Total Related Parties: 3



#### Regulatory Measures

Reg Measure ID	Reg Measure Type	Region	Program	Order No.	WDID	Effective Date	Expiration Date	Status	Amended?
420369	Enrollee - WDR	1	IRRICANNABIS	<a href="#">2019-0001-DWQ</a>	1_12CC401433	05/11/2018	04/15/2024	Active	N
405707	Enrollee - Waiver	1	IRRICANNABIS	R1-2015-0023	1B16287CHUM	02/12/2016	08/13/2020	Historical	N

Total Reg Measures: 2



#### Violations

[Violation ID](#) [Occurred Date](#) [Violation Type](#) [\(-\) Violation Description](#) [Corrective Action](#) [Status](#) [Classification](#) [Source](#)

Report displays most recent five years of violations. Refer to the [Interactive Violation Report](#) for more data.

Total Violations: 0

Priority Violations: 0

\*Click the "(-) Violation Description" link to expand and contract the violation description.

\*As of 5/20/2010, the Water Board's Enforcement Policy requires that all violations be classified as 1, 2 or 3, with class 1 being the highest. Prior to this, violations were simply classified as Yes or No. If a 123 classification has been assigned to a violation that occurred before this date, that classification data will be displayed instead of the Yes/No data.

#### Violation Types



#### Enforcement Actions

Enf Id	Enf Type	Enf Order No.	Effective Date	Status
--------	----------	---------------	----------------	--------

Total Enf Actions: 0



#### Inspections

Inspection ID	Inspection Type	Lead Inspector	Actual End Date	Planned	Violations	Attachment
---------------	-----------------	----------------	-----------------	---------	------------	------------

Total Inspections: 0

Last Inspection: None

The current report was generated with data as of: 06/01/2021

## Limitations and Considerations for Timberland Conversion Activities (Cont.)

### Biological Resources and Forest Stand Health

*14 CCR 1104.1 (2)(H): "No sites of rare, threatened or endangered plants or animals shall be disturbed, threatened or damaged and no timber operations shall occur within the buffer zone of a sensitive species as defined in 14 CCR 895.1"*

The query of the CNDDDB Database on October 10, 2019 revealed numerous observations of sensitive, rare, threatened, or endangered species or species of special concern within a 0.7-mile radius biological assessment area (BAA) surrounding the cultivation/conversion sites. All of the identified species are plants. No sensitive, rare, threatened, or endangered species or species of special concern were observed during the TRC field assessment of the project area, though potential habitat exists on the property.

The query of the CNDDDB NSO Database revealed no known Northern Spotted Owl (NSO) Activity Centers within a 0.7-mile radius biological assessment area (BAA) surrounding the conversion sites. The conversion areas did not include late successional stands, late seral stage forests, or old growth trees. The conversion area did not include any trees that existed before 1800 A.D. and are greater than sixty (60) inches in diameter at stump height for Sierra or Coastal Redwoods, and forty-eight (48) inches in diameter at stump height for all other tree species.

No major forest health issues were observed during the field assessment. The property is located within Humboldt County, a Zone of Infestation (ZOI) for Sudden Oak Death (SOD) but the RPF observed no symptoms, signs, and evidence of oak mortality within the property.

### Recommendations

In summary, a total of 1.38 acres of unauthorized timberland conversion has occurred within APN 314-153-004. This total does not exceed the three-acre conversion exemption maximum. The conversion activities conducted on the property complies with the California Forest Practice Act and the California Forest Practice Rules.

With regards to the 2018 timber harvesting that occurred adjacent to the three cultivation sites; the RPF recommends treatment of logging slash and the two log decks. Although no timberland conversion occurred (no grading and no stump removal), the RPF recommends restocking the 1.85 acres with Douglas-fir seedlings per the attached Restocking Plan. The restocking of this area with Douglas-fir (Group A species), which was formerly dominated with tanoak (Group B species), will increase timberland productivity and long-term sustained yield.

Sincerely,



Chris Carroll, RPF #2628  
Timberland Resource Consultants



## Pictures



**Picture 2:** Northeastern portion of the restocking area located between the three cultivation sites. Photo date 10-7-2019

## Pictures



**Picture 3:** Southwestern portion of the restocking area located between the three cultivation sites. Photo date 10-7-2019

## Pictures



**Picture 4:** Restocking site. Greenhouse to the left is Cultivation Site 2. Photo date 10-7-2019



## Pictures



**Picture 5:** Log deck requiring treatment located south of Cultivation Site 2. Photo date 10-7-2019

## Pictures



**Picture 6:** Restocking site looking southwest. Note dense concentrations of tanoak slash in distance. Photo date 10-7-2019

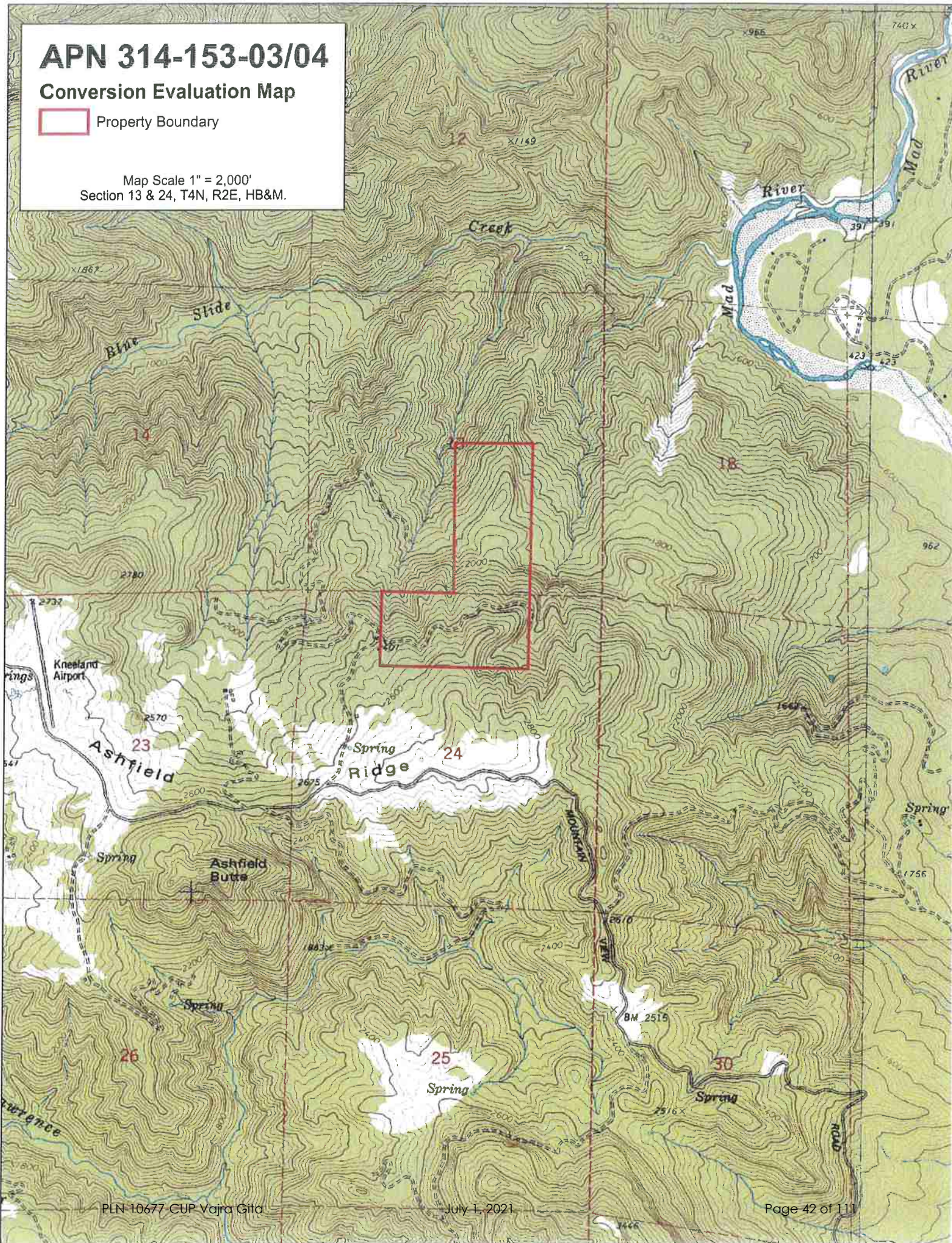


# APN 314-153-03/04

## Conversion Evaluation Map

 Property Boundary

Map Scale 1" = 2,000'  
Section 13 & 24, T4N, R2E, HB&M.





# APN 314-153-04

## Conversion Evaluation Map

-  Property Boundary
-  Existing Seasonal Road
-  Existing Permanent Road
-  Class III Watercourse
-  Class II Watercourse
-  Conversion Exemption 1-11EX-213-HUM
-  Cannabis Cultivation Site
-  2018 Timber Harvesting Area to be Replanted
-  Log Deck

Map Scale 1" = 150'  
Located in Section 24, T4N, R2E, HB&M.

Cultivation Site 2

Cultivation Site 2

Cultivation Site 1

# APN 314-153-04

## Conversion Evaluation Map

-  Property Boundary
-  Existing Seasonal Road
-  Existing Permanent Road
-  Class III Watercourse
-  Class II Watercourse
-  Conversion Exemption  
1-11EX-213-HUM
-  Cannabis Cultivation Site
-  2018 Timber Harvesting  
Area to be Replanted
-  Log Deck

Map Scale 1" = 150'  
Located in Section 24, T4N, R2E, HB&M.

Cultivation Site 2

Cultivation Site 2

Cultivation Site 1



# APN 314-153-04

## Conversion Evaluation Map

-  Property Boundary
-  Existing Seasonal Road
-  Existing Permanent Road
-  Class III Watercourse
-  Class II Watercourse
-  Conversion Exemption 1-11EX-213-HUM
-  Cannabis Cultivation Site
-  2018 Timber Harvesting Area to be Replanted
-  Log Deck

Map Scale 1" = 150'  
Located in Section 24, T4N, R2E, HB&M.

Cultivation Site 2

Cultivation Site 2

Cultivation Site 1



Timberland Conversion Evaluation  
Restocking Area



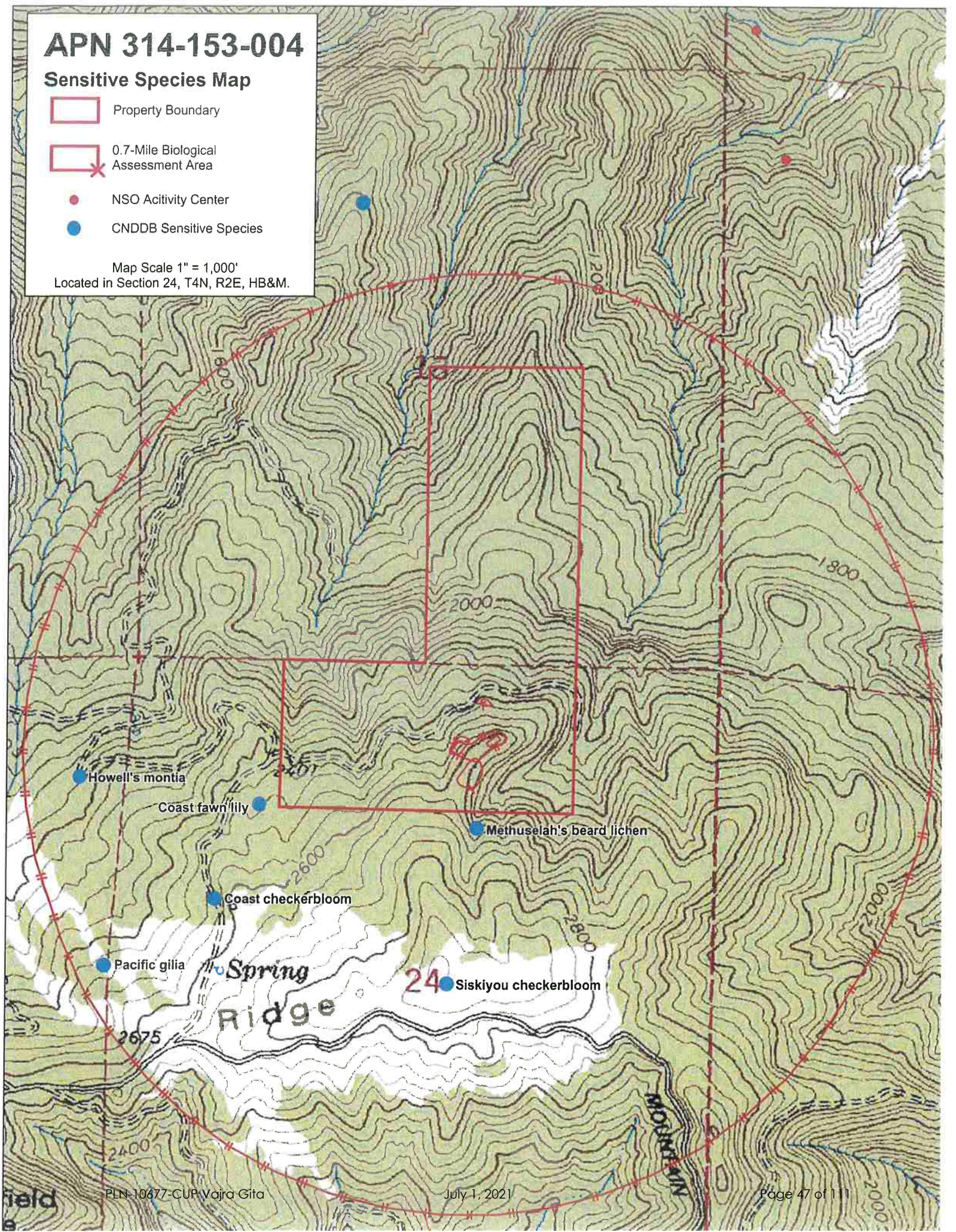


# APN 314-153-004

## Sensitive Species Map

-  Property Boundary
-  0.7-Mile Biological Assessment Area
-  NSO Activity Center
-  CNDDDB Sensitive Species

Map Scale 1" = 1,000'  
Located in Section 24, T4N, R2E, HB&M.







**RESTOCKING PLAN**

**FOR**

**APN 314-153-004**

October 10, 2019

165 South Fortuna Blvd  
Fortuna, CA 95540  
707-725-1897  
707-725-0972 Fax  
[trc@timberlandresource.com](mailto:trc@timberlandresource.com)

## Regeneration Plan

**Replanting Area:** 1.85-acre area shown on the Conversion Evaluation Map. Its essentially the hillslope located between the two upper cultivation sites (Cultivation Sites 1 and 3) and the lower cultivation site (Cultivation Site 2). The southern boundary is the seasonal access road and the northern boundary is dense second growth tanoak and Douglas-fir.

**Site Preparation:** Site preparation is commonly utilized to facilitate timber stand establishment. The primary objective of this practice is to create an area suitable for planting seedlings and establishing a new stand of trees. Site preparation activities remove or reduce competing vegetation, reduce or remove unwanted trees and logging debris, and prepare the soil to ultimately promote the growth and survival of desired tree species. There are many methods of site preparation that fall under either chemical or mechanical site preparation. Subsoiling/ripping is a mechanical site prep method for heavy soils on cutover timberlands or agricultural lands that have a compacted layer at or below the soil surface that limits root growth and development. Subsoiling/ripping increases aeration and water-holding capacity of compacted soils and breaks up root restricting hardpans and/or traffic pans. Chemical preparation includes broadcast and directed herbicide application.

*Recommendation:* Site preparation is necessary. Prior to tree planting the downed trees and logging slash require removal and subsequent treatment per 14CCR 1104.1(a)(2)(D). The slash and downed logs are currently a fire hazard and will prohibit tree planting to the standards required by this plan and the Forest Practice Rules. The slash requires chipping and/or burning. The logs need to be manufactured into firewood-sized lengths or hauled off-site.

**Species of Seedlings:** Harvested and/or understocked timberlands should be artificially regenerated with naturally-occurring conifer species and cultivars well-adapted to the timber stand's specific climate, elevation, and other environmental conditions. Planting seedlings from appropriate seed zones and elevation ranges ensures better seedling success and, eventually, a more resilient timber stand. Specifically, timberland within the property is characterized by tanoak and Douglas-fir-dominated stands with minor a component of madrone. The site to be planted occurs within California Seed Zone 092 at 2,600 feet in elevation.

*Recommendation:* The Applicant/landowner shall plant Douglas-fir seedlings (best suited for Seed Zone 092 at 2,600-foot elevation at a uniform spacing no less than 10-feet by 10-feet, or 435 trees per acre. If deer browsing is expected (based on landowner's local knowledge), then the density can be slightly increased (8-feet by 8-feet) to account for potential mortality and/or damage. Spacing of 10-feet by 10-feet will require a minimum 805 trees to be planted. 8-feet by 8-feet spacing will require a minimum of 1,259 trees to be planted.

**Types of Seedlings:** Most conifer seedlings that come from nurseries are available in two forms: bareroot seedlings and containerized seedlings. Bareroot seedlings are essentially stock whose roots are exposed at the time of planting. Bareroot seedlings are grown in nursery seedbeds and lifted from the soil in which they are grown to be planted in the field. Containerized seedlings are grown individually in a variety of hard-walled vessels or in peat pots from seed. They're typically more expensive than bareroots but usually have a higher survival rate after planting due to their well-formed root system.

*Recommendation:* Given the conditions of the site and the higher survival rate associated with containerized stock, use containerized seedlings if available.

**Seedling Care:** Seedling care and handling is extremely important to ensure post planting survival.

*Recommendation:* For long-term storage (more than 3 days), store seedlings at 33 to 36 degrees Fahrenheit. For short-term storage (several hours to less than 3 days), store below 42 degrees Fahrenheit. At the planting site, take care not to let the roots dry out and avoid exposure to the sun or warmer temperatures.

## Regeneration Plan

**Planting Instructions:** When planting seedlings, the landowner or tree planter should abide by the following:

1. Tree planting shall only occur in winter or early spring. Tree planting should not occur if the ground is frozen or during unusually warm periods.
2. Dig a hole at least one inch deeper and wider than the seedling roots. If planting from a container, dig the hole an inch deeper and wider than the container.
3. Place the seedling into the hole taking care not to bend the taproot, or main vertical root, and cover with soil.
4. Pack the soil down firmly around the seedling to remove any air pockets.
5. See Appendices A-D for illustrations for correct planting techniques.

**Seedling Survival:** Although a newly planted stand immediately fulfills stocking standards, the timber stand must continually contain an average density of at least 300 trees per acre (or 12-foot by 12-foot spacing) in order to comply with the California Forest Practice Rules (CFPRs). Seedling survival can vary widely depending on several factors including genetics, weather, herbivory, etc. Monitoring growth and success of planted seedlings is key to ensure a 300-point count stocking level is maintained 2-3 year after planting.

**Recommendation:** Monitor growth and success of planted trees one year after planting. Conduct a point count stocking sampling survey (protocol described in CFPRs 14CCR 1072). If less than 55% of the planted area meets the 300-point count minimum stocking level, repeat the replanting process. Consider consulting an RPF for continued timber management in this area.

**Stock Purchase:** Ideally, landowners should procure seedlings from sources growing local, site-specific stock. Appropriate stock is determined by stand type, seed zone, elevation, as well as other factors like soil type, site quality, and weather.

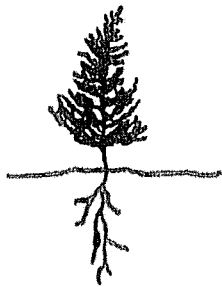
**Recommendation:** The RPF recommends acquiring conifer seedlings from Green Diamond Resource Company's nursery in Korb, California. For inquiries, contact Nursery Superintendent Glen Lehar at (707) 668-4439. He will recommend the appropriate stock based on geographic area and site conditions.

Sincerely,



Chris Carroll, RPF# 2628  
Timberland Resource Consultants

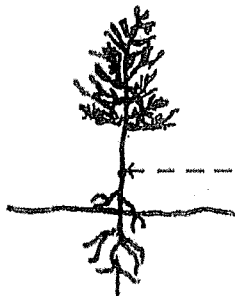
# APPENDIX A CORRECT METHOD OF SEEDLING PLANTING



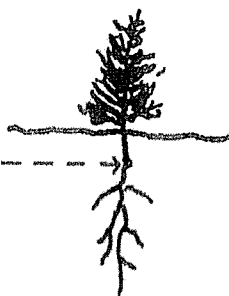
- Soil firmly packed around roots.
- No air pockets.
- Roots straight with no J or L bends.
- Root collar at or slightly below ground level.
- Root not pruned.

## ERROR IN PLANTING

Too shallow



Too Deep

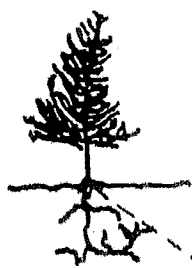


Root Collar

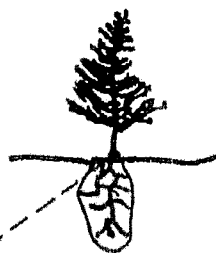
- Hole not deep enough.
- Root collar and upper roots exposed.
- Roots dry out.

- Hole is too deep.
- Root collar buried.

J or L Roots



Air Pockets

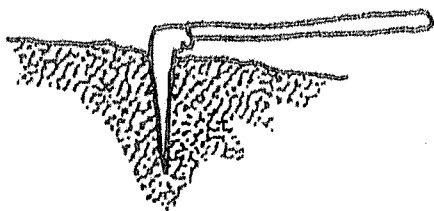


Hole is not deep enough — planting in rocky soil.  
Roots cannot effectively take up water.  
Tree not wind-firm.

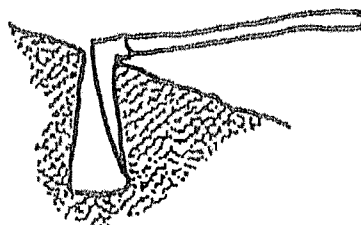
- Soil not firmly packed around roots.
- Air pocket forms.
- Roots dry out.

APPENDIX C  
PLANTING WITH A HOE

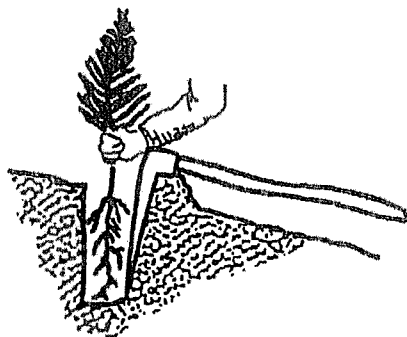
1. Swing hoe to get full penetration.



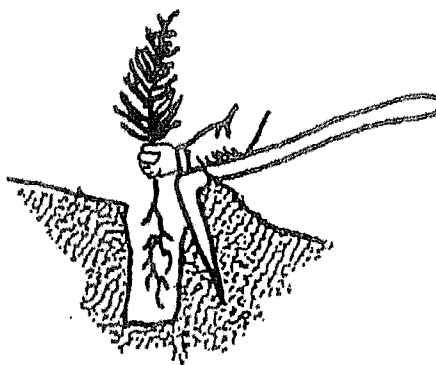
2. Lift handle and pull up to widen hole.



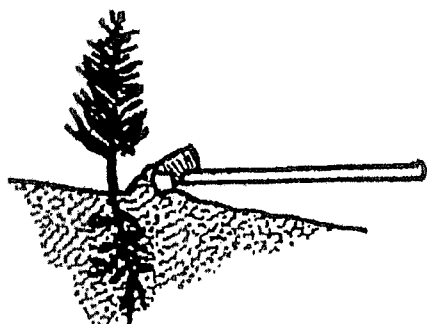
3. Place seedling while using hoe to hold back soil.



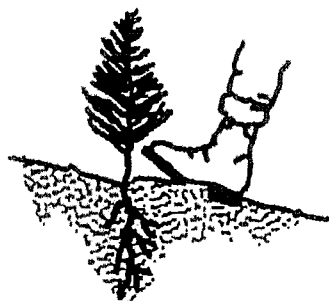
4. Use hoe to pack soil at bottom of hole.



5. Use hoe to pack soil at top hole.



6. Firm soil around seedling with feet.

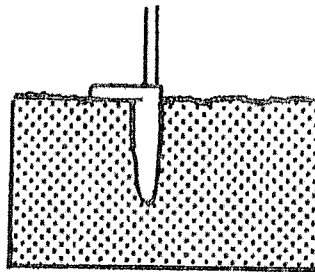




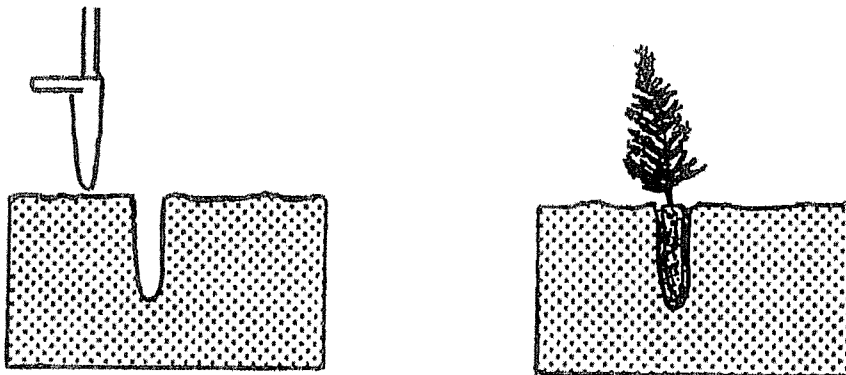
## APPENDIX D

### PUNTING WITH A PLUG BAR

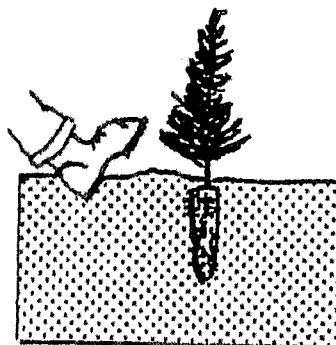
1. Insert plug bar straight down until plug bar footrest is level with ground.



2. Remove plug bar and place seedling in hole.



3. Firm soil around seeding with heel of boot.



ADDENDUM TO SITE PLAN & CULTIVATION/OPERATIONS PLAN



We will not be increasing the generator usage on the property for our 28,000ft hoop houses of outdoor cultivation. We will not be using any fans or lights in the greenhouses only solar fans will be utilized.

We are going to be using three generators for our project the wattages are as follows:

1. 62 KW
2. 24 KW
3. Honda EU 3000 is (3K). This generator is a very small backup generator for our barn and is stored in the 62 KW generator shed.

# Functional Capacity Study and Road Evaluation

November 5, 2018

Prepared for:  
Vajra Gita Grounds, LLC



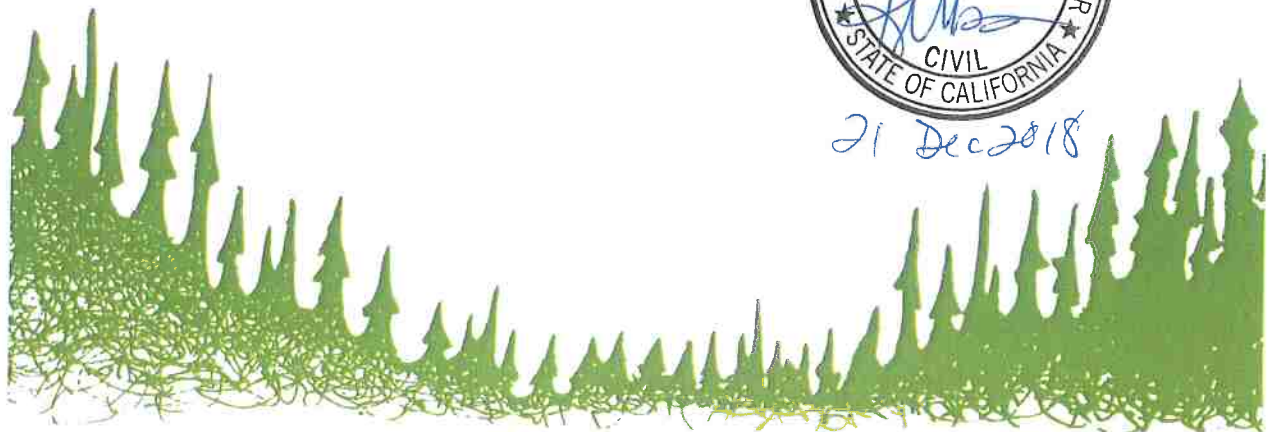
Prepared by:



920 Samoa Blvd Suite 210 Arcata, California 95521  
707-633-8321 | [motherearthengineering.com](http://motherearthengineering.com)



21 Dec 2018



## 1.0 Introduction

Mother Earth Engineering performed a traffic study on an unnamed private road in Kneeland, California. The study was performed at the request of Vajra Gita Grounds, LLC which owns parcels that are accessed by the road studied. The Average Daily Traffic (ADT) count was measured at two points along this private road to determine if the road complies with the design standards outlined in the American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads*. The ADT must be under 400 to be considered a low-volume local road.

## 2.0 Methods

The private road was monitored at two locations with motion activated cameras from 10/30/18 until 11/02/18. Camera 1 was positioned at a cattle gate (40.7163, -123.9080) approximately 0.23 miles from where the private road meets Mountain View Road. Camera 2 was positioned at a security gate (40.7200, -123.9060) approximately 0.59 miles from where the private road meets Mountain View Road.

The cameras were set to record a photograph every 5 seconds when motion was detected. These images have been evaluated to determine the traffic count for a given 24 hour period. Each period for tallying the traffic count was from 12:00 A.M. until 11:59 P.M. for a given day.

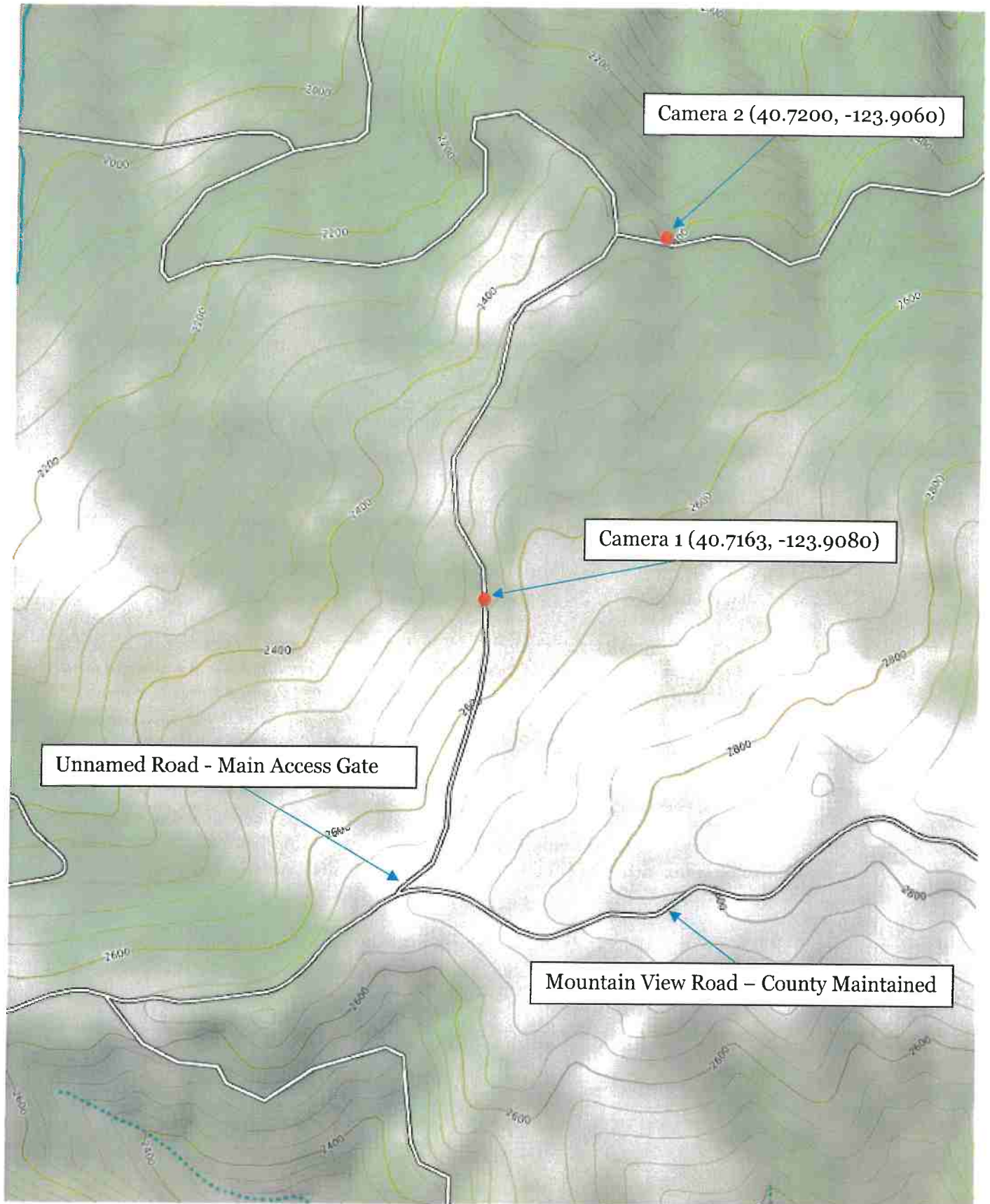
## 3.0 Conclusion

The traffic count for the two 24 hour periods were used to determine the ADT at each point on Indra Valley Road.

*Table 1: Traffic count at each monitoring point during the two 24-hour study periods.*

Date	Camera 1	Camera 2
10/31/2018	32	32
11/01/2018	32	32
ADT	32	32

The ADT for this private road as evaluated by Mother Earth Engineering was determined to be 32 vehicles per day. This qualifies the private road on the evaluated segment as a low-volume local road according to the ADT<400 standard set by AASHTO. This classification of road requires Part B:Sections 2 & 3 of the Humboldt County Department of Public Works Road Evaluation Report to be filled by a Civil Engineer licensed by the State of California. Attached with this memo are filled Road Evaluation Reports for two properties that are accessed by the subject unnamed private road. There are also Dead-End Road Length Statements for the two properties.



Mercator Projection  
WGS84  
USNG Zone 10TDL

CalTopo PLN-10677-CUP Vajra Gita

0.1 0.2 0.3 0.4 0.5 0.6 km

0.1 0.2 0.3 mi

Scale 1:5782 July 1, 2021 1 inch = 482 feet



N  
MN  
14  
Page 57 of 111



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT

**PART A:** *Part A may be completed by the applicant*

Applicant Name: Vajra Gita Grounds LLC

APN: 314-153-004

Planning & Building Department Case/File No.: 10677

Road Name: Unnamed Road (Private) *(complete a separate form for each road)*

From Road (Cross street): Mountain View Road

To Road (Cross street): Parcel Boundary of 314-153-004

Length of road segment: 0.57 miles Date Inspected: 10/31/18-11/01/18

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

Check one of the following:


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

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

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

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

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

  
Signature

12/21/18  
Date

NEAL PATEL  
Name Printed

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



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

Road Name: Unnamed Road (Private) Date Inspected: 10/31/18-11/01/18 APN: 314-153-004  
From Road: Mountain View Road (Post Mile n/a) Planning & Building  
To Road: Unnamed Road (Private) (Post Mile n/a) Department Case/File No.:  
10677

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

Number of other known cannabis projects included in ADT calculations:

(Contact the Planning & Building Department for information on other nearby projects.) 4

ADT: 32 Date(s) measured: 10/31/18-11/01/18

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

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

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

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

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

A. Pattern of curve related crashes.

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

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

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

C. Substantial edge rutting or encroachment.

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

D. History of complaints from residents or law enforcement.

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

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

Check one: ☒ No. ☐ Yes.

F. Need for turn-outs.

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

3. Conclusions/Recommendations per AASHTO. Check one:

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

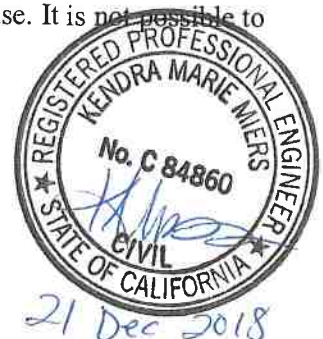
☐ The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the attached report are done. (☐ check if a *Neighborhood Traffic Management Plan* is also required and is attached.)

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

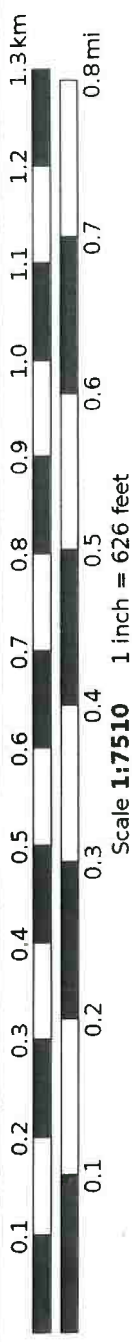
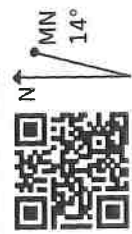
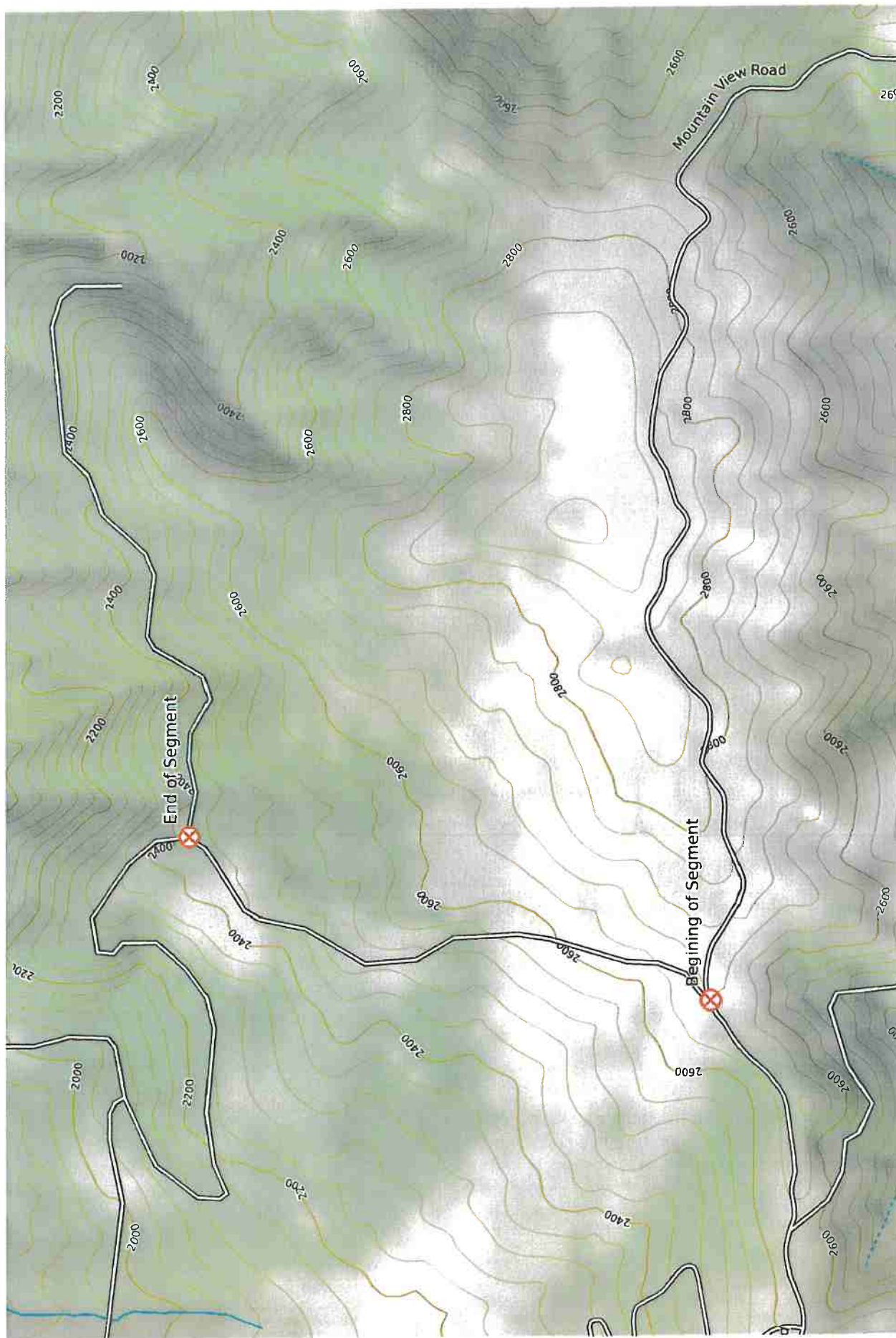
A map showing the location and limits of the road being evaluated in PART B is attached. The statements in PART B are true and correct and have been made by me after personally evaluating the road.

  
Signature of Civil Engineer

12 21 18  
Date



**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.**



Mercator Projection  
WGS84  
USNG Zone 10TDL  
CalTopo

## Humboldt County Cannabis Compliance

### Performance Standard-Road Systems

#### Standard 1 – Dead End Road Length

Projects shall not be located more than 2-miles (measured in driving distance) from the nearest intersection with a Category 4 road or secondary access for emergency vehicles and personnel, including wildland fire equipment.

Where access to a site exceeds the Dead-End Road Length standard, the application may request an exception to the standard with a Special Permit. The exception request shall include a report prepared by a licensed engineer evaluation the design, condition, and performance of all related road segments for simultaneous emergency access and evacuation. The report shall include recommendations for road system enhancements (widening, turnouts, secondary access routes) to help mitigate the dead-end road condition. To approve the exception, it must be found current conditions or proposed improvements provide sufficient access for emergency vehicles and personnel while allowing for simultaneous evacuation.

Dead End Road Length Standard	
Property Owner	Vajra Gita Grounds, LLC
APN	314-153-004
APPS #	10677
Closest Category 4 Road	Mountain View Road
Distance to Category 4 Road	0.57 miles



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT

**PART A:** *Part A may be completed by the applicant*

Applicant Name: Indra Valley Strategic Marketing Group, LLC APN: 314-201-001

Planning & Building Department Case/File No.: 11122

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

From Road (Cross street): Mountain View Road

To Road (Cross street): Parcel Boundary of 314-201-001

Length of road segment: 1.5 miles Date Inspected: 10/31/18-11/01/18

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

Check one of the following:

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

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

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

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

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

Signature

Date

Name Printed

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

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

Road Name: Unnamed Road (Private) Date Inspected: 10/31/18-11/01/18 APN: 314-201-001  
From Road: Mountain View Road (Post Mile n/a) Planning & Building  
To Road: Unnamed Road (Private) (Post Mile n/a) Department Case/File No.:  
11122

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

Number of other known cannabis projects included in ADT calculations:

(Contact the Planning & Building Department for information on other nearby projects.)

4

ADT: 32

Date(s) measured: 10/31/18-11/01/18

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

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

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

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

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

A. Pattern of curve related crashes.

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

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

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

C. Substantial edge rutting or encroachment.

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

D. History of complaints from residents or law enforcement.

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

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

Check one: ☒ No. ☐ Yes.

F. Need for turn-outs.

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

3. Conclusions/Recommendations per AASHTO. Check one:

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

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

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

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

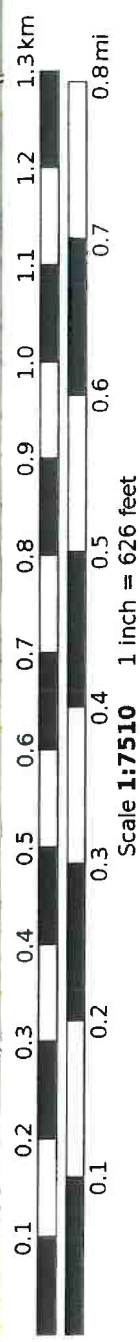
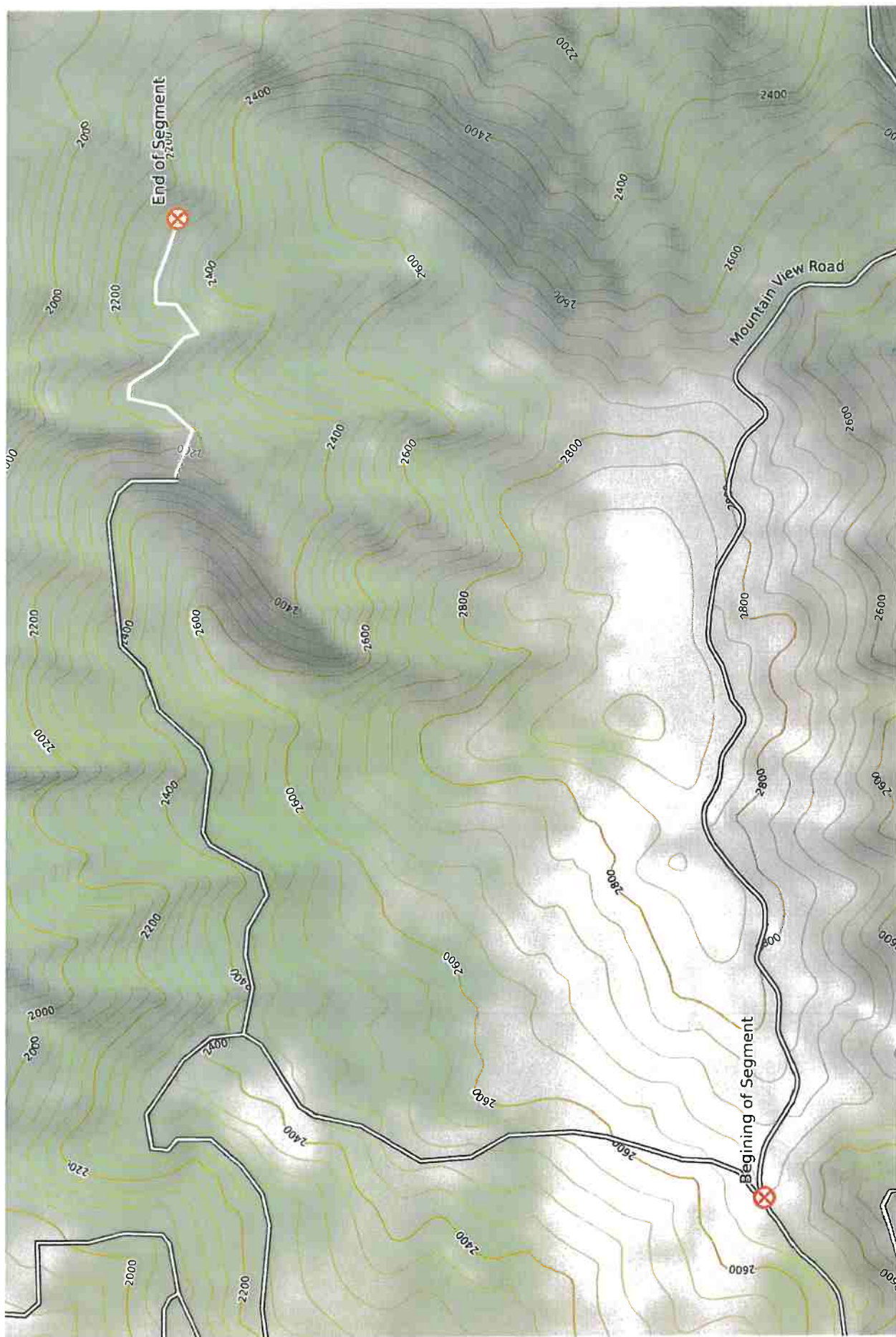
  
Signature of Civil Engineer

12 21 18  
Date



**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.**





Mercator Projection  
WGS84  
USNG Zone 10TDL  
CalTopo



## Humboldt County Cannabis Compliance

### Performance Standard-Road Systems

#### Standard 1 – Dead End Road Length

Projects shall not be located more than 2-miles (measured in driving distance) from the nearest intersection with a Category 4 road or secondary access for emergency vehicles and personnel, including wildland fire equipment.

Where access to a site exceeds the Dead-End Road Length standard, the application may request an exception to the standard with a Special Permit. The exception request shall include a report prepared by a licensed engineer evaluation the design, condition, and performance of all related road segments for simultaneous emergency access and evacuation. The report shall include recommendations for road system enhancements (widening, turnouts, secondary access routes) to help mitigate the dead-end road condition. To approve the exception, it must be found current conditions or proposed improvements provide sufficient access for emergency vehicles and personnel while allowing for simultaneous evacuation.

Dead End Road Length Standard	
Property Owner	Indra Valley Strategic Marketing Group, LLC
APN	314-201-001
APPS #	11122
Closest Category 4 Road	Mountain View Road
Distance to Category 4 Road	1.52 miles



Job No: 016041

## Liability Waiver

---

As a condition of approval for enrollment into the Water Quality Order R1-2015-0023 for the cultivation, processing, manufacture, or distribution of cannabis, the owner or permittee shall indemnify and hold harmless Mother Earth Engineering, Inc. and its agents and employees for any claims, damages, or injuries brought by affected property owners or other third parties due to the commercial cultivation, processing, manufacture, or distribution of cannabis for medical use and for any claims brought by any person for problems, injuries, damages, or liabilities of any kind that may arise out of the commercial cultivation, processing, manufacture, or distribution of cannabis for medical use. As the preparer, Mother Earth Engineering, Inc. is not responsible for any water quality violations.

I/we agree to be responsible to the stated terms and conditions of the Order, and release Mother Earth Engineering, Inc., its employees, contractors, and consultants from any defense costs, including attorneys' fees or other loss connected with any legal challenge which may arise from implementation of said Order.

Landowner Printed Name: KNEELAND HOLDINGS, LLC  
Signature: [Signature] Date: 10/3/2018  
Discharger Printed Name: NEAL PATEL  
Signature: [Signature] Date: 10/3/2018

WRPP prepared by: Mother Earth Engineering, Inc.  
920 Samoa Blvd., Suite #203  
Arcata, CA 95521  
(707) 633-8321

WRPP prepared on: January 2017

Signature: [Signature] Date: 10/3/2018



Mother Earth Engineering, Inc.  
920 Samoa Blvd. Suite 203 | Arcata, CA 95521  
(707) 633-8321

Page 1 of 10

## Water Resource Protection Plan

---

<b>APN</b> 314-153-004	<b>County</b> Humboldt	<b>Zoning</b> TPZ – Timberland Production Zone
<b>Site Address</b>	<b>Lot Size</b> 141.0 acres	<b>HUC-12</b> 180101020403
<b>Date</b> September 6, 2016	<b>Time</b> 1:00 PM	<b>Weather Conditions</b> Cloudy/warm
<b>Site WDID</b> Pending	<b>Tier Classification</b> Tier 2	<b>Total Cultivation Area</b> Approx. 22,000 sq ft

### Summary:

The operation is located in the Kneeland area of Showers Pass Road. There are three cultivation areas. The site is classified as Tier 2 as defined in the NCRWCQB Order No. R1-2015-0023. The total cultivation area is approximately 22,000 sq ft and slopes of the cultivation areas are less than 5%.

The water source for this property is a spring. An Initial Statement filing with the SWRCB is pending. There are currently 2 storage bladders on the property with a total storage capacity of 40,000 gallons, with plans to add additional storage capacity in 2018.

The parcel is zoned AE-Agricultural Exclusive, and the cultivation area has been in use for 10 years.



## Site Assessment of Standard Conditions

### 1. Site maintenance, erosion control and drainage features

a. Roads shall be maintained as appropriate (with adequate surfacing and drainage features) to avoid developing surface ruts, gullies, or surface erosion that results in sediment delivery to surface waters.

**Roads shall be inspected regularly, especially after storm events. They should be recontoured if surface ruts or gullies are present. Any evidence of surface erosion will necessitate inspection for sediment delivery paths. Sediment transport from roads will be monitored to ensure no delivery to surface waters.**

b. Roads, driveways, trails, and other defined corridors for foot or vehicle traffic of any kind shall have adequate ditch relief drains or rolling dips and/or other measures to prevent or minimize erosion along the flow paths and at their respective outlets.

**Road show lack of adequate ditch relief drains and significant erosion along flow paths. After the rainy season each year, roads will be inspected and resurfaced where necessary. All road need ditch relief drains and or rolling dips as necessary. Armoring rock and or road base will be installed where necessary. See Work Plan.**

c. Roads and other features shall be maintained so that surface runoff drains away from potentially unstable slopes or earthen fills. Where road runoff cannot be drained away from an unstable feature, an engineered structure or system shall be installed to ensure that surface flows will not cause slope failure.

**Runoff from roads should be directed away from cut slopes with the installation of ditch relief drains, rip rap, and or culverts. See Work Plan.**

d. Roads, clearings, fill prisms, and terraced areas (cleared/developed areas with the potential for sediment erosion and transport) shall be maintained so that they are hydrologically disconnected, as feasible, from surface waters, including wetlands, ephemeral, intermittent and perennial streams.

**Clearings and terraced areas shall have side slopes no greater than 45 degrees and stabilized with rock or geomembrane. No sediment shall be transported from the immediate area. Any channelized flow paths will be protected from sediment transport of any kind.**

e. Ditch relief drains, rolling dip outlets, and road pad or terrace surfaces shall be maintained to promote infiltration/dispersal of outflows and have no apparent erosion or evidence of soil transport to receiving waters.

**Cleared areas must be hydrologically disconnected to all surface waters. Drainage channels created by development shall monitored for sediment transport.**





**Installation of engineered structures constructed as necessary. Roads with culverted stream crossings will be inspected at the crossing and armored where necessary to prevent erosion and soil transport.**

f. Stockpiled construction materials are stored in a location and manner so as to prevent their transport to receiving waters.

**Stockpiled construction materials are kept in a shed.**

## **2. Stream Crossing Maintenance**

a. Culverts and stream crossings shall be sized to pass the expected 100- year peak streamflow.

b. Culverts and stream crossings shall be designed and maintained to address debris associated with the expected 100-year peak streamflow.

**Culverts shall be sized to pass the 100-year storm event flow, and are maintained during and after storm events to make sure that they are not clogged with debris.**

c. Culverts and stream crossings shall allow passage of all life stages of fish on fish-bearing or restorable streams, and allow passage of aquatic organisms on perennial or intermittent streams.

d. Stream crossings shall be maintained so as to prevent or minimize erosion from exposed surfaces adjacent to, and in the channel and on the banks.

**Streams within the property are not fish-bearing. Culverts inlets and outlets shall be inspected annually for signs erosion and sediment transport. Stabilization measures will be taken if necessary. See Work Plan.**

e. Culverts shall align with the stream grade and natural stream channel at the inlet and outlet where feasible.

**Culverts are aligned with natural stream channels at inlets and outlets.**

f. Stream crossings shall be maintained so as to prevent stream diversion in the event that the culvert/crossing is plugged, and critical dips shall be employed with all crossing installations where feasible.

**Stream crossing shall be inspected before, during, and after all major storm events and debris cleared to maintain flow. Critical dips shall be maintained downslope of all stream crossings. See Work Plan.**

## **3. Riparian and Wetland Protection and Management**

a. For Tier 1 Dischargers, cultivation areas or associated facilities shall not be located within 200 feet of surface waters. While 200 foot buffers are preferred for Tier 2 sites, at minimum,



**Mother Earth Engineering, Inc.**  
920 Samoa Blvd. Suite 203 | Arcata, CA 95521  
(707) 633-8321 | motherearthengineering.com

**Page 4 of 10**

cultivation areas and associated facilities shall not be located or occur within 100 feet of any Class I or II watercourse or within 50 feet of any Class III watercourse or wetlands. The Regional Water Board or its Executive Officer may apply additional or alternative conditions on enrollment, including site-specific riparian buffers and other BMPs beyond those identified in water resource protection plans to ensure water quality protection.

b. Buffers shall be maintained at natural slope with native vegetation.

c. Buffers shall be of sufficient width to filter wastes from runoff discharging from production lands and associated facilities to all wetlands, streams, drainage ditches, or other conveyances.

**Buffers between cleared areas or cultivation areas and water courses shall be at minimum 50 feet. Buffers shall be maintained with native vegetation; no earth work will be performed in buffer areas.**

d. Riparian and wetland areas shall be protected in a manner that maintains their essential functions, including temperature and microclimate control, filtration of sediment and other pollutants, nutrient cycling, woody debris recruitment, groundwater recharge, streambank stabilization, and flood peak attenuation and flood water storage.

**Riparian areas are kept in their natural condition and shall be maintained as such after any maintenance work conducted on stream crossings, roads, and terraces.**

#### 4. Spoils Management

a. Spoils shall not be stored or placed in or where they can enter any surface water.

b. Spoils shall be adequately contained or stabilized to prevent sediment delivery to surface waters.

c. Spoils generated through development or maintenance of roads, driveways, earthen fill pads, or other cleared or filled areas shall not be sidecast in any location where they can enter or be transported to surface waters.

**Spoils generated through road maintenance or cultivation shall be placed in areas with no potential for transport to surface waters. Spoils piles shall be shored and/or seeded to prevent erosion, or used for the production of compost to be used on site.**

#### 5. Water Storage and Use:

a. Size and scope of an operation shall be such that the amount of water used shall not adversely impact water quality and/or beneficial uses, including and in consideration with other water use by operations, instream flow requirements and/or needs in the watershed, defined at the scale of a HUC-12 watershed or at a smaller hydrologic watershed as determined necessary by the Regional Water Board Executive Officer.



b. Water conservation measures shall be implemented. Examples include use of rainwater catchment systems or watering plants with a drip irrigation system rather than with a hose or sprinkler system.

c. For Tier 2 Dischargers, if possible, develop off-stream storage facilities to minimize surface water diversion during low flow periods.

**Installation of additional water storage is planned to enable forbearance during low flow periods. See Work Plan.**

d. Water is applied using no more than agronomic rates.

**Water conservation measures employed at the site include a drip irrigation system, straw mulching to preserve soil moisture, and significant water storage for forbearance.**

e. Diversion and/or storage of water from a stream should be conducted pursuant to a valid water right and in compliance with reporting requirements under Water Code section 5101.

**An Initial Statement has been filed with the SWRCB.**

f. Water storage features, such as ponds, tanks, and other vessels shall be selected, sited, designed, and maintained so as to insure integrity and to prevent release into waters of the state in the event of a containment failure.

**Existing and proposed tanks are installed in areas with no potential for release into surface waters.**

## 6. Irrigation Runoff

Implementing water conservation measures, irrigating at agronomic rates, applying fertilizers at agronomic rates and applying chemicals according to the label specifications, and maintaining stable soil and growth media should serve to minimize the amount of runoff and the concentration of chemicals in that water. In the event that irrigation runoff occurs, measures shall be in place to treat/control/contain the runoff to minimize the pollutant loads in the discharge. Irrigation runoff shall be managed so that any entrained constituents, such as fertilizers, fine sediment and suspended organic particles, and other oxygen consuming materials are not discharged to nearby watercourses. Management practices include, but are not limited to, modifications to irrigation systems that reuse tailwater by constructing offstream retention basins, and active (pumping) and or passive (gravity) tailwater recapture/redistribution systems. Care shall be taken to ensure that irrigation tailwater is not discharged towards or impounded over unstable features or landslides.

**Irrigation water, fertilizers, and soil amendments are applied conservatively and do not leave the immediate area of cultivation. During the wet season, the boundary of**



**the cultivation area is shored with hay bales and straw waddles to prevent any constituents and sediment from flowing away from the area towards watercourses.**

## **7. Fertilizers and Soil Amendments**

a. Fertilizers, potting soils, compost, and other soils and soil amendments shall be stored in locations and in a manner in which they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater.

**Fertilizers and amendments are stored in sheds or covered areas where there is no potential for transport to surface waters. Tea tanks are kept covered and inspected for leakage regularly.**

b. Fertilizers and soil amendments shall be applied and used per packaging instructions and/or at proper agronomic rates.

**Fertilizers and amendments are used conservatively and applied at manufacturer's recommended rates.**

c. Cultivation areas shall be maintained so as to prevent nutrients from leaving the site during the growing season and post-harvest.

**Cultivation area is shored with straw bales and waddles before the rainy season each year. Tea tanks are emptied onto beds and beds are winterized with mulch and/or cover crop seeds.**

## **8. Pesticides/Herbicides**

At the present time, there are no pesticides or herbicides registered specifically for use directly on cannabis and the use of pesticides on cannabis plants has not been reviewed for safety, human health effects, or environmental impacts. Under California law, the only pesticide products not illegal to use on cannabis are those that contain an active ingredient that is exempt from residue tolerance requirements and either registered and labeled for a broad enough use to include use on cannabis or exempt from registration requirements as a minimum risk pesticide under FIFRA section 25(b) and California Code of Regulations, title 3, section 6147. For the purpose of compliance with conditions of this Order, any uses of pesticide products shall be consistent with product labelling and any products on the site shall be placed, used, and stored in a manner that ensures that they will not enter or be released into surface or ground waters. (See also Appendix E.)

**No synthetic herbicides or pesticides are used in this operation. Methods used for pest control include application of predatory insects, fungal amendments, and micronized sulfur. All amendments are stored with fertilizers, covered and off the ground.**

## **9. Petroleum products and other chemicals**



**Mother Earth Engineering, Inc.**  
920 Samoa Blvd. Suite 203 | Arcata, CA 95521  
(707) 633-8321 | [motherearthengineering.com](http://motherearthengineering.com)

**Page 7 of 10**



a. Petroleum products and other liquid chemicals, including but not limited to diesel, biodiesel, gasoline, and oils shall be stored so as to prevent their spillage, discharge, or seepage into receiving waters. Storage tanks and containers must be of suitable material and construction to be compatible with the substance(s) stored and conditions of storage such as pressure and temperature.

b. Above ground storage tanks and containers shall be provided with a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation.

c. Dischargers shall ensure that diked areas are sufficiently impervious to contain discharged chemicals.

**All petroleum and fuel products are kept in approved storage containers and stored in secondary-containment vessels at all times, out of direct sunlight.**

d. Discharger(s) shall implement spill prevention, control, and countermeasures (SPCC) and have appropriate cleanup materials available onsite.

**Spill kits are kept in all chemical and fuel storage areas.**

e. Underground storage tanks 110 gallons and larger shall be registered with the appropriate County Health Department and comply with State and local requirements for leak detection, spill overflow, corrosion protection, and insurance coverage.

**There are no underground storage tanks on the property.**

## 10. Cultivation-related wastes

Cultivation-related wastes including, but not limited to, empty soil/soil amendment/fertilizer/pesticide bags and containers, empty plant pots or containers, dead or harvested plant waste, and spent growth medium shall, for as long as they remain on the site, be stored at locations where they will not enter or be blown into surface waters, and in a manner that ensures that residues and pollutants within those materials do not migrate or leach into surface water or groundwaters.

**Plastic waste is reused or recycled at proper facilities when possible, and removed from the site at regular intervals. Plant waste and spent growth medium are composted in a contained area near the cultivation area. Compost is used on the property.**

## 11. Refuse and human waste

a. Disposal of domestic sewage shall meet applicable County health standards, local agency management plans and ordinances, and/or the Regional Water Board's Onsite Wastewater Treatment System (OWTS) policy, and shall not represent a threat to surface water or groundwater.



**Currently a porta potty is in use at the site. Septic system and leach field will be installed in the future. See Work Plan.**

b. Refuse and garbage shall be stored in a location and manner that prevents its discharge to receiving waters and prevents any leachate or contact water from entering or percolating to receiving waters.

c. Garbage and refuse shall be disposed of at an appropriate waste disposal location.

**Garbage is kept in plastic wildlife-proof containers and disposed of in a proper facility regularly.**

## **12. Remediation/Cleanup/Restoration**

Remediation/cleanup/restoration activities may include, but are not limited to, removal of fill from watercourses, stream restoration, riparian vegetation planting and maintenance, soil stabilization, erosion control, upgrading stream crossings, road outcropping and rolling dip installation where safe and suitable, installing ditch relief culverts and overside drains, removing berms, stabilizing unstable areas, reshaping cutbanks, and rockering native-surfaced roads. Restoration and cleanup conditions and provisions generally apply to Tier 3 sites, however owners/operators of Tier 1 or 2 sites may identify or propose water resource improvement or enhancement projects such as stream restoration or riparian planting with native vegetation and, for such projects, these conditions apply similarly. Appendix B accompanying this Order includes environmental protection and mitigation measures that apply to cleanup activities such as: temporal limitations on construction; limitations on earthmoving and construction equipment; guidelines for removal of plants and revegetation; conditions for erosion control, limitations on work in streams, riparian and wetland areas; and other measures. These protection and mitigation measures have been developed to prevent or reduce the environmental impacts and represent minimum, enforceable standards by which cleanup activities shall be conducted under this Order.

**Mitigation measures outlined in Appendix B shall be adhered to as directives for all maintenance and restoration activities. At this site, such work includes possible culvert replacement, ditch relief installation and maintenance, road repair and maintenance, installation of OWTS, stabilization of cut banks, and the installation of additional water storage tanks. See Work Plan for details on this work.**



## WORK PLAN

### (Identified Problems and Proposed Solutions)

**Figure 1:** Map points shown with solutions and completion dates shown below in Table 1.

**Table 1:** A description of one each one point is given with its associated standard condition, proposed BMP implementation, and scheduled completed date.

Map Point	Map Point Description	Associated Standard Condition	Permanent BMP	Priority for Action	Permanent BMP Completion Date	Completion Date
R-1	Site of needed ditch relief, road resurface, drainage structures	I.a.1.b & c	Ditch relief drain installation, resurfacing, drainage structures	1	9/30/17	
C-1	Culvert maintenance	I.a.2.d	Inlet and outlet stabilization	2	9/30/17	
C-2	Site of needed critical dips	I.a.2.f	Critical dips installed	2	9/30/17	
WS-1	Water Storage	I.a.5.c	Installation of additional water storage	5	9/30/19	
SS-1	Site of proposed OWTS	I.a.11.a	Permitted septic system with leach field	4	9//30/18	



- your structure will emit frequencies, and does not meet the conditions of the [FAA Co-location Policy](#)
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

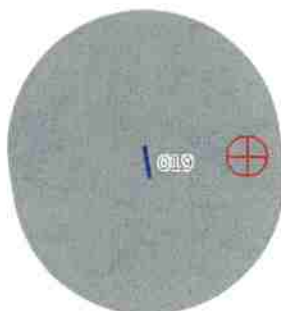
If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the [Air Traffic Areas of Responsibility map](#) for Off Airport construction, or contact the [FAA Airports Region / District Office](#) for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

Latitude:	40	Deg	43	M	11.99	S	N
Longitude:	123	Deg	54	M	1.799	S	W
Horizontal Datum:	NAD83						
Site Elevation (SE):	2570 (nearest foot)						
Unadjusted Structure Height :	20 (nearest foot)						
Height Adjustment:	10 (nearest foot)						
Total Structure Height (AGL):	30 (nearest foot)						
Traverseway:	Private Road						
(Additional height is added to certain structures under 77.9(c)) User can increase the default height adjustment for Traverseway, Private Roadway and Waterway							
Is structure on airport:	<input checked="" type="radio"/> No <input type="radio"/> Yes						
<input type="button" value="Submit"/>							

### Results

You do not exceed Notice Criteria.





## 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	✓	Comments	<b>Attached</b>
Division Environmental Health	✓	Conditional Approval	<b>Attached</b>
Public Works, Land Use Division	✓	Conditional Approval	<b>Attached</b>
CalFIRE	✓	Comments	<b>Attached</b>
California Department of Fish & Wildlife	✓	Conditional Approval	<b>Attached</b>
Northwest Information Center	✓	Comments	On file and confidential
Bear River Band Tribe	✓	Comments	On file and confidential
Humboldt County Sheriff	✓	Comments	On file
Humboldt Bay Municipal Water District	✓	Comments	<b>Attached</b>
County Counsel	✓	Comments	On file and confidential
Humboldt County Airport Director	✓	No Response	No Response
Kneeland School District		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	



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



7/19/2017

**PROJECT REFERRAL TO: Building Inspection Division**

**Project Referred To The Following Agencies:**

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

**Applicant Name** Vijra Gita Grounds LLC **Key Parcel Number** 314-153-004-000

**Application (APPS#)** 10677 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-048

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 8/3/2017**

Planning Commission Clerk

County of Humboldt Planning and Building Department

3015 H Street

Eureka, CA 95501

**E-mail:** PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

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

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

☐ Recommend Conditional Approval. Suggested Conditions Attached.

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

☐ Recommend Denial. Attach reasons for recommended denial.

☒ Other Comments: \_\_\_\_\_

DATE: 8-4-17

PRINT NAME: Gustin Dumlau



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

3015 H STREET EUREKA CA 95501  
PHONE: (707) 445-7245 FAX: (707) 445-7446

**Building Division's Referral Comments for Cannabis Operations:**

Application No.: 10677  
Parcel No.: 314-153-004  
Case No.: CUP 16-048

The following comments apply to the proposed project, (check all that apply).

☐ Site/plot plan appears to be accurate.

☒ Submit revised site/plot plan showing all of the following items: all grading including ponds and roads, location of any water course including springs, all structure including size and use and all setbacks from the above stated to each other and property lines.

☐ Existing operation appears to have expanded, see comments: \_\_\_\_\_

☒ Existing structures used in the cannabis operation shall not to be used/occupied until all required permits have been obtained.

☐ Proposed new operation has already started.

☐ Recommend approval based on the condition that all required grading, building, plumbing electrical and mechanical permits and or Agricultural Exemption are obtained.

☒ Other Comments: See photos @ CUP 16-048 - Alder  
314-153-004  
- Grading has been done  
- Additional Green houses in use not shown on plot plan.

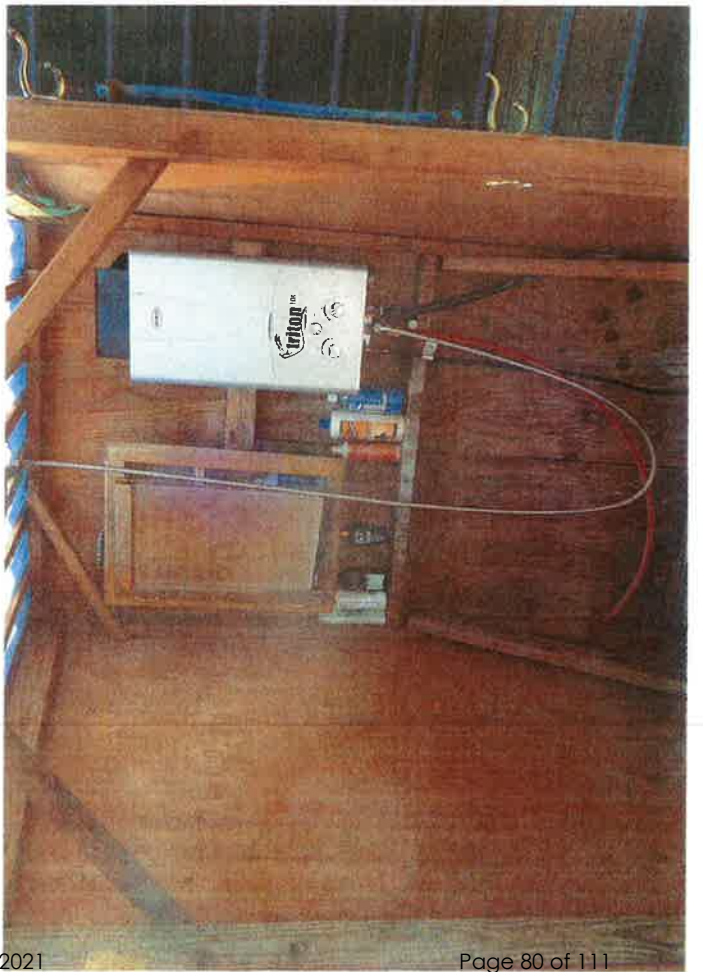
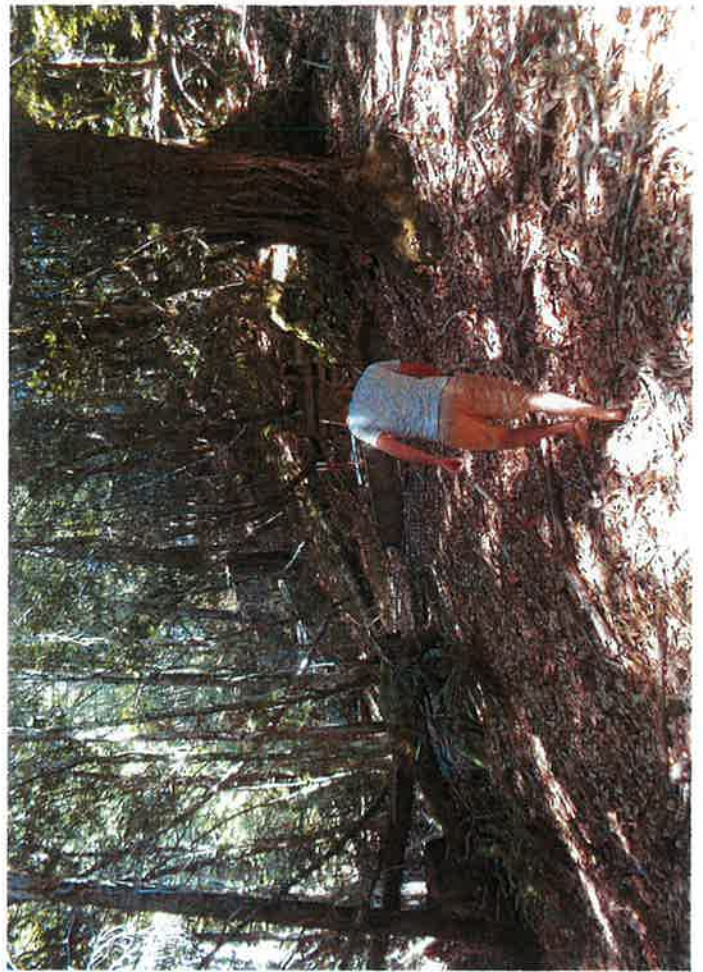
Name: Gustin Dumlauer

Date: 8-4-17

Note: Remember to take photographs and then save them to the Planning's case number. File location J, Current Planning, Projects, (CUP, SP, ZCC) Case number.



Water supply



8-3-17 314-153-004



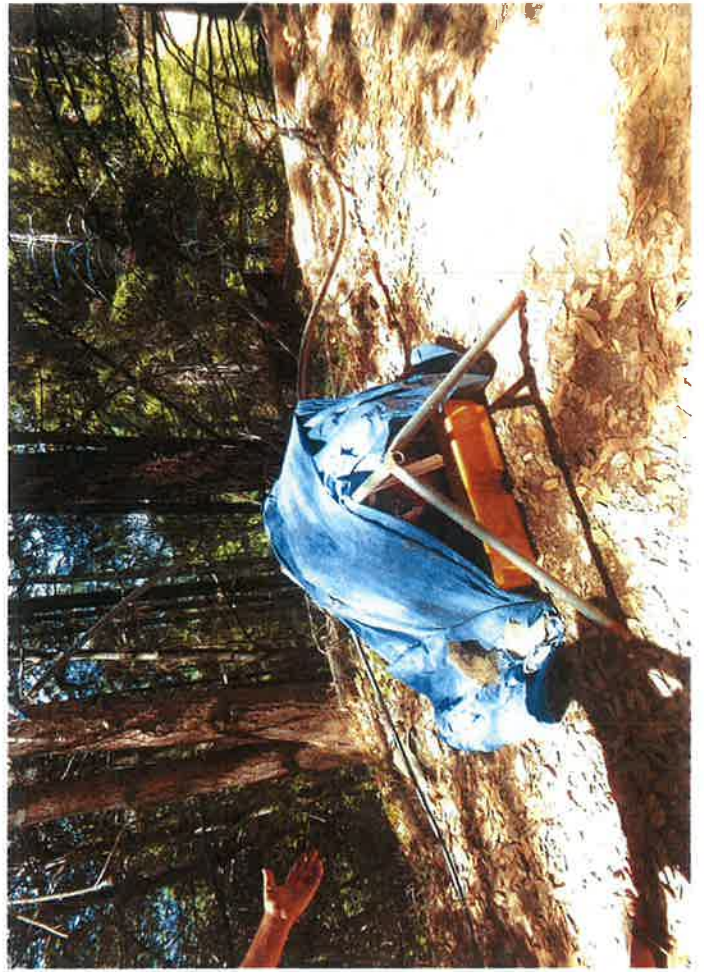
undersized culvert



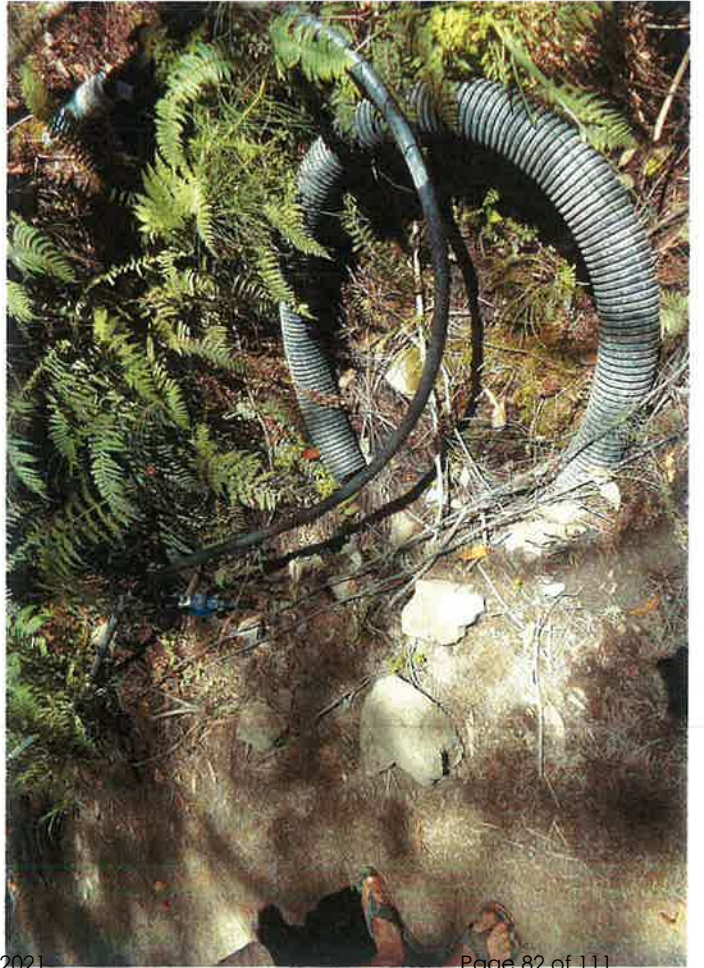
water supply







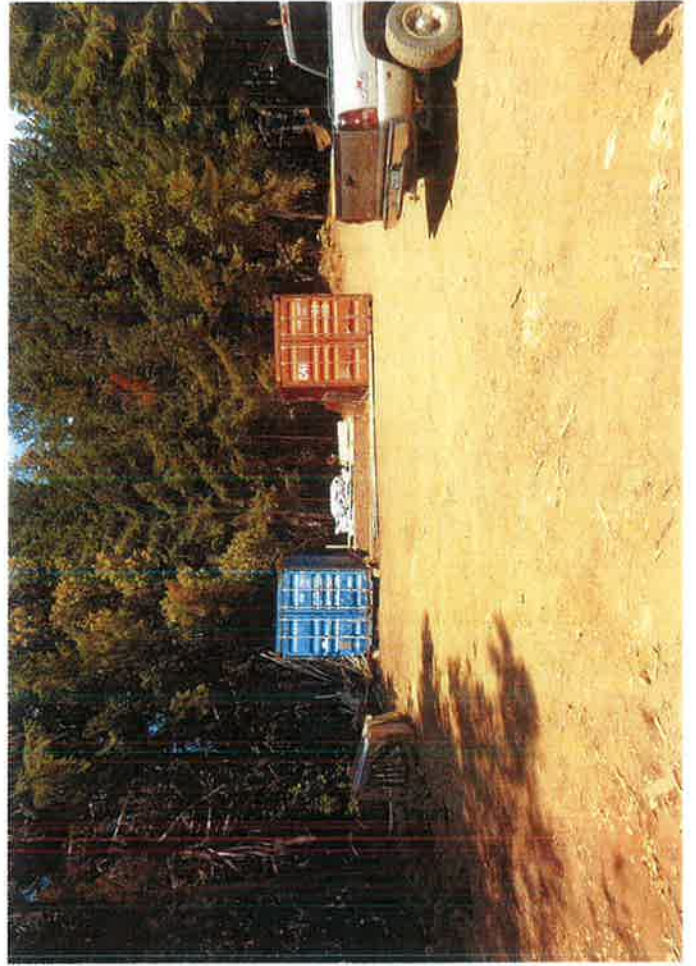
Water supply pump system



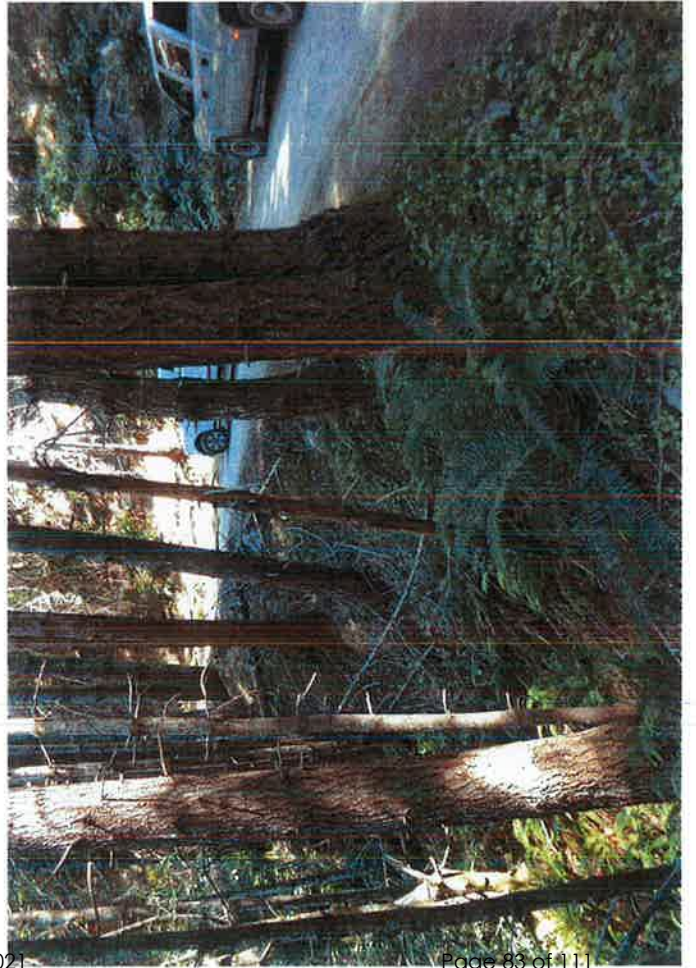
6-3-17 314-153-004



fuel Tank & Stand not use



Containers not on plot-plan



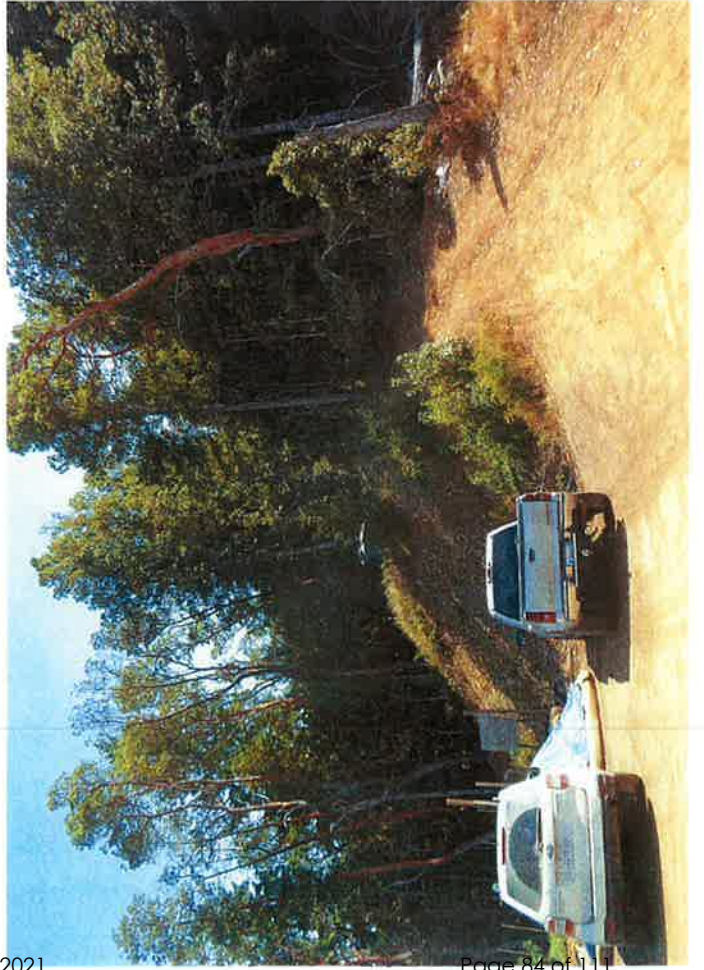


Site 1  
evidence of grading

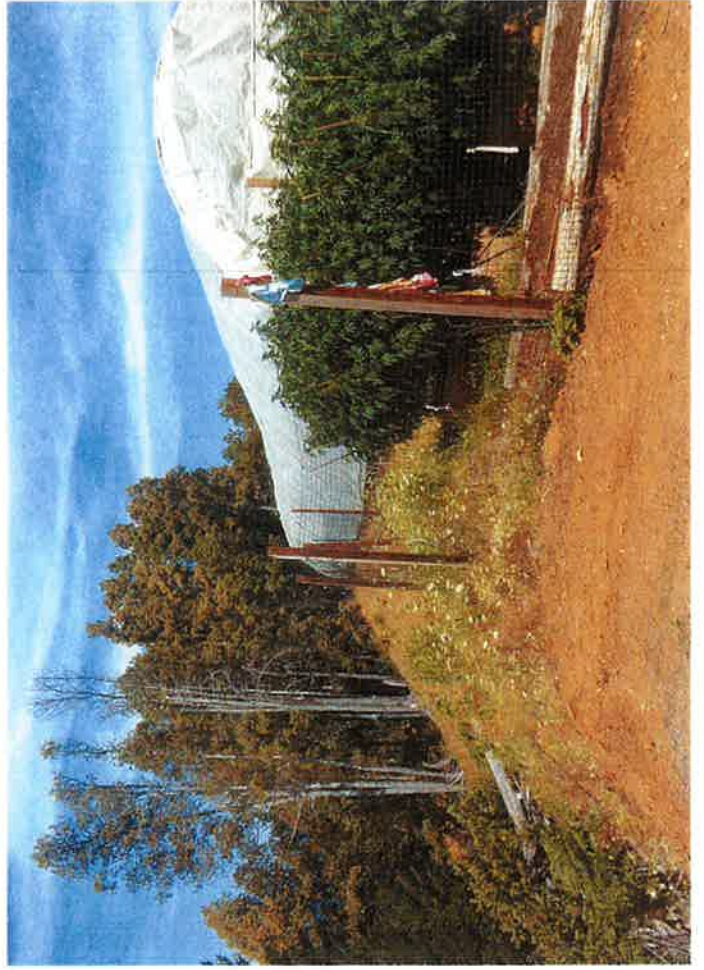


PLN-10677-CUP Vajra Gita

July 1, 2021



Page 84 of 111



8-3-17 314-153-004



Site 1



PLN-10677-CUP Vajra Gita

July 1, 2021



Page 83 of 111

the generator shed  
↓  
not on plot plan



flowing building site  
↓



Site 1

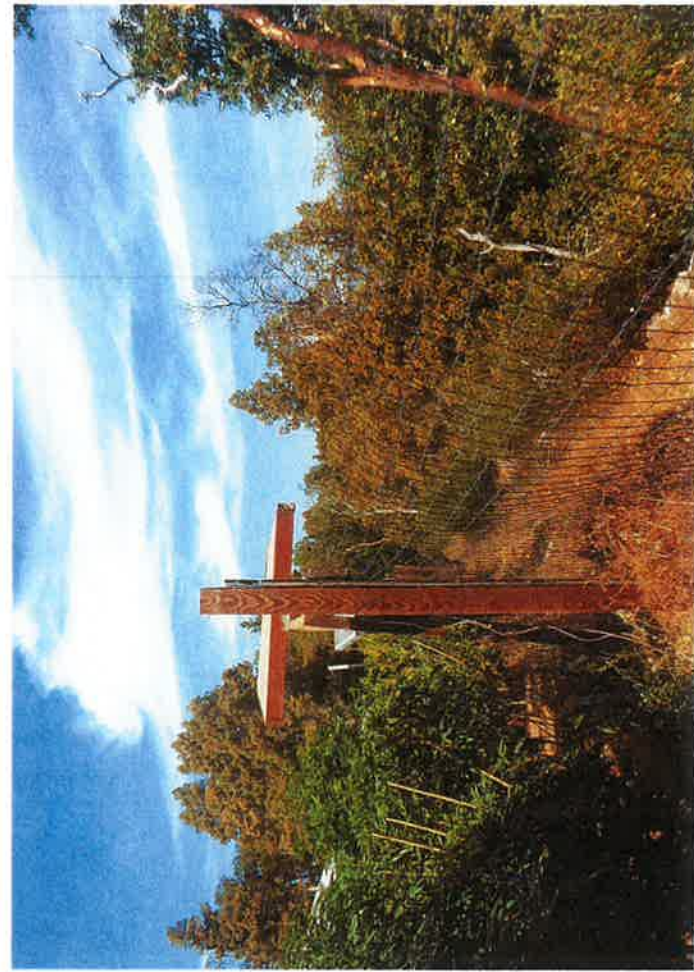
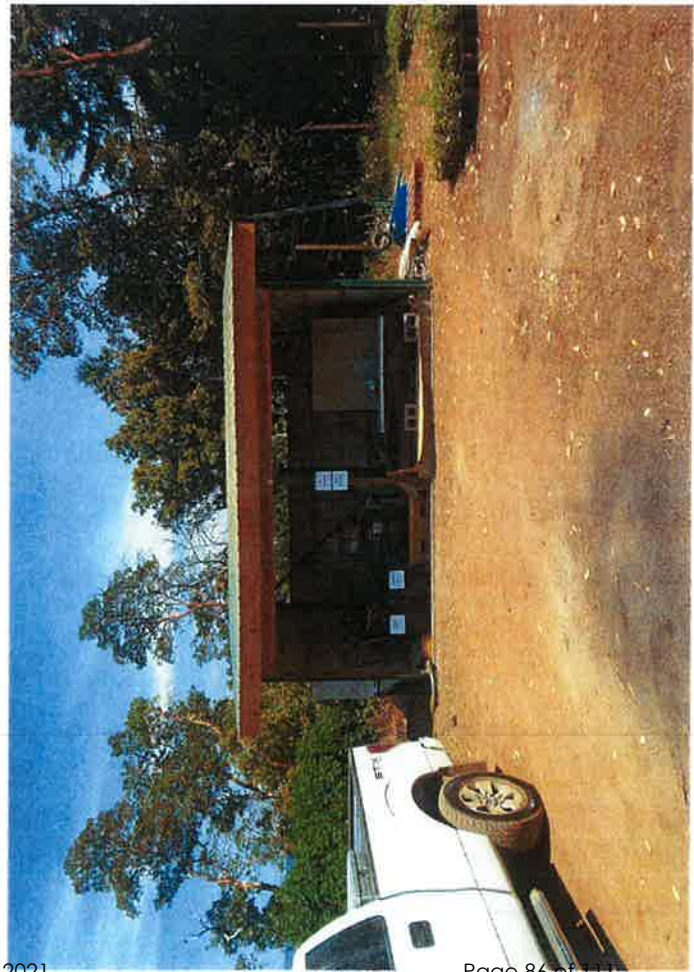


Generator Shed



PLN-10677-CUP Vajra Gita

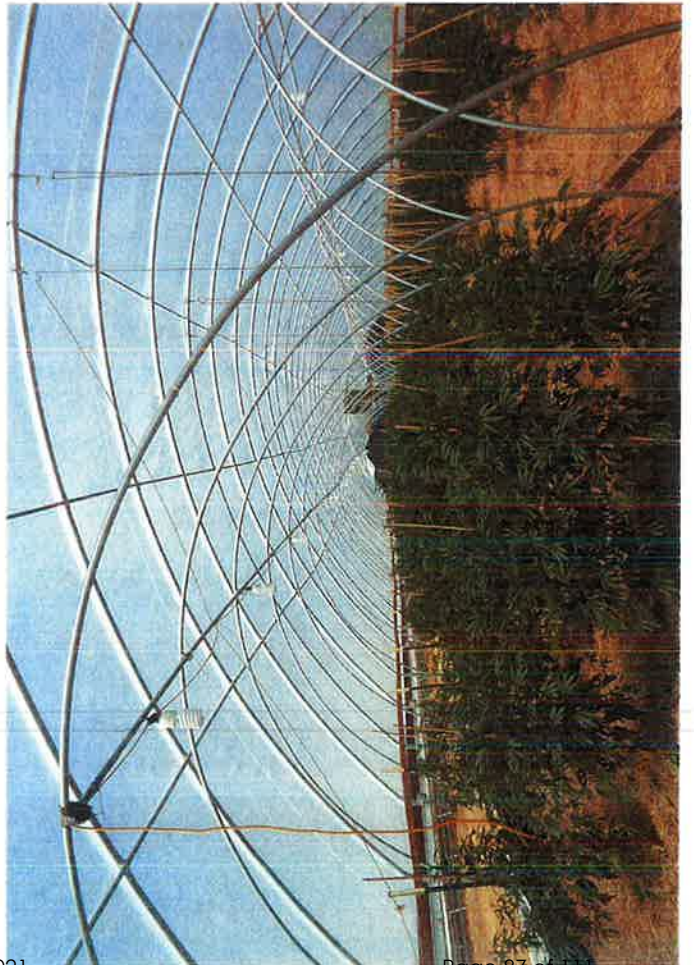
July 1, 2021







Site 1 G-H

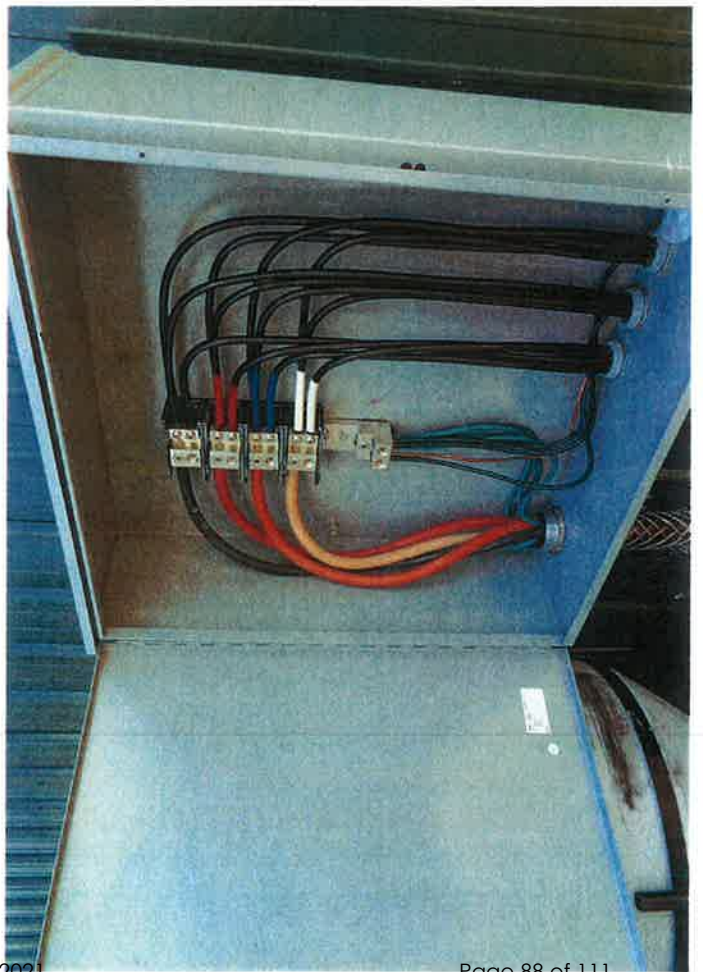




side 2 ↓



water tanks site 1 ↓



8-3-17 314-153-004



Site 3

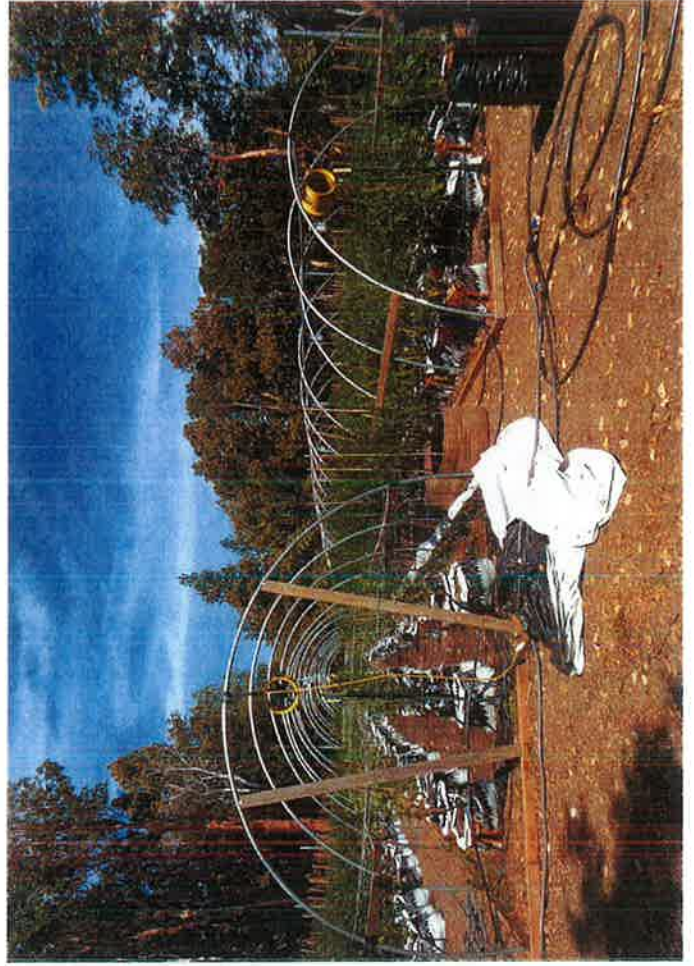
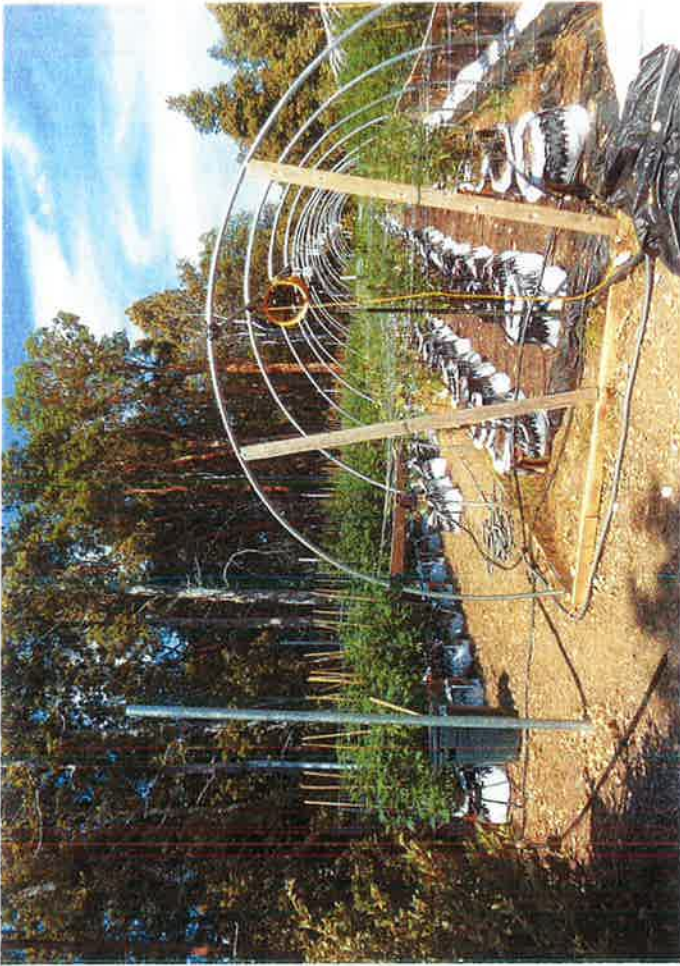


PLN-10677-CUP Vajra Gita

July 1, 2021

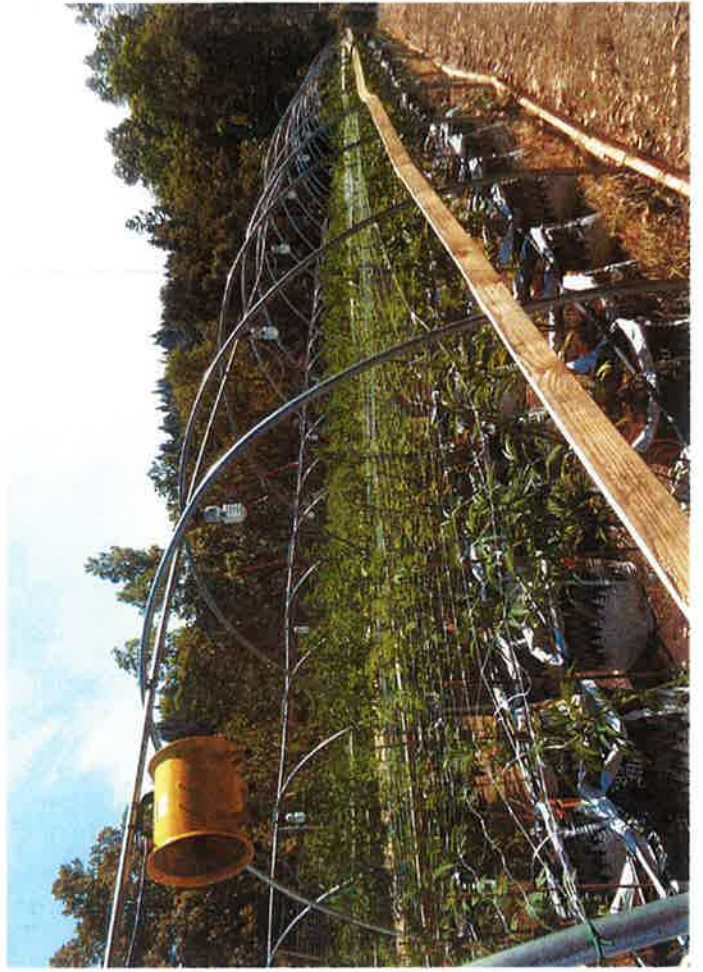


Page 89 of 111



Site 3





Site 3

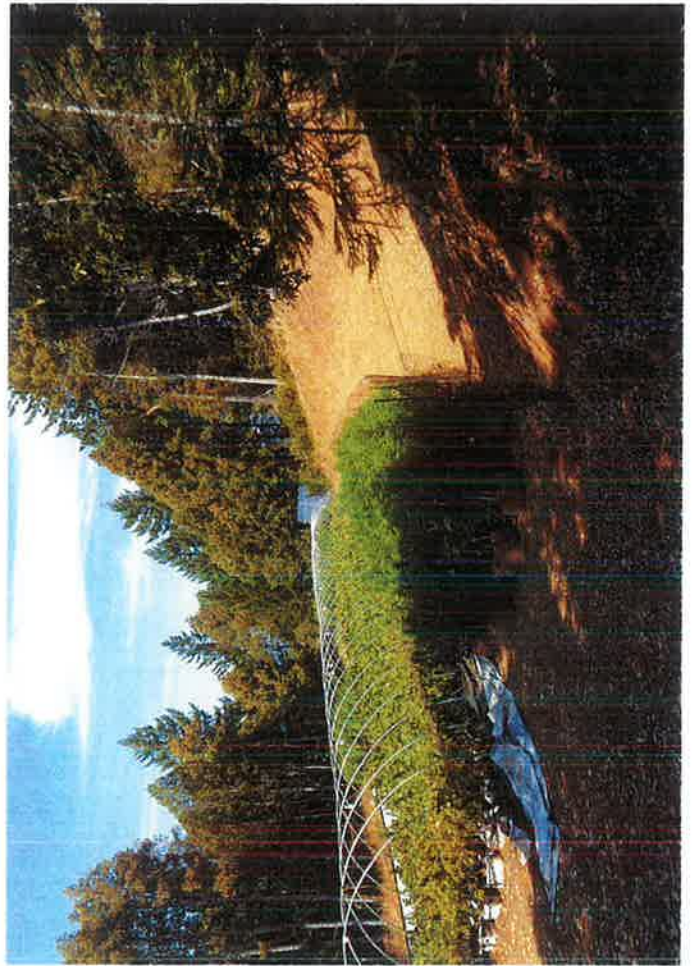


314-153-004

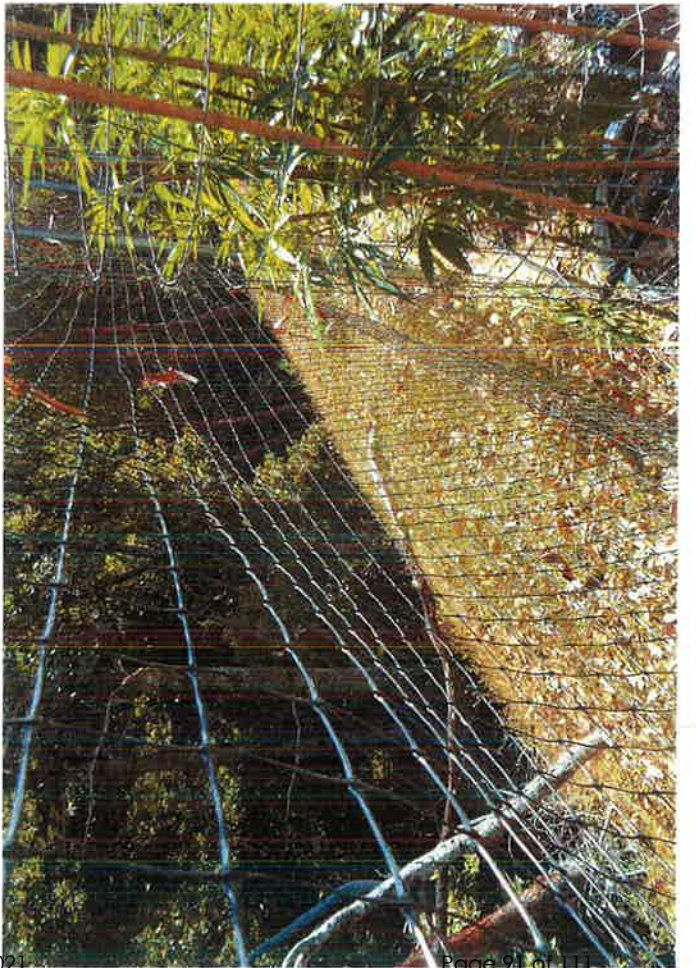
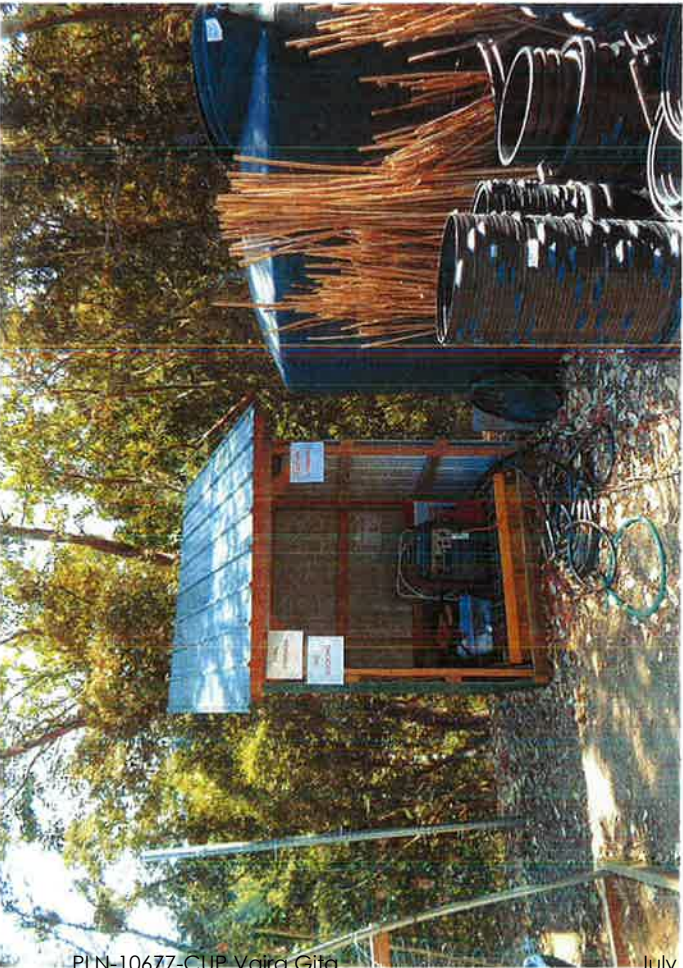
8-3-17



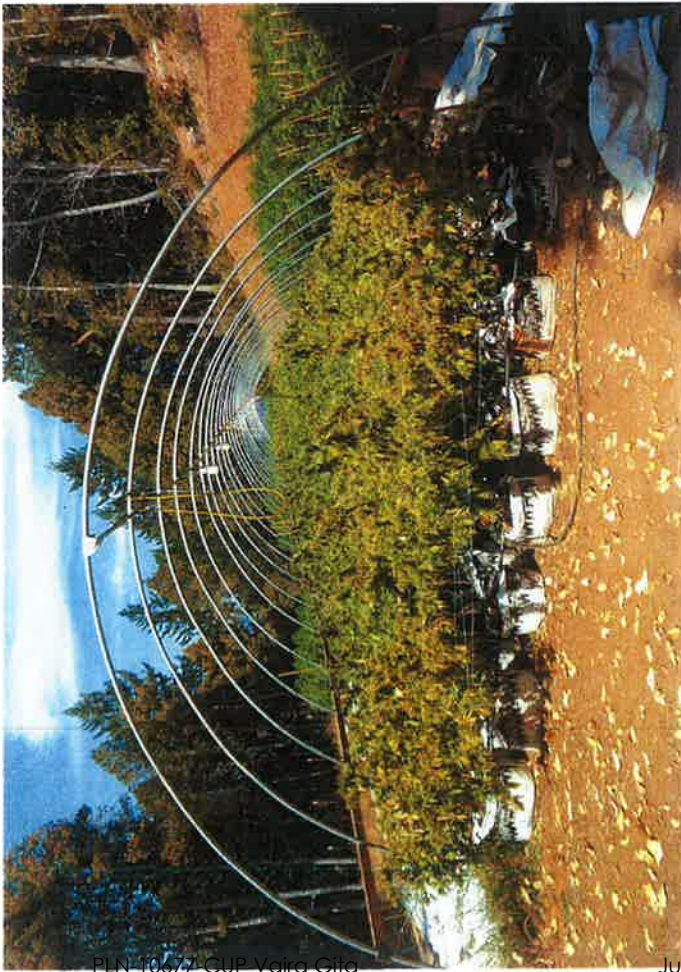
Site 2



Site 2  
roadside







Site 2 grading

8-3-17 314-153-004



Site 2



Water Bladders Site 2



Shed Site 4



grading

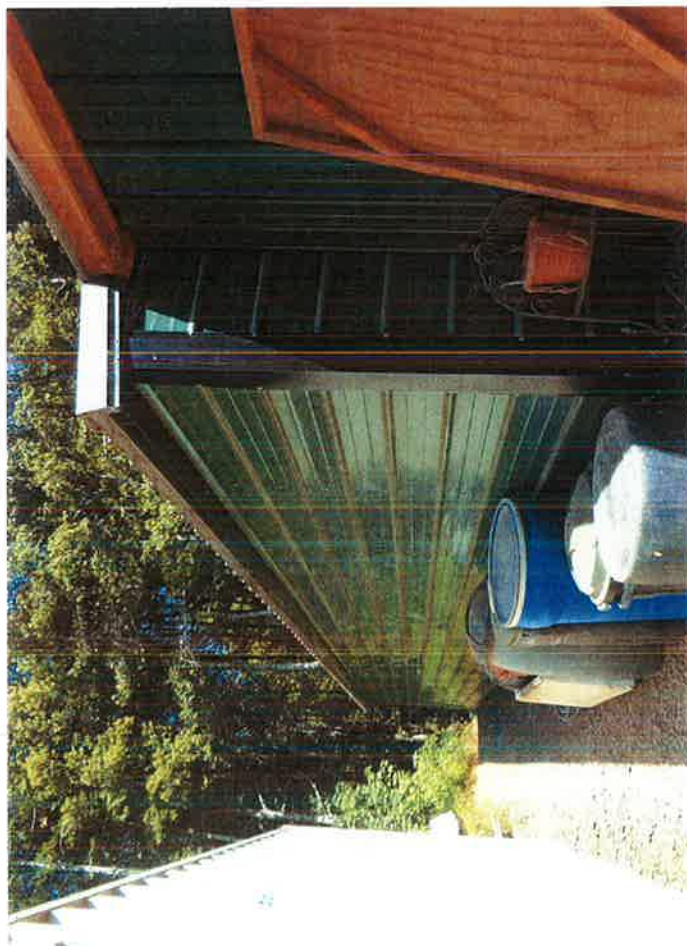
Site 2



8-3-17 314-153-004



Site 4



Shed @ site 4





Site 4



8-3-17 314-153-004



Shed / House

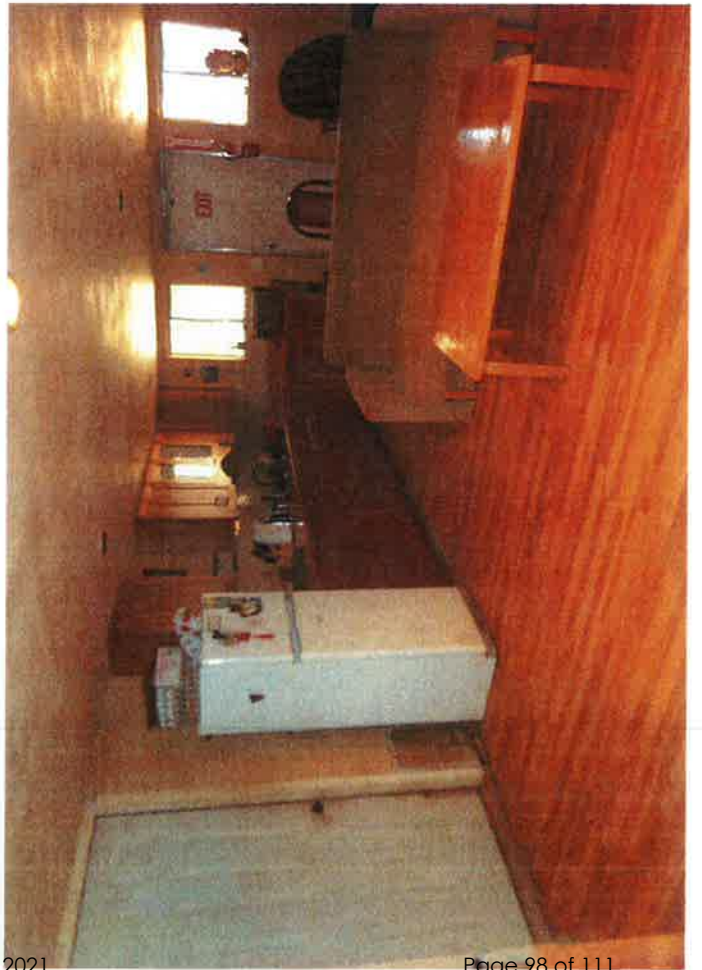
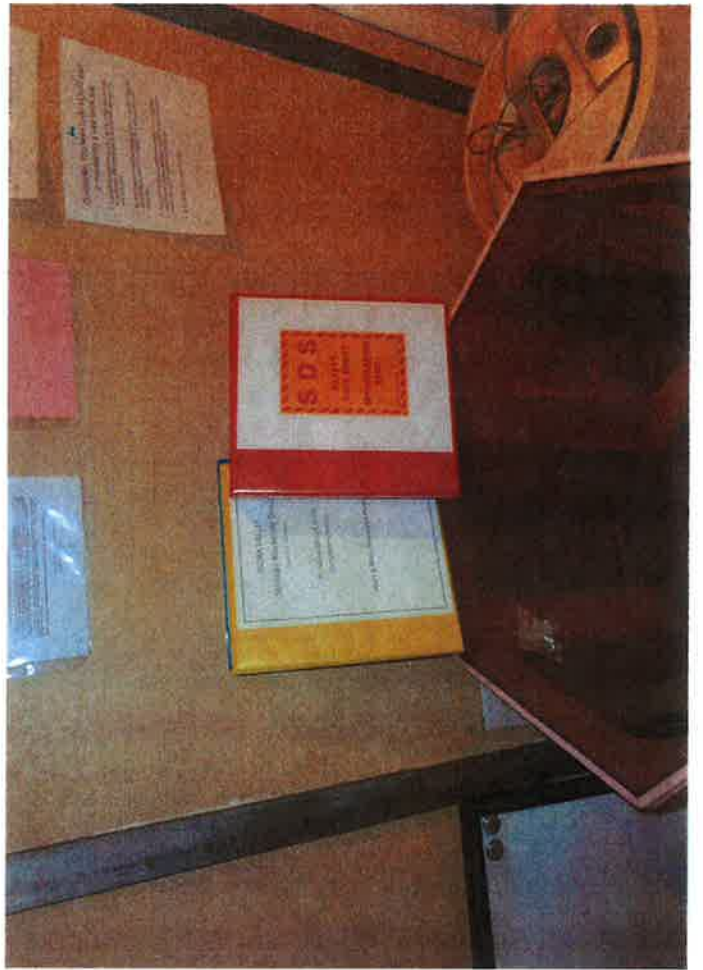


Site 4





Inside Shed

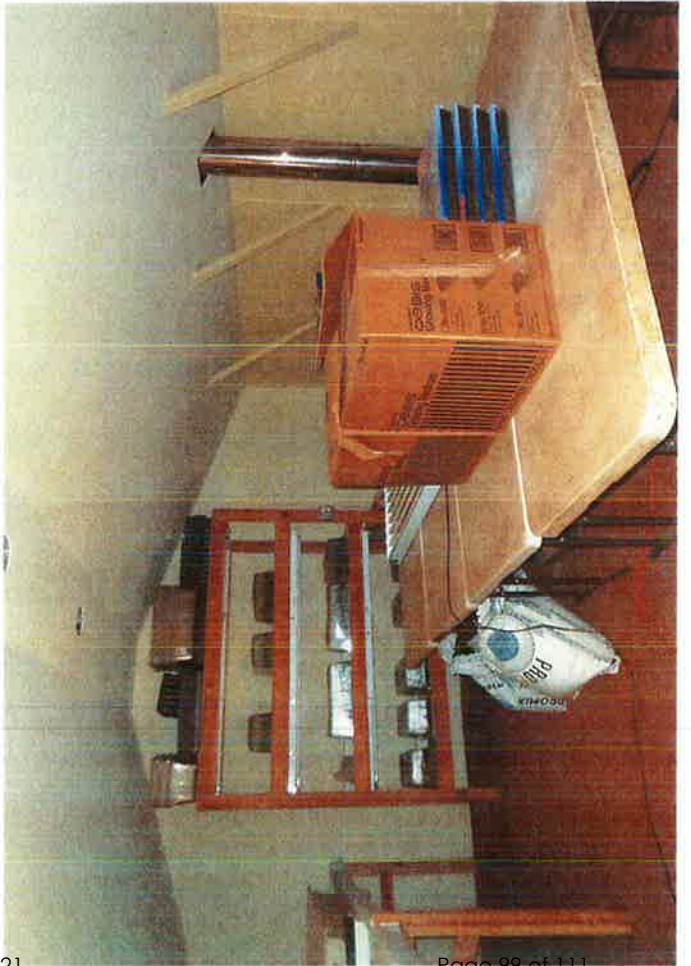




Shower  
↓



upstairs shed



upstairs shed



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



DEH received  
7-20-17

**PROJECT REFERRAL TO: Health and Human Services Environmental Health Division**

**Project Referred To The Following Agencies:**

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

**Applicant Name** Vijra Gita Grounds LLC **Key Parcel Number** 314-153-004-000

**Application (APPS#)** 10677 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-048

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

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

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

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

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

**We have reviewed the above application and recommend the following:**

Conditional Approval

**Comments:**

DEH recommends approval with the following conditions:

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

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







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

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

ARCATA-EUREKA AIRPORT TERMINAL  
McKINLEYVILLE  
FAX 839-3596

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

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

AVIATION 839-5401

ADMINISTRATION 445-7491  
BUSINESS 445-7652  
ENGINEERING 445-7377  
FACILITY MAINTENANCE 445-7493

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

LAND USE 445-7205

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

TO: Zsofia Odry, Planner, Planning & Building Department  
FROM: Kenneth M. Freed, Assistant Engineer  
DATE: 02/21/2019

RE:

Applicant Name	VAJRA GITA GROUNDS LLC
APN	314-153-004
APPS#	PLN-10677-CUP

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, stamped received by the Humboldt County Cannabis Services on December 21, 2018, with Part A –Box 3 and Part B #3 checked, certifying that the roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above.

// END //

## Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 10677

☐ COUNTY ROADS- FENCES & ENCROACHMENTS:

All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

☐ COUNTY ROADS- DRIVEWAY (PART 1):

The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and/or Department of Public Works policies. Notes:

☐ COUNTY ROADS- DRIVEWAY (PART 2):

Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches.

- If the County road has a paved surface at the location of the driveway, the driveway apron shall be paved for a minimum width of 18 feet and a length of 50 feet.
- If the County road has a gravel surface at the location of the driveway, the driveway apron shall be rocked for a minimum width of 18 feet and a length of 50 feet.
- If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.

The exact location and quantity of driveways shall be approved by the Department at the time the applicant applies to the Department of Public Works for an Encroachment Permit.

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.

☐ COUNTY ROADS- DRIVEWAY (PART 3):

The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

☐ COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:

Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

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.

☐ COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:

All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

☒ COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT END OF COUNTY MAINTAINED RD)

Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

- If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.
- If the County road has a gravel surface at the location of the access road, the access road shall be rocked for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

☐ COUNTY ROADS- ROAD EVALUATION REPORT(S):

All recommendations in the *Road Evaluation Report(s)* for County maintained road(s) shall be constructed/implemented to the satisfaction of the Public Works Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

// END //



**Laney, Megan**

---



**From:** Bocast, Kalyn@Wildlife <Kalyn.Bocast@Wildlife.ca.gov>  
**Sent:** Friday, September 15, 2017 11:53 AM  
**To:** Yandell, Rodney  
**Cc:** Planning Clerk; Bauer, Scott@Wildlife  
**Subject:** Vijra Gita Grounds LLC Conditional Use Permit Application- APPS 10677  
**Attachments:** CEQA Referral Checklist\_APPS-10677\_CEQA-2017-0326.pdf

To Whom It May Concern,

Please see the attached comments for the subject application.

Thank you for the opportunity to comment on this Project. For additional information, please email inquiries to [kalyn.bocast@wildlife.ca.gov](mailto:kalyn.bocast@wildlife.ca.gov)

Please confirm that you have received this email.

Sincerely,

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



**California Department of Fish and Wildlife**  
**CEQA Referral Checklist**

Applicant: Vijra Gita Grounds LLC			
Co APPS: 10677	APN: 314-153-004	CDFW CEQA: 2017-0326	<input type="checkbox"/> ZCC <input type="checkbox"/> SP <input checked="" type="checkbox"/> CUP
<input type="checkbox"/> New Size (SF):	<input checked="" type="checkbox"/> Existing Size (SF): 22,000	<input checked="" type="checkbox"/> Mixed-light	<input type="checkbox"/> Outdoor <input type="checkbox"/> Indoor <input type="checkbox"/> RRR

Thank you for referring this application to the California Department of Fish and Wildlife (CDFW) for review and comment.

CDFW offers the following comments on the Project in our role as a Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code Section 21000 *et seq.*). These comments are intended to assist the Lead Agency in making informed decisions early in the planning process.

**Please provide the following information:**

- ☒ Provide additional information on the water source(s) for the parcel(s) including both domestic use and irrigation.
  - a. If the source is a well(s), provide a copy of the well completion log.
  - b. If the source is municipal water, provide documentation that municipality/CSD/etc. is willing to provide all water necessary for the subject parcel (include the specific amount that is approved).
  - c. If the source is surface water (spring, stream, or hydrologically connected pond or well) CDFW recommends that the applicant notify our Department, pursuant to Fish and Game Code Section 1602, of all unpermitted points of diversion located on the parcel or provide a copy of the non-jurisdictional letter issued by CDFW.
- ☒ Include a topographic map that identifies all surface water, wetlands, or other sensitive habitats onsite and the appropriate buffer distances for each.
- ☒ If new or existing road(s) cross streams, springs, seeps, wetlands, etc. on the parcel, provide detailed descriptions of each (e.g. culvert sizes, condition, etc.) and permits under which they were installed, if any. CDFW requires notification, pursuant to Fish and Game Code Section 1602, for all stream crossings or any other alteration of the bed, bank, or channel of any stream located on the parcel.
- ☒ Identify all energy sources for project.
  - a. If generator, identify the size and location of the generator and describe measures that will be incorporated to avoid or minimize impacts to fish and wildlife, such as secondary containment.
  - b. If micro hydropower, provide detailed information regarding the existing or proposed system. CDFW requires that the applicant notify CDFW, pursuant to Fish and Game Code Section 1602, of all micro hydropower systems located on the parcel.
- ☒ The project is located in/near Northern Spotted Owl (*Strix occidentalis caurina*, a State- and Federally-Threatened species) potential habitat. CDFW recommends protocol level surveys (two-year) by an experienced wildlife biologist, to determine whether the area has NSO presence; OR assume presence and avoid disturbance of habitat as determined by a qualified biologist, in consultation with CDFW.



- ☒ The referral materials show that the applicant will be utilizing generators for mixed-light cultivation methods. Noise and light pollution have the potential to impact sensitive species such as the Northern Spotted Owl (*Strix occidentalis caurina*, a State- and Federally-Threatened species). Human induced noise and light pollution may adversely affect wildlife species in several ways including abandonment of territory, loss of reproduction, interference to predation, auditory masking (inability to hear important cues and signals in the environment), hindrance to navigation, and physiological impacts such as stress, increased blood pressure, and respiration. CDFW requests, as a condition of project approval, that the applicant describe, in detail, how the project will eliminate noise and light escapement/pollution from cultivation structures.
- ☒ Referral materials suggest that significant grading has taken place on the parcel. Please provide evidence of one of the following: a valid grading permit or a less-than-3-acre conversion exemption or timberland conversion permit, approved by CAL-FIRE. If grading was conducted without proper permits, CDFW may recommend remediation of impacted area, in whole or part.
- ☒ Include a copy of the Water Resource Protection Plan if one has been developed for the Project. If none has been developed, indicate this in the referral packet.
- ☒ Aerial imagery suggests that the cultivation area, prior to January 1, 2016, was approximately 10,000 square feet. CDFW recommends that the applicant provide proof of existing cannabis on the parcel, prior to the cutoff date, or that the application be reconsidered for permit approval.
- ☒ Conduct a biological survey of the property to determine whether rare species or sensitive natural communities are present. In order to identify and prevent impacts to rare species and sensitive natural communities, a qualified biologist should conduct appropriate surveys in all areas that would potentially be impacted by the project, and submit a report of the findings for County and CDFW staff review. After review of the report, CDFW will be able to provide site-specific recommendations to avoid, minimize, or mitigate project impacts.

## Laney, Megan

---

**From:** HUU CEQA@CALFIRE <HUUCEQA@fire.ca.gov>  
**Sent:** Thursday, August 17, 2017 9:23 AM  
**To:** Planning Clerk  
**Subject:** FW: APN# 314-153-004 Vijra Grita Grounds, LLC

**From:** Titus, Lucas@CALFIRE  
**Sent:** Monday, July 24, 2017 3:23 PM  
**To:** HUU CEQA@CALFIRE <HUUCEQA@fire.ca.gov>  
**Cc:** jeff@lendersconstructioservices.com  
**Subject:** APN# 314-153-004 Vijra Grita Grounds, LLC

CAL FIRE Resource Management can not support this project. It appears conversion activity has occurred on this property with no CAL FIRE permits. Please seek input from a Registered Professional Forester or CAL FIRE.

Lucas Titus

Forester I, Bridgeville Resource Management

Department of Forestry and Fire Protection

***CAL FIRE***

Humboldt-Del Norte Unit

Office (707)777-1720

Cellular (707)599-6893

Every Californian should conserve water. Find out how at:



[SaveOurWater.com](http://SaveOurWater.com) · [Drought.CA.gov](http://Drought.CA.gov)



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

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

**Forester Comments:**

Date:

Name:

**Battalion Chief Comments:**

**Summary:**



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

**10/12/2018**

**PROJECT REFERRAL TO: Humboldt Bay Municipal Water District**

**Project Referred To The Following Agencies:**

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

---

**Applicant Name** Vajra Gita Grounds LLC **Key Parcel Number** 314-153-004-000

**Application (APPS#)** 10677 **Assigned Planner** Zsafia Odry (707) 268-3727 **Case Number(s)** CUP16-048

---

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 10/27/2018**

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

---

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

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

☒ Other Comments: See attached Letter

---

DATE: 10/29/18

PRINT NAME: John Friedenbach, General Mgr.





## HUMBOLDT BAY MUNICIPAL WATER DISTRICT

828 SEVENTH STREET, PO BOX 95 • EUREKA, CALIFORNIA 95502-0095

OFFICE 707-443-5018 ESSEX 707-822-2918

FAX 707-443-5731 707-822-8245

EMAIL [OFFICE@HBMWD.COM](mailto:OFFICE@HBMWD.COM)

Website: [www.hbmwd.com](http://www.hbmwd.com)

### BOARD OF DIRECTORS

SHERI WOO, PRESIDENT

NEAL LATT, VICE-PRESIDENT

J. BRUCE RUPP, SECRETARY-TREASURER

BARBARA HECATHORN, DIRECTOR

MICHELLE FULLER, DIRECTOR

### GENERAL MANAGER

JOHN FRIEDENBACH

October 29, 2018

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

### RE: Case Number CUP16-048, Key Parcel Number 314-153-004-000

Humboldt Bay Municipal Water District (District) submits this letter to express concerns regarding Conditional Use Permit 16-048 submitted by Vajra Gita Grounds, LLC (Applicant).

The Applicant seeks a conditional use permit for an existing 22,000 SF operation of a mixed-light medical cannabis facility and construction of a new 1,800 SF processing facility (project). The irrigation water will be sourced from an on-site spring that does not flow off the property.

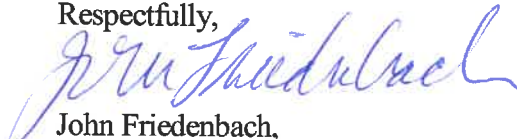
The project proposed is in a TPZ where new or expanded cultivation activities are prohibited. Expansion of Pre-Existing Cultivation Site Permits Is Specifically Prohibited in Timberland Production Zones. The project is located in a Timberland Production Zone (TPZ). TPZ is a special zoning designation affording superior protection to timberland preserves. (Humboldt County Code, § 314-7.1; Government Code, § 51101, 51102.) These areas are devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses. (Humboldt County Code, § 314-7.4; Government Code, § 51110, subd. (b).) The Cannabis Ordinance provides "[e]xpansion of Pre-Existing Cultivation Sites is prohibited where located within the [Commercial Timberland (TC)] or TPZ." (Humboldt County Code, § 55.4.6.5.)

The Cannabis Land Use ordinance section 55.4.11 allows the County to require additional information from the applicant. Given the size of these operations, we encourage the County to request an Irrigation Plan for documentation of water use, source, and storage.

For the above reasons, the District requests the Planning Department require full environmental review of Conditional Use Permit application 16-048 for Cannabis Cultivation Sites. Additionally, we request that the District be notified when the level of environmental review is determined and when the draft environmental document is available for review by the public.

In closing, we respectfully request all referral comments be included in the Planning Commission Packets. This will allow the Commissioners to have a full understanding of the agencies/public concerns.

Respectfully,



John Friedenbach,  
General Manager

Cc: Gordon Leppig, CDFW  
Kason Grady, NCRWQCB, Division Chief Cannabis Regulatory



**ATTACHMENT 5**  
**PUBLIC COMMENTS**