



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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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: **Sun House Farms, LLC Conditional Use Permit**
Application Number PLN-12029-CUP
Assessor's Parcel Number (APN) 218-151-006
575 Road D, New Harris, CA 95542

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Please contact Sarah Faraola, Planner (Harris & Associates) at 831-346-7028 or by email at sarah.faraola@weareharris.com, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
July 1, 2021	Conditional Use Permit – Type I	Sarah Faraola

Project Description: Sun House Farms seeks a Conditional Use Permit (PLN-12029-CUP) for a maximum of 43,560 square feet (SF) of outdoor cannabis cultivation. There is currently 39,498 SF of existing outdoor cannabis cultivation that occurs in seven (7) garden areas with twenty-three (23) hoop houses and greenhouses (GH 1-23). There are two (2) greenhouses for nursery propagation (Garden 6 & Garden 7) that total 4,292 SF.

Irrigation water is sourced from an onsite surface water diversion (No. H100527). Estimated onsite water use is 450,000 gallons per year (10.3 gallons/SF). Existing onsite water storage is 256,400 gallons, comprised of forty-three (43) 4,800-gallon hard tanks (206,400 gallons total), and one 50,000-gallon water bag that is planned to be removed in 2021. Additional proposed water storage includes fifty (50) 4,800-gallon hard tanks (240,000 gallons total). Drying and processing is proposed to occur onsite. The project requires four (4) seasonal employees. The primary source of power for cultivation is provided by three (3) generators: one (1) 14.4 KW diesel-powered Whisperwatt, one (1) Honda EU 7000, and one (1) Honda EU 3,000.

Project : The project is located on the property known as 575 Road D, on both the east and west sides of Road D approximately 0.39 miles south of the Road D/Island Mountain Road intersection, in the unincorporated New Harris area in southern Humboldt County.

Present Plan Land Use Designations Residential Agriculture (RA) 2017 General Plan; Density: 40 acres per unit; Slope Stability: High Instability (3)

Present Zoning: Forestry Recreation (FR) and Special Building Site (B-5) 40

Record Number: PLN-12029-CUP

Assessor's Parcel Number: 218-151-006

Applicant

Sun House Farms LLC
C/O Forrest Borzini
575 D Road
Garberville, CA 95542

Owner

Forrest Borzini
575 D Road
Garberville, CA 95542

Agents

Finley and Friends Consulting
C/O Jasmine Finley
P.O. Box 428
Garberville, CA 95542

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

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

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

Sun House Farms
Record Number: PLN-12029-CUP
Assessor's Parcel Number: 218-151-006

Recommended Commission Action

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

Adopt the Resolution to:

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

Executive Summary

Sun House Farms seeks a Conditional Use Permit (PLN-12029-CUP) for a maximum of 43,560 square feet (SF) of outdoor cannabis cultivation. There is currently 39,498 SF of outdoor cannabis cultivation that occurs in seven (7) garden areas with twenty-three (23) hoop houses and greenhouses (GH 1-23). There are two (2) greenhouses for nursery propagation (Garden 6 & Garden 7), that total 4,292 SF.

The medical cannabis permit application is in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The site has been issued a Zoning Clearance Certificate for Interim Permit (IP), based upon the Cultivation Area Verification (CAV) developed for the site. The cultivation area for this Conditional Use Permit is based upon the CAV prepared for the IP.

The parcel (APN 218-151-006) is 46.5 acres and is located within the Eel River watershed. The present land use designation is Residential Agriculture (RA) as defined in the Humboldt County 2017 General Plan Update, and the parcel is zoned as Forest Recreation (FR) and Special Building Site (B-5 40). Drying and processing is proposed to occur onsite. The project requires four (4) seasonal employees. The property contains an unpermitted septic system which the applicant is in the process of permitting (**Condition 8**).

Cultivation in the seven (7) garden areas occurs in the northeastern portion of the parcel (GH 1-5 & GH 8-23) and the northwestern portion of the parcel (GH 6 & 7) as follows:

- Garden 1 consists of seven (7) hoop houses (GH 17 – 23), for a total cultivation area 21,780 SF.
- Garden 2 consists of two (2) 3,000-SF greenhouses (GH 1 & 2), for a total cultivation area of 6,000 SF.
- Garden 3 consists of nine (9) hoop houses (GH 3 – 11), for a total cultivation area of 6,480 SF.
- Garden 4 consists of one (1) 2,560-SF hoop house (GH 12).
- Garden 5 consists of two (2) 400-SF hoop houses (GH 13 & 14), for a total of 800 SF.
- Garden 6 consists of one (1) 1,568-SF hoop house (GH 15) that is a nursery area.

- Garden 7 consists of one (1) 1,440-SF greenhouse (GH 16) and one (1) 1,412-SF nursery area outside of the greenhouse, for a total of 2,852 SF.

The applicant completed a Cannabis Cultivation Declaration form on March 15, 2021, which temporarily reduces the cultivation area from 43,560 SF to 20,000 SF and will expire on December 31, 2021. Beginning on January 1, 2022, the cultivation area will return to the amount proposed in this CUP application, 43,560 SF, which is described above.

Water Resources

Irrigation water is sourced from an onsite surface water diversion (No. H100527). Pursuant to the State Water Board's Cannabis Policy and the Water Right: the applicant can collect up to 0.41 acre-feet per year (132,527 gallons) from November 1 through March 31; the applicant is required to have adequate water storage to allow forbearance completely from April 1 through October 31; the storage capacity shall not exceed 1.27 acre-feet (413,830 gallons) per year; and the rate of diversion to storage shall not exceed 14,400 gallons per day (10 gallons per minute x 1,440 minutes/day). A condition has been included requiring a meter on the amount of water taken from the diversionary source into storage and how much water is being used for cultivation (**Condition 11**).

Estimated onsite water use is 450,000 gallons (10.3 gallons/SF) and is shown in **Table 1** below. Existing onsite water storage is 256,400 gallons, comprised of forty-three (43) 4,800-gallon hard tanks (206,400 gallons total), and one 50,000-gallon water bag that is planned to be removed in 2021. Additional proposed water storage includes fifty (50) 4,800-gallon hard tanks (240,000 total gallons) to increase the total onsite water storage to 446,400 gallons. The applicant is conditioned to install the proposed fifty (50) hard tanks within two (2) years of project approval (**Condition 12**). Irrigation water is applied at agronomic rates through drip irrigation and hand watering methods.

Table 1. Estimated Onsite Water Use (gallons)

January	February	March	April	May	June
5,000	5,000	15,000	15,000	38,500	73,500
July	August	September	October	November	December
73,500	73,500	73,500	73,500	2,000	2,000

The parcel contains one (1) Class III stream, one (1) stream crossing, and four (4) ponds, which are used for fire suppression. The applicant filed a Lake and Streambed Alteration (LSA) application with the California Department of Fish and Wildlife (CDFW) to cover one (1) surface water diversion, as well as proposed upgrades to the inlet and stream crossing. Because CDFW did not respond within 60 days from the application submittal date, the applicant is able to complete the project described in the LSA application without an agreement, as described in the Operation of Law Approval Letter from CDFW (EPIMS # 17619-R1), dated July 6, 2020. The CDFW conducted a site visit to the property on June 24, 2020. The site visit determined that stream crossing one (1) requires a berm to be installed along the landing to direct all overland flow away from the outlet basin (**Condition 14**).

The LSA identifies specific mitigation measures that the applicant must apply to offset potential impacts to the waterway within the project area during stream maintenance construction activities. The mitigation measures are summarized as follows: 1) Document all activities that occur within waterways in the project area; 2) All work shall be confined to the dry weather period of June 15 through October 1 of each year; 3) Water diversion structures shall be constructed and maintained to not inhibit the movement of aquatic life; 4) Erosion and runoff protection measures shall be placed and maintained along streambanks prior to any construction activities; and 5) The completed project shall be inspected by SHN Consulting to ensure the stream crossings were

installed as designed, and a copy of the inspection report shall be submitted to CDFW within 90 days of project completion (**Condition 14**).

Site Management Plan

A Site Management Plan (SMP) was prepared in fulfillment of State Water Resources Control Board (SWRCB) General Order WQ 2019-0001-DWQ. The project is enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB) for reporting of Tier 1 discharges (WDID: 1_12CC408771). The SMP identifies several mitigation measures designed to decrease erosion and sedimentation of waterways. These measures include: 1) Store fuel containers in covered areas with secondary containment, 2) Stabilize bare soil with straw and seed, and 3) Maintain all private access roads with proper drainage via ditch relief culverts and rock grading (**Condition 13**). A site assessment of project activities conducted by SHN Consultants in 2019 determined that the project is high risk, based on existing roads, disturbed areas, and cultivation areas. Onsite monitoring shall occur during the following activities: 1) Before and after alteration or upgrade to a stream crossing, road segment or sediment discharge site; 2) Prior to the start of the water season on October 15 and December 15, in order to evaluate site winterization and preparedness for stormwater runoff; and 3) Following any rainfall event with an intensity of 3 inches of precipitation within 24 hours (**Condition 13**).

Disturbed Area Stabilization Plan

A Disturbed Area Stabilization Plan (DASP) has been prepared by a licensed geologist to fulfill the Waste Discharge Requirements set forth in the Cannabis Cultivation Order by the NCWQCB, because the project area is classified as having 'High Risk' Tier 1 discharges. The DASP establishes best management practices (BMPs) that the applicant will implement to minimize sediment discharge from the disturbed cultivation area within the Streamside Management Area setback requirements. The erosion control BMPs and compliance schedule to be implemented throughout the project area are described in the DASP (pages 10–13). Implementation measures include: preserving existing vegetation, adding geotextile sediment barriers, and adding coarse rock for velocity dissipation. Erosion control measures shall be completed annually during the dry season (April – November), and the applicant shall perform inspections prior to rain events. The applicant is conditioned to complete all proposed BMPs within the monitoring schedule timeframe identified in the DASP by 2022 (**Condition 15**).

Stream Management Area Setback Reduction Permit

The project includes a Special Permit for the reduction of the Streamside Management Area (SMA) setback buffer zone of 100 feet. The applicant is seeking to perform cultivation activities in an existing footprint within the SMA. The setback reduction is requested based on multiple site visits by the applicant's agent and various consultants, which determined that the only suitable area on the property (that would not result in any trees being cut down) is within the 100-foot SMA buffer zone. The cultivation area has been set back approximately 30-feet from the waterway within the project area. The applicant has implemented upgrades to the cultivation area, which include a blue-rock barrier that surrounds the cultivation area, in order to minimize any irrigation-related runoff and clearly identify if erosion is occurring outside of the cultivation area in order to identify when additional mitigation measures need to be applied. The DASP determined that there would be no significant adverse impacts to water quality from the cultivation sites located within the SMA, if all measures identified in the DASP are implemented accordingly. The applicant is conditioned to follow all identified BMPs and mitigation measures established by the DASP, to ensure there are no adverse effects to water resources from cultivation activities in the project area (**Condition 15**).

Biological Resources

A list of special status species that could potentially occur in the project area was generated in

June 2021 using the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB), which includes the California Native Plant Society (CNPS) and the Northern Spotted Owl (NSO) databases. There are no known special status species occurrences within a 5,000-meter buffer of the project area. Project activities are not expected to produce adverse or cumulative effects to any special status species or habitat, due to the size of the project area and the type of proposed activities. Therefore, impacts to biological resources with mitigation measures in place are considered low and unlikely.

Tribal Cultural Resource Coordination

The project area is located within the traditional tribal territory of the Wailaki tribe, whose descendants are now members of the Bear River Band of the Rohnerville Rancheria. A Cultural Resources Investigation was prepared by James Roscoe (M.A.) of Roscoe and Associates, in October 2019. The Investigation included the following: a review of regional archaeological literature, a historical background search of existing maps relevant to the study area, a pedestrian survey, and telephone correspondence with Erika Cooper of the Bear River Band of the Rohnerville Rancheria and other communities in the area. Ms. Cooper responded that the project area is outside of the area of concern, and the Bear River Band has no comments about the proposed project.

A records search of the project area was conducted by the Northwest Information Center (NWIC), which indicated that the project area had not had any previous cultural resource surveys or resources reported. The field survey conducted by Roscoe and Associates resulted in the identification of three (3) isolated pieces of flaked stone debitage (artifacts) within 600 feet of the cultivation area, one (1) of which was found within an existing outdoor cultivation area. No other artifacts, features, archaeological deposits or historical resources were found within the project area.

Mr. Roscoe determined that no specific protection recommendations for the isolated findings are necessary at this time, and that the project would not adversely affect cultural resources. Additionally, Mr. Roscoe recommended the use of Inadvertent Discovery Protocol (PRC 15064.5 (f)) by a qualified professional archaeologist, if any previously unidentified cultural resources or human remains are encountered throughout project implementation (**Condition 16**).

Access

The project is located in Humboldt County, in the New Harris area, on the east and west side of Road D, approximately 0.39 miles south from the intersection of Island Mountain Road and Road D, on the property known as 575 Road D.

The applicant completed the Humboldt County Department of Public Works (DPW) Road Evaluation Report for one (1) mile of Road D, starting from Island Mountain Road, and determined that Road D is developed to the equivalent of a road category 4 standard and therefore adequate for the proposed use without further review. DPW reviewed the project referral and recommended standard conditions of approval relating to County Roads that include proximity to farms (**Condition 20**), driveway intersection visibility (**Condition 21**), and private road intersection (**Condition 22**).

Generator Use

The primary source of power for cultivation is provided by three (3) generators: one (1) 14.4 KW diesel-powered Whisperwatt, one (1) Honda EU 7000, and one (1) Honda EU 3,000. The primary use of generator power is not allowed to occur beyond December 31, 2025. Therefore, consistent with past actions of the Planning Commission, a condition has been added that the power source of all cannabis related activities shall be converted to a renewable source by December 31, 2025

(Condition 19).

California Environmental Quality Act (CEQA)

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

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

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

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

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 21-X
Record Number: PLN-12029-CUP
Assessor's Parcel Number: 218-151-006**

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Sun House Farms, Conditional Use Permit.

WHEREAS, Sun House Farms submitted an application and evidence in support of approving the Conditional Use Permit (PLN-12029-CUP) for a maximum of 43,560 square feet (SF) of outdoor cannabis cultivation. There is currently 39,498 SF in seven (7) garden areas that include twenty-three (23) hoop houses and greenhouse. There are two (2) greenhouses for nursery propagation that total 4,292 SF.

WHEREAS, the County, prepared an Addendum to the Final Mitigated Negative Declaration (MND) for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO), adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented, as described by §15162(c) of 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 the requested Conditional Use Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

1. FINDING:

Project Description: The application is for a Conditional Use Permit (PLN-12029-CUP) for a maximum of 43,560 square feet (SF) of outdoor cannabis cultivation. There is currently 39,498 SF in seven (7) garden areas that include twenty-three (23) hoop houses and greenhouses. There are two (2) greenhouses for nursery propagation (Garden 6 & Garden 7) that total 4,292 SF. Irrigation water is sourced from an onsite surface water diversion (No. H100527). Estimated onsite water use is 450,000 gallons per year (10.3 gallons/SF). Existing onsite water storage is 256,400 gallons, comprised of forty-three (43) 4,800-gallon hard tanks (206,400 gallons total), and one 50,000-gallon water bag that is planned to be removed in 2021. Additional proposed water storage includes fifty (50) 4,800-gallon hard tanks (240,000 gallons total). Drying and processing is proposed to occur onsite. The project requires four (4) seasonal employees. The primary source of power for cultivation is provided by three (3) generators: one (1) 14.4 KW diesel-powered Whisperwatt, one (1) Honda EU 7000, and one (1) Honda EU 3,000.

EVIDENCE:

Project File: PLN-12029-CUP

2. FINDING:

CEQA. The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has considered the Addendum to and the MND prepared for the CMMLUO adopted by the Humboldt County Board of Supervisors on January 26, 2016.

EVIDENCE:

- a) Addendum to the MND prepared for the proposed project in compliance with CEQA.
- b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.
- c) A list of special status species that could potentially occur in the project area was generated in June 2021 using the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB), which includes the California Native Plant Society (CNPS) and the Northern Spotted Owl (NSO) databases. There are no known special status species occurrences within a 5,000-foot buffer of the project area. Project activities are not expected to produce adverse or cumulative effects to any special status species or habitat, due to the small size of the project area and the type of proposed activities. Therefore, impacts to biological resources with mitigation measures in place are considered low and unlikely.
- d) A Cultural Resources Investigation was prepared by James Roscoe (M.A.) of Roscoe and Associates and included the following: a review of regional archaeological literature, a historical background search of existing maps relevant to the study area, a pedestrian survey, and coordination with Erika Cooper of the Bear River Band of the Rohnerville. A records search of the project area was conducted by the Northwest Information Center (NWIC), which indicated that the project area had not had any previous cultural resource surveys or resources reported. The field survey resulted in the identification of three (3) isolated pieces of flaked stone debitage (artifacts) within 600 feet of the cultivation area, one (1) of which was found within an existing outdoor cultivation area. No other artifacts, features, archaeological deposits or historical resources were found within the project area. Mr. Roscoe determined that no specific protection recommendations for the isolated findings are necessary at this time, and that the project would not adversely affect cultural resources. Additionally, Mr. Roscoe recommends the use of Inadvertent Discovery Protocol (PRC 15064.5 (f)) by a qualified professional archaeologist, if any previously unidentified cultural resources or human remains are encountered throughout project implementation (**Condition 16**).

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) Forestry Recreation (FR) and Special Building Site (B-5 40) are both zones that are permitted in the Residential Agriculture (RA) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with

and complimentary to the Open Space Plan and its Open Space Action Program.

- b) The project includes a Special Permit for the reduction of the Streamside Management Area buffer zone of 100 feet. The applicant is seeking to perform cultivation activities in an existing footprint within the SMA. The purpose of the setback reduction request is that the setback would be reduced to zero once the Soils Stabilization Plan is implemented. The Soil Stabilization Report determined that there would be no significant adverse impacts to water quality posed by the cultivation sites that are located within the SMA. The applicant is conditioned to follow all best management practices and mitigation measures established by the above stated reports, in order to maintain that no adverse effects will result by cultivation activities to water resources within the project area (**Condition 13**).

4. FINDING

Forestry Recreation (FR) and Special Building Site (B-5 40) are both zones that are permitted in the Residential Agriculture (RA) land use designation.

EVIDENCE

- a) Forestry Recreation (FR) and Special Building Site (B-5 40) parcels are intended to be applied to areas of the County in which agricultural activities are the desirable predominant use. Special Building Sites are intended to be combined with a principal zone.
- b) Humboldt County Code section 313-106.6 allows cultivation of up to 43,560 SF of existing outdoor cannabis and up to 22,000 SF of existing mixed light cannabis on a parcel over 1 acre, subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for up to 43,560 SF cannabis cultivation on a 46.5-acre parcel is consistent with the Humboldt County Code and with the Cultivation Area Verification prepared by the County.

5. FINDING

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

EVIDENCE

- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned Forestry Recreation (FR) and Special Building Sites (B-5(40)), (HCC 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created via Parcel Map No. 218, recorded in Book of Parcel Maps 24, page 15.
- c) The project will obtain water from a permitted onsite surface water diversion No. H100527). Total annual water usage is 450,000 gallons (10.3 gallons/SF).
- d) The slope of the land where cannabis will be cultivated is less than 15%.
- e) The cultivation of cannabis will not result in the net conversion of timberland. The proposed cultivation area(s) are located within a historical cultivation area.
- f) The location of the cultivation complies with all setbacks required in Section

314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any offsite residence, and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.

6. FINDING

The cultivation of 43,650 SF of cannabis and the conditions under which it may be operated and 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 accessed by a private road (Road D) that has been assessed by the Department of Public Works, which determined the main access road to the project area is not developed to the equivalent of a road category 4 standard.
- b) The location of the proposed cannabis cultivation is more than 300 feet from the nearest offsite residence.
- c) Total estimated annual water use is 450,000 gallons (10.3 gallons/SF)
- d) Existing onsite water storage is 256,400 gallons, comprised of forty-three (43) 4,800-gallon hard tanks (206,400 gallons total), and one 50,000-gallon water bag planned for removal in 2021. Additional proposed water storage includes fifty (50) 4,800-gallon hard tanks (240,000 gallons) to increase the total onsite water storage to 446,400 gallons (**Condition 12**).
- e) Provisions have been made in the applicant's proposal to protect water quality through yearly site inspection, monitoring, and reporting to the North Coast Regional Water Quality Control Board (NCRWQCB). As detailed in the Site Management Plan (SMP), the site shall be inspected and monitoring reports prepared for the following activities: 1) Before and after alteration or upgrade to a stream crossing; 2) Prior to the start of the water season on October 15 and December 15, in order to evaluate site winterization and preparedness for stormwater runoff; and 3) Following any rainfall event with an intensity of 3 inches of precipitation within 24 hours. Annual reporting shall be submitted to the NCRWQCB by March 31 of each year. Therefore, runoff to adjacent property and infiltration of water to groundwater resources will not be adversely affected. (**Condition 13**).
- f) A Lake and Streambed Alteration Agreement (LSAA) application was filed with CDFW to cover one (1) surface water diversion, as well as proposed upgrades to the inlet and stream crossing. Because CDFW did not respond within 60 days from the application submittal, the applicant is able to complete the project described in the LSA application without an LSA Agreement (EPIMS # 17619-R1), as described in Approval Letter from CDFW dated July 6, 2020. CDFW conducted a site visit to the property on June 24th, 2020. The site visit determined that the stream crossing one (1) requires a berm to be installed along the landing to direct all overland flow away from the outlet basin (**Condition 14**). The LSA establishes specific mitigation measures that the applicant must apply to offset potential impacts to the waterways within the project area. The mitigation measures are summarized as follows: 1) Document all activities that occur within waterways in the project area; 2) All work (excluding the water diversion) shall be confined to the dry weather period of June 15th through October 1st of each year; 3)

Water diversion structures shall be constructed and maintained to not inhibit the movement of aquatic life; 4) Erosion and runoff protection measures shall be placed and maintained along streambanks prior to any construction activities; and 5) The completed project shall be inspected by Green Road Consulting to ensure the stream crossings were installed as designed, and a copy of the inspection report shall be submitted to CDFW within 90 days of project completion (**Condition 14**).

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 contains no existing residential units. The approval of cannabis cultivation on this parcel will not conflict with the operation or use of the existing residential units on site.

DECISION

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

- Adopt the findings set forth in this resolution; and
- Conditionally approve the Conditional Use Permit (PLN-12029-CUP) for Sun House Farms, subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

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

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

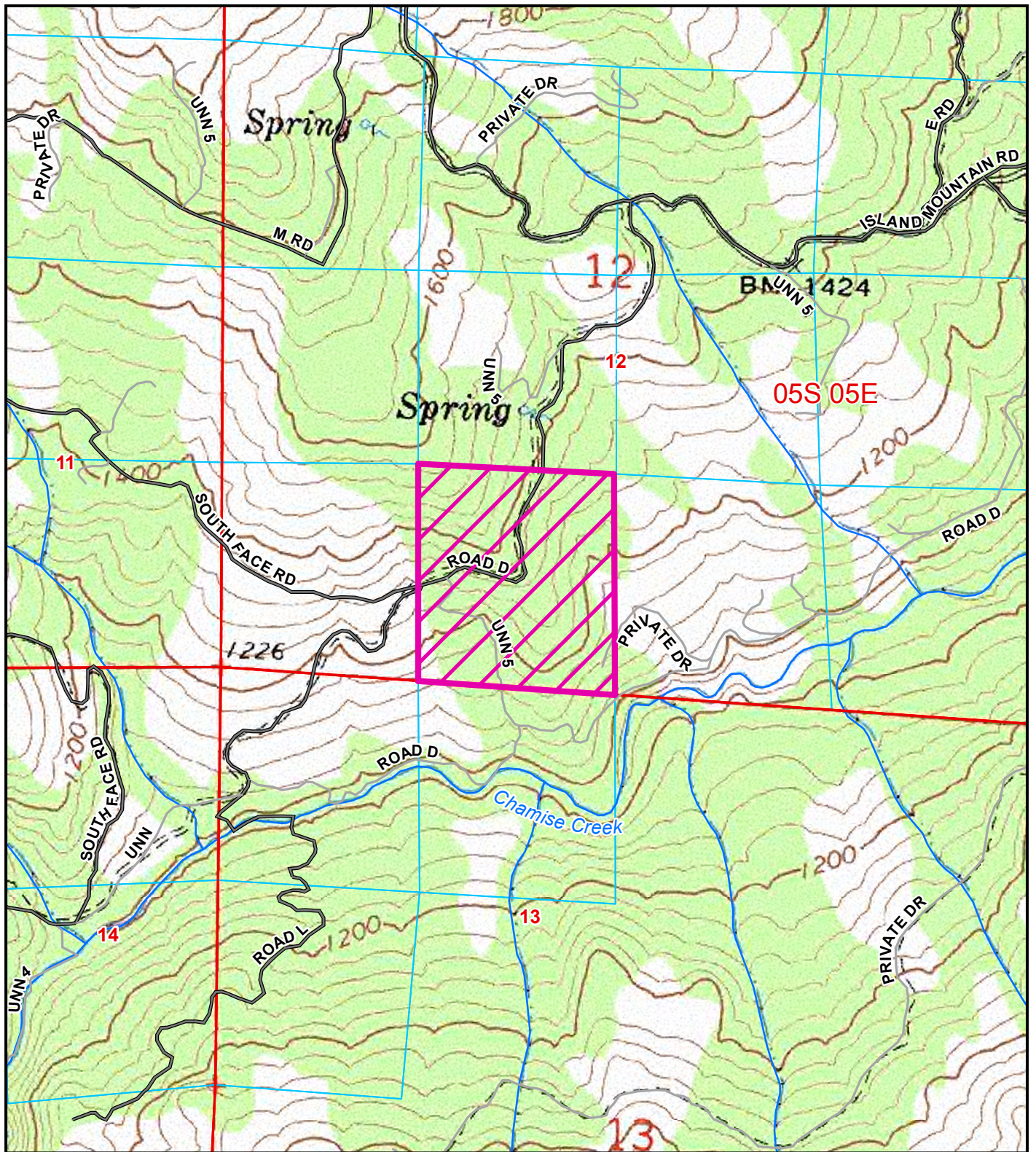
ABSENT: COMMISSIONERS:

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.

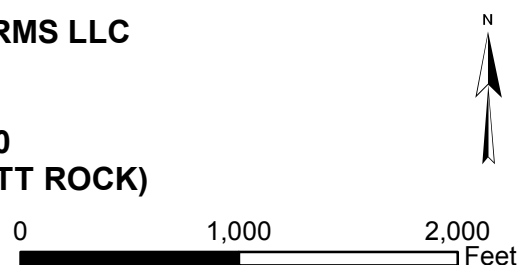
John Ford, Director
Planning and Building Department

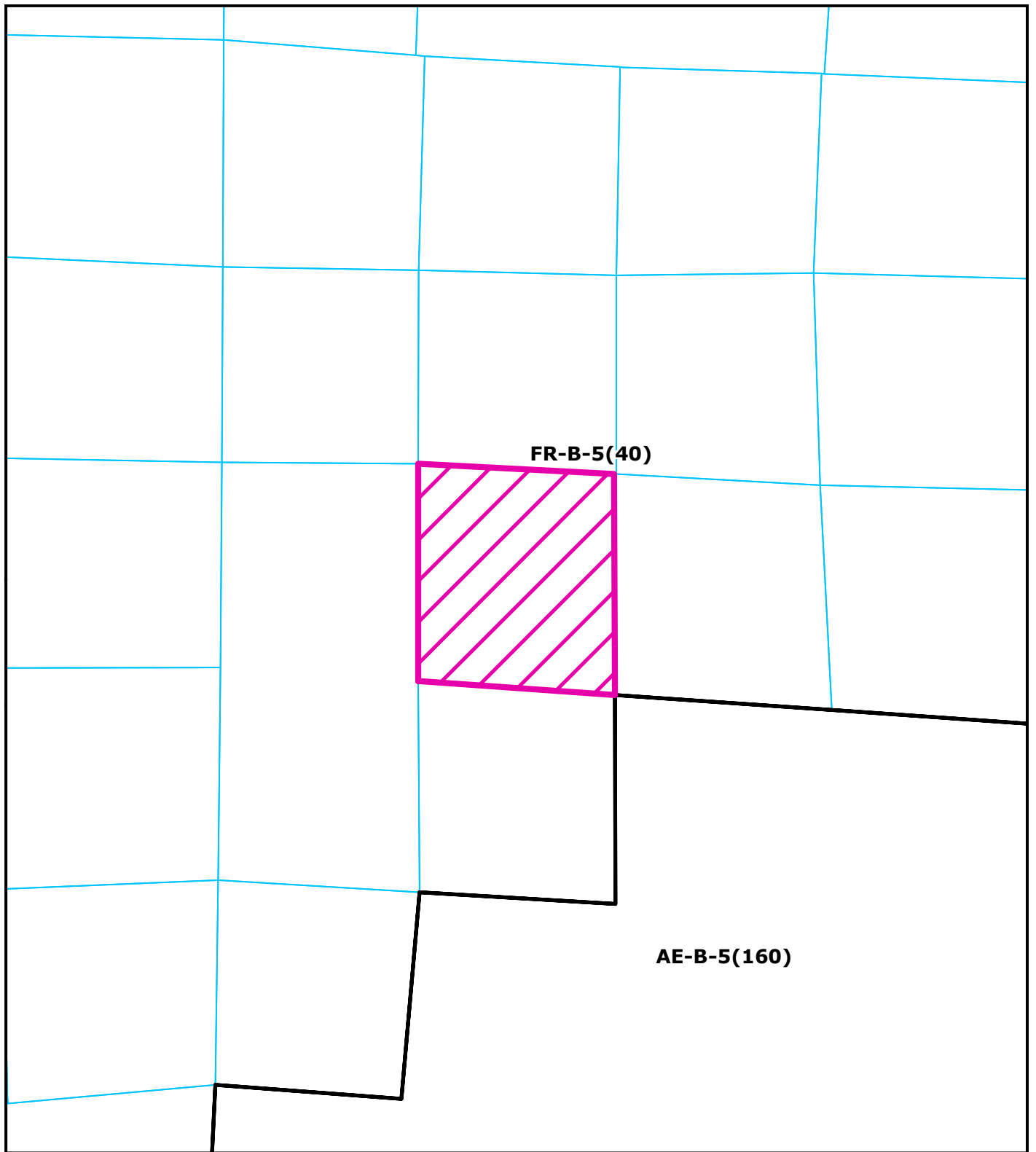


Project Area = 

TOPO MAP
PROPOSED SUN HOUSE FARMS LLC
NEW HARRIS AREA
CUP-16-510
APN: 218-151-006-000
T05S R05E S12 HB&M (JEWETT ROCK)

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





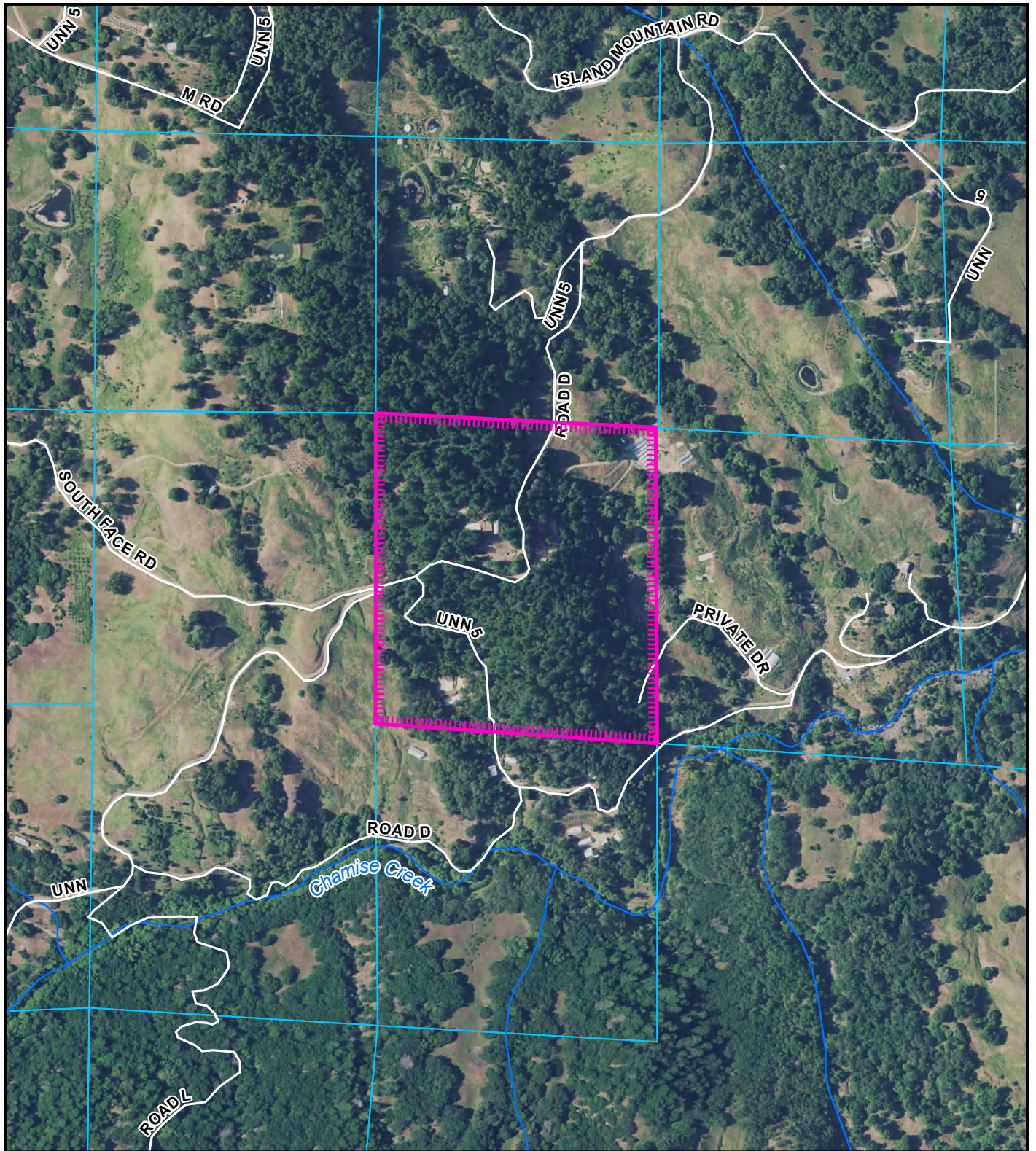
Project Area = 

**ZONING MAP
PROPOSED SUN HOUSE FARMS LLC
NEW HARRIS AREA
CUP-16-510
APN: 218-151-006-000
T05S R05E S12 HB&M (JEWETT ROCK)**



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

0 1,000 2,000 Feet



Project Area = 

AERIAL MAP
PROPOSED SUN HOUSE FARMS LLC
NEW HARRIS AREA
CUP-16-510
APN: 218-151-006-000
T05S R05E S12 HB&M (JEWETT ROCK)



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.

0 750 1,500 Feet

Humboldt County Site Plan

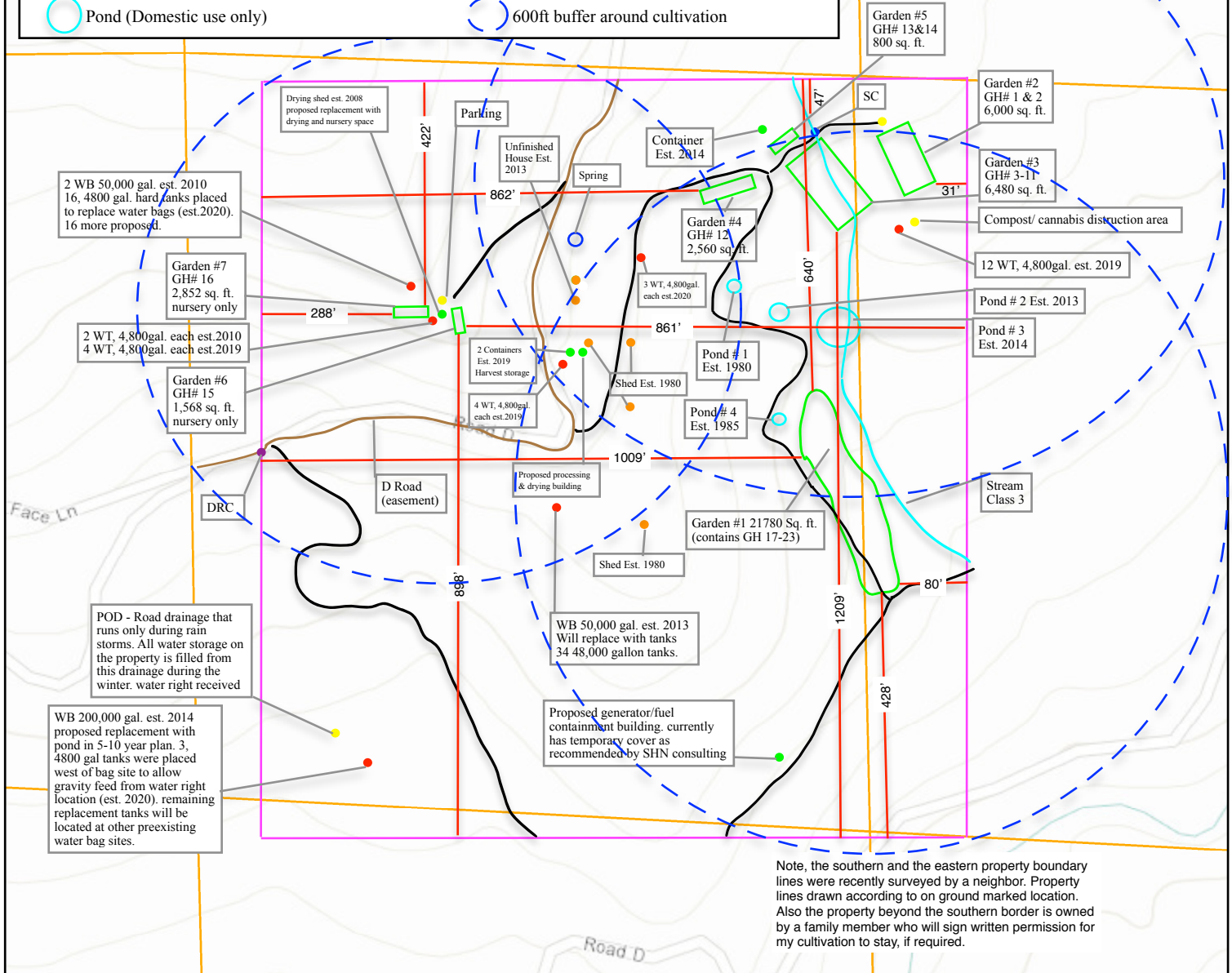
Revised: 06/04/2021

Map Legend

- DPR
- Property boundary according to GIS
- Property boundary according to property owner
- Cultivation area
- ~ Roads with easement
- ~ Road without easement
- ~ Streams
- Pond (Domestic use only)
- Stream Crossing
- Water storage
- Ditch relief culvert
- Building used for cannabis cultivation
- Building not used for cannabis cultivation
- Other locations to note
- Spring(domestic use only)
- 600ft buffer around cultivation

Owner: Forrest Borzini
Business: Sun House Farms LLC
APN: 218-151-006

Abbreviations:
GH- Greenhouse or hoop house
DRC - Ditch relief culvert
SC - Stream crossing
WB - Water Bladder
WT - Water Tank
DPR - distance to property line



Note, the southern and the eastern property boundary lines were recently surveyed by a neighbor. Property lines drawn according to on ground marked location. Also the property beyond the southern border is owned by a family member who will sign written permission for my cultivation to stay, if required.



ArcGIS Web Map

Humboldt County Planning and Building Department

0 180 360 720 Feet
0 0.0325 0.065 0.13 Miles
RF= 1:4,514 1 in = 376 ft



Printed: February 20, 2020

Web AppBuilder 2.0 for ArcGIS

Map Disclaimer:

While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.

Source: Humboldt County GIS, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Explanation of Square footages given on Site Plan

Garden #1:

Measurement was taken from the past map created and measured by Pacific watershed associates. This garden is off shaped and not easy for me to personally measure. A total square footage of 21,780. (contains 7 Hoop houses. one 8'x120', one 8'x70', two 8'x50', and three 8'x80')

Garden #2:

2 greenhouses, each measuring 30'x100'. A total square footage of 6,000.

Garden #3:

9 hoop houses, measuring 8'x90'. a total square footage of 6,480.

Garden #4:

1 hoop house measuring 16'x160'. A total square footage of 2,560.

Garden #5:

2 hoop house measuring 8'x50". A total square footage of 800.

Garden #6:

1 hoop house measuring 28'x56'. A total square footage of 1,568.

Garden #7:

1 greenhouse and a small amount of space beside greenhouse used as needed. Greenhouse measuring 24'x60' with a 20'x70.6' space used as needed outside of greenhouse. A total square footage of 2,852.

Total square footage of budding space on property is 35,060

Nursery use only gardens total 4,438 sq. ft.

Totals square footage on property containing growing cannabis plants 39,498

Note,

1. garden # 6 & 7 used for immature plant area only.

2. dates buildings and ponds established are best guess. Property was not owned/operated by Forrest until 2016.

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions:

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis, as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover the staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use, and at the time of annual inspection. A conformance review deposit, as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750), shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Planning and Building 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 #24. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity including, but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons, existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan.

7. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.
8. The applicant shall obtain a permit for the septic system within 12 months from the Department of Health and Human Services Environmental Health Division (DEH).
9. The applicant shall obtain a permit to operate the proposed generator from the North Coast Unified Air Quality Management District (NCUAQMD) and obtain an electric permit from the County's Building Department.
10. The applicant shall execute and file with the Planning and Building Department 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.
11. The applicant shall install a water-monitoring flow meter on the water source (onsite water diversion No. H100527) when utilized and on storage tanks as applicable to monitor water used for cannabis irrigation separate from domestic use.
12. The applicant shall replace the 50,000-gallon water bag with fifty (50) 4,800-gallon hard tanks (240,000 total gallons storage capacity) to increase the overall water storage for cultivation activities within two (2) years of permit approval.
13. The applicant shall complete the project site improvement recommendations as outlined in the Site Management Plan (SMP) within six (6) months of permit approval. The SMP recommendations include storing fuel containers in covered areas with secondary containment, stabilizing bare soil with straw and seed and maintaining all private access roads with proper drainage via ditch relief culverts and rock grading. The applicant shall complete the following onsite monitoring during the following activities: 1) Before and after alteration or upgrade to a stream crossing, road segment or sediment discharge site; 2) Prior to the start of the water season on October 15 and December 15, in order to evaluate site winterization and preparedness for stormwater runoff; and 3) Following any rainfall event with an intensity of 3 inches of precipitation within 24 hours.
14. The applicant shall comply with all mitigation measures set forth in the Operation of Law Approval Letter (EPIMS # 17619-R1) from the California Department of Fish and Wildlife (CDFW). The applicant shall implement the corrective actions detailed/required within the Approval Letter, which includes installing a berm along the landing of stream crossing one (1). The applicant shall follow all mitigation measures within the Approval Letter, which includes: 1) Document all activities that occur within waterways in the project area; 2) All work shall be confined to the dry weather period of June 15 through October 1 of each year; 3) Water diversion structures shall be constructed and maintained to not inhibit the movement of aquatic life; 4) Erosion and runoff protection measures shall be placed and maintained along streambanks prior to any construction activities; and 5) The completed project shall be inspected by SHN Consulting to ensure the stream crossings were installed as designed, and a copy of the inspection report shall be submitted to CDFW within 90 days of project completion.
15. The applicant shall complete all proposed Best Management Practices (BMPs) outlined in the Disturbed Area Stabilization Plan (DASP) to mitigate any Tier 1 discharges within the project area by 2022. BMPs include: preserving existing vegetation, adding sediment barriers geotextile, and coarse rock, velocity dissipation measures and grading. Erosion control

measures shall be completed annually during the dry season (April – November), and the applicant shall perform inspections prior to rain events.

16. The applicant shall implement the Inadvertent Discovery Protocol. In the event of the accidental discovery of historical artifacts or human remains, a qualified professional archaeologist shall be contacted immediately, in order to inspect and clear the site for all further activities. If the applicant proposes new development outside of the area that was surveyed by a certified archaeologist, a new archaeological survey covering the proposed development area will be required.
17. The applicant shall contact the Garberville Volunteer Fire Department and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project, if applicable. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning and Building Department. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
18. 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.
19. The use of generators as a primary power source for cannabis related activities shall cease by December 31, 2025. The applicant shall either connect to a utility or have an alternative source of power starting January 1, 2026.
20. COUNTY ROAD – PROXIMITY OF FARMS: The applicant shall be responsible for minimizing the impacts caused by their farm, such as dust or other impacts, to county-maintained roads.
21. COUNTY ROAD – DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY: The applicant shall maintain all County Roads 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.
22. COUNTY ROAD – PRIVATE ROAD INTERSECTION (AT COUNTY MAINTAINED ROAD): The applicant shall maintain and/or improve any existing or proposed non-county maintained access roads for the proposed project that connect to a county-maintained road. The applicant shall rock the access road for a minimum width of 20 feet and length of 50 feet where it intersects the County road, within 1 year of permit approval.
23. At such time the applicant increases cultivation to maximum aggregate allotment, allowed under the CMMLUO 1.0 and Cultivation Area Verification (CAV) allowances, the applicant/operator/owner shall submit a revised site plan showing placement of all cannabis cultivation, broken down by zone and growing version (outdoor and/or mixed light), at least 30 days prior to placement/development of the cultivation area(s). The site plan shall be reviewed and approved by the Director of Planning and Building.

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

1. The combined noise from background, generator, greenhouse fan, or other operational activities and equipment must not result in the harassment of Northern Spotted Owl species, as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial light utilized in mixed light greenhouses shall be limited to 6 watts per square foot, with no wattage limit in the ancillary propagation greenhouse. All artificial lighting shall be fully contained within structures such that no light escapes (i.e., through the use of blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program (refer to <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>). Standards include, but are not limited to: Light shall 1) be shielded and downward facing, 2) consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less, and 3) only 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, the Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers at all times and disposed at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
9. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these

conditions of approval. Any changes shall require modification of this permit, except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.

10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and 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. The permittee shall have possession of a current, valid required license or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
13. The permittee shall be in compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
14. The permittee shall ensure confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
15. The permittee shall maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. The permittee shall comply with the terms of any applicable Lake and Streambed Alteration Agreement (LSAA), Section 1600 or 1602 Permit, obtained from the California Department of Fish and Wildlife (CDFW).
17. The permittee shall comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL FIRE), if applicable.
18. The permittee shall consent to an annual onsite compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).

19. The permittee shall pay all applicable fees for application review to ensure conformance with conditions and annual inspection fees.
20. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
21. Fertilizer, pesticide, fungicide, rodenticide, or herbicide shall be properly stored, handled, and used in accordance with applicable regulations.
22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. The permittee shall pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

24. Pursuant to the 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. Onsite housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
28. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices,
 - b. Location where processing will occur,
 - c. Number of employees, if any,
 - d. Employee Safety Practices,
 - e. Toilet and handwashing facilities,
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage,
 - g. Drinking water for employees,
 - h. Plan to minimize impact from increased road use resulting from processing, and
 - i. Onsite housing, if any.
29. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Activity Permit issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
30. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a re-inspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request re-inspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
31. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
32. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.

33. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- Identifying information for the new owner(s) and management as required in an initial permit application,
 - A written acknowledgment by the new owner in accordance as required for the initial permit application,
 - The specific date on which the transfer is to occur,
 - Acknowledgement of full responsibility for complying with the existing permit, and
 - Execution of an Affidavit of Non-diversion of Medical Cannabis.
34. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

- Pursuant to Section 314-55.4.11 (a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity, but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
- This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #B.11 has been executed, and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #B.29 and B.30 of the Ongoing Requirements/Development Restrictions, above.
- If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner

to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

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

ATTACHMENT 2

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

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

APN 218-151-006 (PLN-12029-CUP); 575 Road D, Harris, CA 95542

County of Humboldt

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

June 2021

BACKGROUND

Purpose of Addendum

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

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

Project History

The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. The CMMLUO was considered a "project" under CEQA and thus required analysis for potential environmental impacts. Therefore, the CMMLUO regulations were developed and adopted in concert with the environmental analysis and MND that was adopted for the ordinance in 2016.

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 and 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. 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." As applications are filed for new or differing cultivation activities, the "modification" to the CMMLUO is evaluated for consistency and compliance with the CMMLUO MND.

Modified Project Description

Sun House Farms seeks a Conditional Use Permit (PLN-12029-CUP) for a maximum of 43,560 square feet (SF) of outdoor cannabis cultivation. There is currently 39,498 SF of outdoor cannabis cultivation that occurs in seven (7) garden areas with twenty-three (23) hoop houses and greenhouses. There are two (2) greenhouses for nursery propagation, that total 4,292 SF.

Drying and processing activities are proposed to occur onsite. The project requires four (4) seasonal employees. The primary power source for cultivation is provided by three (3) generators: one (1) 14.4 KW diesel-powered Whisperwatt, one (1) Honda EU 7000, and one (1) Honda EU 3,000 generator.

Irrigation water is sourced from an onsite surface water diversion (No. H100527). Existing onsite water storage is 256,400 gallons, comprised of forty-three (43) 4,800-gallon hard tanks (206,400 gallons total), and one 50,000-gallon water bag that is planned to be removed in 2021. Additional proposed water storage includes fifty (50) 4,800-gallon hard tanks (240,000 total gallons) to increase the total onsite water storage to 446,400 gallons.. Drying and processing is proposed to occur onsite.

A Site Management Plan (SMP) was created in order to protect the water resources within the project area through annual site inspection, monitoring, and reporting of Tier 1 discharges to the North Coast Regional Water Quality Control Board (NCRWQCB). The proposed project is enrolled with the NCRWQCB under the water quality identification number (WDID: 1_12CC408771).

A list of special status species that could potentially occur in the project area was generated in June 2021 using the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB), which includes the California Native Plant Society (CNPS) and the Northern Spotted Owl (NSO) databases. There are no known special status species occurrences within a 5,000-meter buffer of the project area. Project activities are not expected to produce adverse or cumulative effects to any special status species or habitat, due to the small size of the project area and the type of proposed activities. Therefore, impacts to biological resources with mitigation measures in place are considered low and unlikely.

The project area is located within the Wailaki tribal territory of Humboldt County. A Cultural Resource Investigation was conducted by James Roscoe (M.A.) to determine if there was evidence of any existing cultural resources within the project area. The Cultural Resources Investigation concluded that, although the field survey identified three (3) isolated pieces of flaked stone debitage (artifacts) within 600 feet of the cultivation area, no specific protection recommendations for these findings are necessary. However, the report recommended the use of Inadvertent Discovery Protocol (PRC 15064.5 (f)) by a qualified professional archaeologist, if any previously unidentified cultural resources or human remains are encountered throughout project implementation (**Condition 16**).

The modified project is consistent with the adopted MND for the CMMLUO, because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. These include ensuring supplemental lighting and security lighting adheres to Dark Sky Association standards, and ensuring project related noise does not harass nearby wildlife, which will limit impacts to biological resources as a result of light and noise.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigation measures. The proposal to authorize the continued operation of 39,498 SF of existing cannabis cultivation is fully consistent with the impacts identified and adequately mitigated in the original MND. The project, as conditioned, 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 for the project, Sun House Farms (PLN-12029-CUP), among other documents:

- Site Plan created by Jasamine Finley of Finley and Friends, 6/4/2021
- Cultivation and Operations Plan, prepared by Jasamine Finley of Finley and Friends 3/9/2020, Addendum prepared 6/6/2021
- Site Management Plan, prepared by Jasamine Finley of Finley and Friends, 3/9/2020
- CDFW CNDDDB Biological Resources Search, completed 6/5/2021
- Cultural Resources Investigation, conducted by James Roscoe of Roscoe and Associates, October 2019
- NWIC search 12/3/2020
- CDFW Operation of Law Approval Letter (EPIMS# 17619-R1) granted on 7/6/2020
- State Water Resources Control Board Water Right (No. H100527), granted 10/19/2019

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

FINDINGS

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

CONCLUSION

Based on these findings, it is concluded that an Addendum to the certified MND is appropriate to address the requirements under CEQA for the current project proposal, Sun House Farms LLC (PLN-12029-CUP). 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. **(On file)**
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. **(On file)**
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Site Plan prepared by Finley & Friends - **Attached**)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water source, storage, irrigation plan, conservation, and projected use; drainage, runoff and erosion control; watershed and habitat protection; and storage of fertilizers, pesticides, and other regulated products to be used on the parcel. A description of cultivation activities (outdoor, indoor, mixed light); the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable; and schedule of activities during each month of the growing and harvesting season. (Cultivation & Operations Plan prepared by prepared by Finley & Friends - **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. (Sun House Farms Water Right No. H100527 – **On File**)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan - see item 4 above)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board (NCRWQCB) demonstrating enrollment in Tier 1, 2 or 3, NCRWQCB Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Site Management Plan prepared by Finley & Friends - **Attached**)
8. If any onsite or offsite component of the cultivation facility (including access roads, water supply, grading or terracing) impacts the bed or bank of any stream or other watercourse, a copy of the Lake and Streambed Alteration Permit obtained from the California Department of Fish and Wildlife (CDFW Operation of Law Approval Letter (EPIMS# 17619-R1) – **On file**).

9. If the source of water is a well, a copy of the County well permit, if available. (**Not Applicable**).
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (**Not Applicable**).
11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (**On file**)
12. For indoor cultivation facilities, identification of the source of electrical power, how it will meet the energy requirements in Section 55.4.8.2.3, and the plan for compliance with applicable building codes. (**Not applicable**)
13. Acknowledgment that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section, in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (**On file**)
14. Acknowledgment that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (**On file**)

SUN HOUSE FARMS, LLC**CULTIVATION, OPERATIONS, AND SECURITY PLAN****OPERATIONS PLAN**

1. Description of Water Source, Storage, Irrigation Plan, and Projected Water Usage

WATER SOURCE AND STORAGE: Applicant's primary source of irrigation is from rainwater catchment. Applicant has three rainwater catchment ponds totaling approximately 100,000 gallons. Applicant also has two military grade water bladders of 50,000 gallons each and two bladders of 200,000 gallons each. Applicant's total water storage capacity is approximately 600,000 gallons. Applicant is in the processing of working with Pacific Watershed Associates (PWA) to engineer and install a 1 million-gallon rainwater catchment pond for irrigation and fire protection purposes, and it is anticipated this would replace the existing ponds and bladders.

Containment for bladders will consist of an earthen berm extending one foot above the height of the bladder when full. Applicant will secure all necessary grading permits required for its storage tanks and bladder.

IRRIGATION PLAN: Irrigation water is applied at agronomic rates to minimize over watering cannabis plants and reducing the risk of irrigation runoff. Irrigation is applied through a traditional drip irrigation and hand-watering for feeding applications. Applicant will irrigate an average of every other day. Applicant waters in the morning/early evening hours to reduce evaporative loss. Safety valves are used in case of leaks. Ground cover and weed barrier is used to minimize weed growth, which reduces water loss during watering. Applicant uses natural soil amendments to aid in soil moisture retention as part of the irrigation plan.

PROJECTED WATER USAGE: Applicant will cultivate approximately 43,560 sf of outdoor cannabis. Based on historical use, Application's estimated water usage is as follows:

	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	
Monthly	5,000	5,000	15,000	15,000	15,000	50,000	
Daily	258.06	178.57	483.87	500	483.87	1666.67	
	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	
Monthly	50,000	50,000	50,000	50,000	2,000	2,000	
Daily	1612.90	1612.90	1666.67	1612.90	66.67	64.52	
Total							309,000

The above figures are weather dependent and are only estimated water usage totals. Applicant will install flow meters at all critical points to measure actual yearly water usage upon implementation of the project.

2. Description of Site Drainage, including Runoff and Erosion Control Measures

SITE DRAINAGE: There is one Class III watercourse located on the property. There is a stream crossing located on the property that has a 2-ft. diameter culvert. Roads on the property are rocked and have water bars. In addition, roads on the property have rolling dips, which enhance site drainage and prevent erosion. Applicant plans to work with Gratzel Excavation to complete additional heavy equipment work on the property.

EROSION CONTROL MEASURES: There are currently no erosion issues on the property. Applicant will seed areas of exposed soils with native grasses to prevent bare soil erosion. Applicant will consult with, and implement recommendations by, Pacific Watershed Associates (PWA) to implement best management practices to prevent erosion from occurring around roads and developed areas.

RUNOFF CONTROL MEASURES: There is no runoff from Applicant's cultivation activities. Applicant uses drip irrigation, waters at agronomic rates, uses timers to avoid overwatering and maintains vegetation around cultivation areas and riparian areas to minimize runoff and sediment transportation to receiving waters. Applicant's outdoor cultivation areas produce no concentrated storm water runoff from the cultivation areas. Applicant will re-seed and re-vegetate any exposed soils around the cultivation areas and install straw waddles and silt fencing on slopes or discharge points that may transport sediment to receiving waters. Applicant will consult with, and implement recommendations from, PWA to improve runoff control measures on an as needed basis.

3. Details of Measures Taken to Ensure Protection of Watershed and Nearby Habitat

PROTECTION OF WATERSHED AND HABITAT: Cultivation areas are all set back at least 100-feet from the nearest watercourse. Buffers are maintained at natural slope with native vegetation to prevent sediment transport to receiving waters. These buffers are unaltered and are of sufficient width to filter wastes from runoff and to maintain essential functions of riparian areas. Riparian areas are protected in a manner that maintains their essential functions.

CULTIVATION RELATED WASTE PROTOCOLS: Applicant is implementing measures to reduce and/or eliminate cultivation-related waste. All plant-related material will be composted in bins to prevent nutrient transport and will be reused as part of Applicant's soils management plan. Soil will be piled and covered and will be reused for multiple cultivation cycles. Pots containing starts and clones will be washed, rinsed, and reused between seasons and recycled at the end of

their useful life. Applicant will recycle pesticide and fertilizer containers per California pesticide regulations. All other associated waste will be placed in garbage cans with lids to prevent nutrients from being leached to groundwater or transported to watercourses. Applicant will determine frequency of disposal to permitted disposal sites that prevents rodent infestation and other nuisances on the property. This will likely be done on a bi-weekly schedule during the growing season.

REFUSE DISPOSAL: The site generates little human refuse. However, Applicant has garbage cans equipped with lids in secondary containment to prevent leaching and transport of foreign materials to receiving waters. The cans are stored in the shipping container located on the NE corner of the property. Applicant will determine the frequency of pickup and delivery to disposal facilities that prevents rodent infestation and other nuisances on the property. This will likely be done on a bi-weekly schedule during the growing season.

HUMAN WASTE: There is a domestic sewage system in the residence on the property which is of sufficient size to service the residence and cultivation activities. Applicant does not anticipate hiring any employees.

4. Protocols for Proper Storage and Use of Fertilizers, Pesticides, and Other Regulated Products

PESTICIDES: Pesticides are stored in a shipping container located at the NE corner of the property near the greenhouses, as seen on the site plan, that is equipped with a steel, non-permeable floor liner to prevent leaching of pesticides into groundwater or transport to surface waters. The storage container is completely enclosed, lockable, and pesticides are stored on shelving. Pesticides will be kept in original containers with labels affixed and kept in secondary containment totes to further minimize spills from transportation to groundwater or receiving surface waters. Approved spill proof containers with appropriate warning and information labels will be used to transport pesticides to and from site.

Applicant will seek out and use pesticides that are OMRI certified and advertised as naturally based. Applicant will purchase pesticides in Humboldt County.

Applicant will maintain and keep personal protective equipment required by the pesticide label in good working order. Coveralls will be washed after use when required.

All required warning signs will be posted and material safety data sheets (MSDS) will be kept in the area where pesticides are stored. Emergency contact information in the event of pesticide poisoning shall also be posted at the work site including the name, address and telephone number of emergency medical care facilities. Change areas and decontamination rooms will be available off-site.

Before making a pesticide application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard.

FERTILIZERS: Fertilizers will be stored in the on-site building referenced above which is equipped with a non-permeable floor liner to prevent leaching and transport to surface waters. The storage area is completely enclosed, lockable, and fertilizers are stored on shelving. Applicant will store and use fertilizers according to the protocols it uses for pesticide storage and use. Fertilizers will be kept in secondary containment totes to further prevent leaching. Applicant will use all fertilizers according to the label and use personal protective equipment as required by the label.

Applicant will seek out and use fertilizers that are OMRI certified and advertised as naturally based. Applicant will purchase fertilizers in Humboldt County.

Before making a fertilizer application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard.

SOIL AMENDMENTS: Applicant does not store soil amendments on-site. Instead, bulk amendments are purchased off-site and immediately mixed into soil.

Should Application store soil amendments, they will be stored in the on-site building referenced above which is equipped with a non-permeable floor liner to prevent leaching and transport to surface waters. The storage area is completely enclosed, lockable, and soil amendments are stored on shelving. Applicant will store and use soil amendments according to the protocols it uses for pesticide storage and use. Soil amendments will be kept in secondary containment totes to further prevent leaching. Applicant will use all soil amendments according to the label and use personal protective equipment as required by the label.

Applicant will seek out and use soil amendments that are OMRI certified and advertised as naturally based. Applicant will purchase soil amendments in Humboldt County.

Before making a soil amendment application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard.

PETROLEUM PRODUCTS AND STORAGE: Applicant stores 1,500 gallons of diesel on-site in containers with a notification system and an automatic shut off function. Applicant has a spill-proof kit on site to prevent seepage into groundwater or transport to surface water. Applicant will store combustible materials in a different location from petroleum products. Generators are equipped with secondary containment and spill-prevention kits are on-site. Applicant will muffle generator noise to less than 50 dbs. to prevent disturbance of surrounding habitat.

5. Description of Cultivation Activities (e.g. outdoor, indoor, mixed light)

CULTIVATION ACTIVITIES: Applicant is proposing to permit existing 43,560 sf of outdoor cannabis. Applicant will be using rainwater catchment to irrigate cannabis. Applicant will be cultivating in raised beds in the greenhouses to prevent excess irrigation runoff and promote soil moisture retention. Cover crops will be planted at the end of the year to promote soil regeneration.

Power is supplied via a generator. Generator is housed inside the existing “processing” facility located to the south of the cultivation areas. The generator is equipped with secondary containment to prevent seepage of fuels to groundwater or surface water. Applicant will sufficiently muffle sound from generators to less than 50 dbs. to protect surrounding habitat.

Applicant does not anticipate hiring any employees and does not anticipate increased road activity. Peak road usage will be between 8:00 AM to 9:00 AM and 5:00 PM to 6:00 PM.

Should Applicant hire employees in the future, parking will be provided near the cultivation site and there will be no on-site housing.

Applicant will post and maintain an emergency contact list which includes: 1) operation manager contacts; 2) emergency responder contacts; and 3) poison control contacts. All cultivation activities will be charted and calendared and visibly posted in the cultivation facilities.

6. Schedule of Activities During Each Month of the Growing and Harvesting Season

January- April

- Clean Greenhouses and make any necessary repairs
- Apply mulching
- Plant cover crops
- Prepare beds and greenhouses for planting
- Till cover crops and amend into soil
- Amend soils using worm castings, blood meal, seabird guano, and bone meal.
- Approximate generator use: 0 hours

May

- Begin planting first outdoor run on May 15
- Water greenhouses every 3rd day
- Apply nutrient feed every 6th day
- Begin constructing trellises
- Mulching
- Approximate generator use: 90 hours

June

- Water greenhouses every 3rd day
- Apply nutrient feed every 6th day
- Begin pulling tarps for light deprivation
- Begin de-leafing plants
- Continue planting
- Mulch
- Approximate generator use: 180 hours

July

- Water greenhouses every 3rd day
- Apply nutrient feed every 6th day
- Begin first harvest approximately July 15
- Continue de-leafing plants
- Trim and manicure harvested plants
- Mulch
- Approximate generator use: 0 hours

August

- Water greenhouses every 3rd day
- Apply nutrient feed every 6th day
- Continue to de-leaf plants
- Approximate generator use: 0 hours

September

- Water greenhouses every 3rd day
- Apply nutrient feed every 6th day
- Approximate generator use: 50 hours

October

- Begin harvesting second cycle
- Trim and manicure harvested plants
- Approximate generator use: 200 hours

November

- End of year reporting
- Clean and landscape areas used in cultivation

December

- End of year reporting
- Clean and landscape areas used in cultivation

PROCESSING PLAN AND ACTIVITIES

PLAN: Processing will occur on-site. The processing facility will meet commercial food grade handling standards. Applicant will not be hiring any employees.

The drying and processing rooms will be sanitized after every use using organic cleaning products to prevent mold growth and other contaminants. A daily cleaning routine for all work rooms and surface areas will be prepared and carried out. Family members working with Applicant, if any, will be required to wash their hands prior to handling the product and after using the restroom. Sanitary equipment and products such as hand sanitizing liquids, paper towels, gloves, water and face masks will be provided on-site and kept in good and operable condition. Emergency contact numbers will be posted in working areas, including local poison control center.

Applicant will implement the following safety practices as a part of the processing plan: 1) functioning safety equipment, including masks, gloves, and respiratory equipment will be provided to employees in good and operable condition; 2) sanitized protective overcoats will be provided to prevent cross contamination and skin irritation; 3) poison control and emergency services contacts will be posted in processing areas; 4) safety signage will be posted and spillage prevention policies will be developed; 5) safety training on proper use of trimming equipment; and 6) development and implementation of a workplace health and safety survey.

PROCESSING ACTIVITIES: During harvest months, the climate is warm and dry. Therefore, harvested plants can be air-dried. Humidity and temperature will be monitored to ensure proper conditions for curing. Cut flowers will be de-leafed and inspected for mold and then brought to the dry room. Flowers will remain on stalk and hung on screen racks for approximately 4-7 days. The dry room is thermostatically controlled to regulate temperature and humidity levels.

The Applicant will use a moisture meter to determine dryness. If the moisture content is below 15%, mold development is prevented. Upon reaching sufficiently safe moisture content, flowers will be bucked, placed into sealed plastic bins, and moved into the curing room. The cure room is also thermostatically controlled to regulate temperature and humidity and to ensure an even, slow cure. Bins will be regularly opened and closed to enhance flavor and aroma and to ensure a fully dried product for packaging and storage in the cultivation facility.

Flowers will then be bagged, barreled, and moved to storage rooms where they will remain until ready to be trimmed. Flowers will be hand-trimmed and finished. They will be separated and packaged in one-pound increments, bagged, sealed, and moved back into storage for transport. Trim will be gathered and composted.

SECURITY FEATURES

Applicant has implemented security measures to safeguard the product and prevent nuisance from occurring on the property. Perimeter fencing around the cultivation areas has been established. All doors and all windows on the property are lockable. All finished marijuana product is stored away from processing activities. In addition, Applicant has "private property," "no trespassing," and "no hunting," signs posted on the property.

To ensure the non-diversion of product, Applicant will enroll in a track and trace program upon the implementation of those programs at the state and local level. Applicant will comply with SB 420 and the Attorney General Guidelines for the Security and Non-Diversion of Medical Cannabis (2007).

SOIL AMENDMENTS

<u>PRODUCT</u>	<u>AMOUNT STORED ON-SITE</u>
Chicken manure	2100 lbs.
Oyster Shell	400 lbs.
Bone Meal	250 lbs.
Bat guano	145 lbs.
Kelp meal	500 lbs.
Trace mineral	340 lbs.

2.

Site Management Plan

Site Management Plan



Preparer Name:	See Attachment #3 for info (Jasmine Finley)	Application Number:	408771
Email Address:	forrestborzini@gmail.com	Tier and Risk Designation:	1 high risk
Site Name:	Sun House Farms	Disturbed Area (ft²):	43,560
County:	Humboldt	Cultivation Area (ft²):	43,560
APN(s):	218-151-006	Cumulative Disturbed Area (ft²)*:	
Site Address:	575 Road D/Garberville, CA 95542	Cumulative Cultivation Area (ft²)*:	

Please Note, this Site Management Plan has only 3 attachments, they are labeled Attachment #2 Pictures, Attachment #3 Preparer attachment, and Attachment #4 Site Map.

Additional information:

I had my sister help create this map today on 9/27/2019 the same day this report is due. I previously believed consultants would be able to produce a Site Map by this due date but that couldn't happen. Please reach out to us if changes/additions need to be made to this Site Map. Thank you for your time and understanding. I hope the following Site Management Plan contains everything you need to know.

We are contracted with SHN to produce the needed Disturbed Area Stabilization Plan. The Disturbed Area Stabilization Plan is estimated to be complete in 90 days or less, from today (9/27/2019). If for any reason it will not be complete by that date I will contact the regional Board with reasons for delay and new estimated date of completion.

I have asked SHN to review this Site Management Plan to ensure that we are not a threat to water quality, since we are a high risk site. If they recommend changes to this Site Management Plan I will provide a new updated Site management plan to the water board at the same time the Disturbed Area Stabilization Plan is submitted.

Sediment Discharge BPTC Measures

1.1 Site Characteristics

- 1.1.1 Provide a map showing access roads, vehicle parking areas, streams, stream crossings, cultivation site(s), disturbed areas, buildings, and other relevant site features.

See attachment #4 Draft Site Map

- 1.1.2 Describe the access road conditions including estimating vehicle traffic, road surface (e.g., paved, rocked, or bare ground), and maintenance activities. Describe how storm water is drained from the access road (e.g., crowned, out slope, armored ditch, culverts, rolling dips, etc.).

Estimated traffic on the private roads (including Access Road 1,2,3,&4) on the property: One commuter vehicle per day, one commercial vehicle per month, and one heavy equipment vehicle per month. Estimated traffic on the shared Road: (D road) five to eight commuter vehicles per day, one commercial vehicle per week, and one heavy equipment vehicle per month.

Roads are maintained according to the Handbook for Forest, Ranch, and Rural Roads published by Pacific Watershed Associates in 2015. The road is regularly monitored year round. About once a month I do a look over everything. In the winter season monitoring becomes much more regular (about once per week). I monitor all ditch relief culverts and stream crossings any time it rains 1/2 an inch in 24 hours or 1 inch in 7 days. I maintain any BPTC measures at the same time as I do culvert checks.

In late May or early June of each year I grade and rock roads, if needed. I always wait for rains to stop but try to work the road while it is still moist. I also check the roads before the onset of winter for needed alterations but prefer to work roads in spring. I may need to do improvements on the road in both spring and fall of some years depending on the severity of the winter.

In the 2019 year some rock was placed on different sections of D road as a collaborative effort with neighbors. In past years we have done similar work on D road. D Road is crowned in most places and rocked. See attachment #2 Pictures, page 9.

My private road leading to hoop houses and green houses (access Road #2) was out sloped and heavily blue rocked in 2018. This road also contains a series of rolling dips. See attachment #2, page 2-4 for pictures. See Attachment #4 site map, other locations, labeled out sloped road and rolling dips for location. This out sloping and rolling dip construction was done as recommended by Pacific Watershed Associates after a 2015 site visit. I had some sections of the private road (access road #3) leading to the outdoor garden rocked in 2019. The road leading to the outdoor growing area could use more rock in some locations. I need to remake a water bar on access Road #3. See attachment #2, page 7 & 8 for pictures. See attachment #4, other locations, labeled water bar needing work for location. The road leading to the outdoor garden is a mix of rocked sections and bare ground sections. We are actively working on the road rocking and road shaping project we hope to have the road leading to the outdoor garden fully rocked by November 15th 2020. See attachment #2, page 5-8 for pictures of access road #3 leading to the outdoor garden area. All work on the roads will stop at the onset of winter period.

I am always assessing the need for fiber rolls, straw bales, erosion control seeding, rolling dips, water bars, or other practices recommended by the Rural Roads Handbook published by Pacific watershed associates.

- 1.1.3 Describe any vehicle stream crossing including the type of crossing (e.g., bridge, culvert, low water, etc.).

The one and only stream crossing located on my property (SC#1, see attachment #4 Site Map for location) is a culvert located on the flat that my hoop houses are located on. We have an access road that leads to the two larger green houses located on the flat that crosses this culvert. This is the same stream that comes off of D road and originates approximately 300 feet up the hill from this stream crossing. This crossing is 24 inch in size. This stream crossing has very little traffic, about 1 vehicle per month.

D road the shared road used to access my site has two stream crossings (these stream crossings are not on my property) located on it. One is 24 inch in size and the stream starts only about 50 foot or so up the hill from D Road. The other culvert is 5 feet in size and the stream feeding it is long and starts way up the hill. Neither of these culverts have clogged to my knowledge. These culverts have been actively used and working properly for more than 10 years. We are working in a collaborative effort with neighbors to have the proper engineering work done on D Road. I hope this will be complete by 2021 or 2022. After completion all of D road will have properly designed and sized culverts to withstand the 100 year flood.

1.1.3.1 For Region 1 Dischargers, identify, discuss, and locate on the site map any legacy waste discharge issues that exist on the property.

None, identified at this time. I will have SHN help decide what might possibly need to be reported as a legacy issues when we have this Site Management Plan reviewed by them in the next 6 weeks. I will provide any updates to the Site Management Plan when submitting the Disturbed Area Stabilization plan.

2.0 Fertilizer, Pesticide, Herbicide, and Rodenticide BPTC Measures

2.1 Provide a summary table that identifies the products used at the site, when they are delivered to the site, how they are stored, and used at the site. If products are not consumed during the growing season, describe how they are removed from the site or stored to prevent discharge over the winter season.

No bulk fertilizer or chemicals are stored on site.

Left over fertilizer and chemicals not consumed immediately are stored in the C-Crate marked pesticide/fertilizer storage on the site map. Products are placed in secondary containment in their original bottles with safety labeling. See Site Map and cannabis use building marked C-crate, Pesticide and fertilizer storage for location.

All mixing will take place directly outside of the C-crate, over a non permeable water bag liner, with spill kit material close by. Mixing will be done over a secondary containment tote whenever possible.

Before making an application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard. Applications are made according to the label at recommended rates and amounts or lower than recommended. See attachment #2, page 24 & 25 for pictures.

Bottles from products used are always disposed of according to label directions. I will recycle pesticide and fertilizer containers per California pesticide regulations. All other associated waste will be placed in trash bags or containers with lids and stored in the covered waste storage area to prevent nutrients from being leached to groundwater or transported to watercourses. See mobile waste storage area on attachment #4 site map for two possible locations. See attachment #2 page 29 for picture.

Approved spill proof containers with appropriate warning and information labels will be used by applicant to transport pesticides, fertilizers and herbicides to and from the site.

I will maintain and keep personal protective equipment required by the pesticide label in good working order.

Material	Composition	Container type/ Seasonal use	Stored at: Note, amendments I only store excess at onset of rainy season. We try to purchase all products when needed. Pesticides are always stored in C crate.
Fertilizers			
High nitro bat guano	Bat guano	50 lb plastic or paper bags.	Stored in C-crate with plastic bag waste put in waste storage area.
mocha bat guano	Bat guano	50 lb plastic or paper bags.	Stored in C-crate with plastic bag waste put in waste storage area.
chicken manure	Chicken manure	Plastic bags	Stored in C-crate with plastic bag waste put in waste storage area.
pelatized chicken manure	Chicken manure	Plastic bags	Stored in C-crate with plastic bag waste put in waste storage area.
greensand	sand	Plastic-lined paper bags	Stored in C-crate with plastic-lined paper bag waste put in waste storage area.
Kelp	kelp	Plastic-lined paper bags	Stored in C-crate with plastic-lined paper bag waste put in

			waste storage area.
Dr. earth grow	Fish bone meal, feather meal, kelp meal, alfalfa meal, soft rock phosphate, fish meal, potassium sulfate, humic acid, seaweed extract and seven strains of Pro-Biotic beneficial soil microbes, PLUS Ecto and Endo Mycorrhizae.	Plastic bags	Stored in C-crate with plastic bag waste put in waste storage area.
Dr. earth bloom	Fish bone meal, feather meal, potassium sulfate, alfalfa meal, kelp meal, seaweed extract and seven strains of Pro-Biotic beneficial soil microbes, PLUS Ecto and Endo Mycorrhizae.	Plastic bags	Stored in C-crate with plastic bag waste put in waste storage area.
Pesticides			
Safer Soap	Potassium Salts and Fatty Acids	Plastic jugs	Stored in C-crate with plastic jug waste put in waste storage area.
Javelin	Bacillus thuringiensis, subsp. kurstaki	Plastic jugs	Stored in C-crate with plastic jug waste put in waste storage area.
Cease	Bacillus subtilis	Plastic jugs	Stored in C-crate with plastic jug waste put in waste storage area.
Neem Oil	100% neem oil labeled as leaf polish	Plastic jugs	Stored in C-crate with plastic jug waste put in waste storage area.
Kopa	Potassium salts of fatty acids	Plastic jugs	Stored in C-crate with plastic jug waste put in waste storage area.
Dr. Zymes	Citric acid	Plastic jugs	Stored in C-crate with plastic jug waste put in waste storage area.
Botanigard	Beauveria bassiana	Plastic jugs	Stored in C-crate with plastic

			jug waste put in waste storage area.
Actinovate (soil use only)	Streptomyces lydicus WYEC 108	Plastic jugs	Stored in C-crate with plastic jug waste put in waste storage area.
Defgaurd	Bacillus amyloliquefaciens	Plastic jugs	Stored in C-crate with plastic jug waste put in waste storage area.
Preferal	Isaria fumosorosea	Plastic jugs	Stored in C-crate with plastic jug waste put in waste storage area.
Baking soda	Sodium Bicarbonate	Plastic jugs	Stored in C-crate with plastic jug waste put in waste storage area.
Mad farmer peroxide	Hydrogen peroxide	Plastic jugs	Stored in C-crate with plastic jug waste put in waste storage area.
Herbicides (not currently used)			
Rodenticides (not used)			

Herbicides not used at this time. No rodenticide used ever, and never will. I feel it is not safe for wildlife or family pets to use rodenticide.

2.2. Provide a site map of storage locations

See attachment #4 Site Map. See Cannabis use buildings, labeled C-crate Pesticide and fertilizer storage. Also see attachment # 2, page 24, for picture of storage.)

2.3. Describe how bulk fertilizers and chemical concentrates are stored, mixed, applied, and how empty containers are disposed.

No bulk fertilizer or chemicals are stored on site.

Excess products are kept in secondary containment inside of the closed C-crate in the original bottle with safety labeling. See attachment #4 Site Maps and c-crate marked pesticide and fertilizer storage for location. Also see attachment # 2, page 24, for picture of storage.

Bottles from products used are always disposed of according to label directions. I will recycle pesticide and fertilizer containers per California pesticide regulations. All other associated waste will be placed in trash bags or containers with lids and stored in the covered

waste storage area to prevent nutrients from being leached to groundwater or transported to watercourses. See mobile waste storage on attachment #4 Site Map for locations. Waste storage is inside of a covered dump trailer.

All mixing will take place over a non permeable water bag liner with spill kit material close by. Mixing will be done over a secondary containment tote whenever possible.

Before making an application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard. Applications are made according to the label at recommended rates and amounts or lower than recommended.

See 2.1 for more info

2.4. Describe procedures for spill prevention and cleanup.

Spill kit materials located on site include but are not limited to Kitty litter, bucket, shovel, and absorbent pads.

Product are kept in secondary containment inside of the closed C-crate where no animals can get to them. Mixing is done over a non-permeable water bag liner and a secondary containment tote whenever feasible. I keep the spill prevention material close by this allows me to take care of any minor spills immediately, without any product touching the ground. Any material cleaned up will be disposed of at Eel River Recology.

3. Petroleum Product BPTC Measures

3.1 Provide a summary table that identifies the products used at the site, when they are delivered to the site, how they are stored, and used at the site. If products are not consumed during the growing season, describe how they are removed from the site or stored to prevent discharge over the winter season.

Petroleum product	Used for:	Stored in:	Delivered
1,000 gal. diesel tank	Generator for farm electricity	Metal containment box with waterproof tarp cover	Diesel is delivered to the site by one of a few licensed fuel delivery companies including but not limited to Apex fuel and Renner

			Petroleum
500 gal. diesel tank	Generator for farm electricity	Metal containment box with waterproof tarp cover	Diesel is delivered to the site by one of a few licensed fuel delivery companies including but not limited to Apex fuel and Renner Petroleum
Other small petroleum storage: including 50 gallons or less Gasoline, oil, and other fluids for small farm equipment	Generator, weed whacker, ATV, Tiller, and other small farm equipment	C-crate in secondary containment. Note only until a fuel storage containment building is built.	by applicant.

3.2 Provide a site map that locates storage locations.

See Attachment #4 Site Map, other locations, labeled petroleum storage. Also see other locations, labeled C-crate, fertilizer and pesticide storage, temporary small Petroleum storage.

See attachment #2 Page 22, 23, and 25 for secondary containment pictures.

3.3 Describe how fuels, lubricants, and other petroleum products are stored, mixed, applied, and empty containers are disposed.

Petroleum products other than diesel are temporarily stored in secondary containment inside of the C-crate marked pesticide and fertilizer storage. In the future these products will be stored inside of my generator /fuel containment shed. The building is in the planning stages and I hope to complete it by 2021. See attachment #4 Site Map, Proposed Building for location. See attachment #2, page 22-25 for pictures of current containments.

I plan to build a Generator shed/ fuel containment building in the near future. I need to work through Humboldt county permitting to move forward on the project. The dream is to pour a cement containment to be used by the generator and one fuel storage tank. I am looking into a metal building with some open sides for air flow that still has enough coverage to ensure that the containment area would be protected from rain. But I may end up using some quicker more

prefab style of containment depending on monetary feasibility of permitting and building said structure. In the mean for the 2019 rainy season I will place a temporary car coverlet style roof over the generator area as recommended by SHN during their site visit. Both fuel storage tanks are in containments and covered by non-permeable water bag liner already. I plan to roof one of these storage locations and move the other into the generator shed/ fuel containment building once it is complete. The storage location not inside the containment building will only be used as a transfer tank. Transfers of fuel are always done with a person present to monitor the transfer and ensure no leaks are occurring. I am looking into a fuel line equipped with a secondary outer sleeve that will catch any leak and pipe it back into the containment as recommended by SHN on recent site visit. This will ensure that no spills occur while doing fuel transfers.

I always store petroleum products inside of secondary containment. Any mixing or use that needs to take place happens on a non permeable surface whenever possible with a secondary containment tote present and spill kit near by. Petroleum is always stored in a secondary containment. I have two separate diesel storage tanks (see attachment #4 Site Map, other locations, marked petroleum storage for locations) and each one has its own metal containment under it. These diesel storage tanks are not yet equipped with roofs. But they do have non permeable water bag liner placed over the top of them to prevent water from entering the containment. I am currently working on ironing out the details of the configuration of my future permanent generator and gasoline containment and storage location.

Empty containers are disposed of according to label directions. I recycle and dispose of waste at Eel River Recology the Garberville or Fortuna transfer stations or other authorized facility. Always recycle if possible.

3.4 Describe procedures for spill prevention and cleanup.

Spill kit materials located on site includes but are not limited to kitty litter, bucket, shovel, and absorbent pads. Located at petroleum storage as well as pesticide & fertilizer storage locations.

Products are kept in secondary containment to catch any accidental spill that could occur. Diesel tank containment and water-proof tarps are monitored throughout the rainy season to ensure that their covers are intact and working properly and that the storage tanks have no leaks. A spill prevention plan will be implemented with regular inspections. If a small spill does occur, it will be cleaned using material from the spill kits including kitty litter, bucket, shovel, and absorbent pads. If a large spill occurs, the spill will be contained to the best of my abilities and a licensed professional will be contacted for proper clean up, immediately. I will contain larger spills with any means available to me including the previously mentioned spill kit material, tarp, and pumping anything I can into the exiting containment, and/or using small machinery if any is available near by. A shed will be constructed to contain the generator and the 500 gallon tank on the existing petroleum site. A roof will be placed over the existing 1000 gallon storage tank and containment.

4. Trash/Refuse, and Domestic Wastewater BPTC Measures

4.1 Describe the types of trash/refuse that will be generated at the site. Describe how the material is contained and properly disposed of.

I am implementing measures to reduce and/or eliminate cultivation related waste. All plant related material will be composted in covered piles to prevent nutrient transport and will be reused as part of my soils management plan. Pots containing starts and clones will be washed, rinsed, and reused between seasons and recycled at the end of their useful life.

I will recycle pesticide and fertilizer containers per California pesticide regulations. I recycle anything else that can be recycled. All other associated waste will be placed in garbage cans with lids and stored in the covered waste storage area to prevent nutrients from being leached to groundwater or transported to watercourses. Waste is stored inside of a dump trailer (See attachment #4, Site map, labeled mobile waste storage for locations. See Attachment #2, page 29, for picture.) with a non-permeable cover. I will haul to a permitted disposal site frequently to prevent rodent infestation and other nuisances on the property. This will likely be done on a bi-weekly schedule during the growing season. I regularly use Eel River Ecology (Redway transfer station) for recycling and disposal of waste.

Other trash that could be generated by the site includes but is not limited to soil bags from some soils that may be used (bulk soil is usually used cutting down a lot on plastic bag trash), plastic or glass containers from fertilizer or pesticides, old light deprivation or greenhouse tarps that are no longer usable, broken PVC, no longer usable pots, and water line is sometimes thrown away. I'm sure there are other things I am not thinking of that could conceivably be produced at this site. No one lives on site so very little to no human trash is on site.

4.1.1 Provide a site map that locates the trash/refuse storage locations.

See attachment #4 Site Map, Labeled Mobile waste storage for locations. See Attachment #2 page 29 for waste storage picture.

4.2. Describe the number of employees, visitors, or residents at the site.

employees: 0 (family operated farm.)

visitors: 1-2 per day

residents: 0

This is a family owned and operator farm, and there are no employees. The Owner lives close to the farm and has family members on adjacent parcels.

4.2.1 Describe the types of domestic wastewater generated at the site (e.g., household generated wastewater or chemical toilet).

No household waste is generated on site. The site has an unfinished house with no plumbing into it yet. There is a non-permitted septic system attached to the bathroom building. I am working on getting the septic system permitted at the same time as the generator shed. A septic permit is actively being pursued, and I hope to have a retroactive permit by the end of 2021. See attachment #4, Site Map, for locations of all of the above mentioned details.

4.2.2. Describe how the domestic wastewater is disposed.

N/A

4.2.2.1. Permitted onsite wastewater treatment system (e.g., septic tank and leach lines).

Not yet. It is in the works.

4.2.2.2. Chemical toilets or holding tank. If so, provide the name of the servicing company and the frequency of service.

None

4.2.2.3 Outhouse, pit privy, or similar. Use of this alternative requires approval from the Regional Water Board Executive Officer; include the approval from the Executive Officer and any conditions imposed for use of this alternative.

None

4.2.2.3.1. Provide a site map that locates any domestic wastewater treatment, storage, or disposal area.

See Attachment #4 Site Map, other location, labeled septic for location.

5.0 Winterization BPTC Measures

5.1 Describe activities that will be performed to winterize the site and prevent discharges of waste. The description should address all the issues listed above.

The compost pile will be covered, and fiber rolls will be placed around the perimeter of the pile to ensure that the runoff from the cover does not create erosion.

A temporary building/ car coverlets will be placed over the generator and diesel tanks until a more permanent building is built as recommended by SHN during 2019 site visit.

All bare areas will be straw mulched and seeded, including but not limited to roadsides, around water storage areas, around buildings, and around cultivation areas (after plants are removed prior to winterization).

Culverts will be maintained and inspected to be clear of any debris to ensure full capacity use prior to the winter season and after storm events, as will stream crossings and ditch relief culverts.

The seasonal road between the outdoor cultivation site and the hoop house will be closed.

All garden beds and pots will be mulched and will have a cover crop.

Any stockpiled construction material will be covered with non permeable cover.

5.2 Describe maintenance of all drainage or sediment capture features (e.g., drainage culverts, drainage trenches, settling ponds, etc.) to remove debris, soil blockages, and ensure adequate capacity exists.

Roads are maintained according to the Handbook for Forest, Ranch, and Rural Roads published by Pacific Watershed Associates in 2015. The road is regularly monitored year round. About once a month I do a look over everything. In the winter season monitoring becomes much more regular (about once per week). I monitor all ditch relief culverts and stream crossings any time it rains 1/2 an inch in 24 hours or more than 1 inch in 7 days. I maintain any BPTC measures at the same time as I do culvert checks.

Before the onset of winter each year (November 15th) I monitor inlets and outlets of culverts. If the inlets of culverts are impacted and not allowing full capacity use I do my best to restore their inlet with a shovel, if possible. Any material that is removed is stabilized in place. If it is rocky it is applied to the road and if it is silty it is placed on the side of the road to be straw mulched and seeded with erosion control mix.

I don't currently have any sediment capture features I have to remove sediment from. I do my best to seed below culverts to help with sediment capture and stabilization.

5.3 Describe any revegetation activities that will occur either at the beginning or end of the precipitation season.

Before the onset of Winter period revegetation with straw mulch and erosion control mix will take place on any bare areas in and around the cultivation site, bare areas near water storage facilities, buildings, and roadsides. See attachment #2, page 14-19 for pictures.

Any outfalls of culverts with sediment present in need of stabilization will be seeded at the end of precipitation season.

5.4 If any BPTC measure cannot be completed before the onset of winter period, contact the Regional Water Board to establish a compliance schedule.

N/A, as far as I know. However, I am having SHN go over this Site Management plan to ensure that water quality is not threatened. There is some chance that they could propose a different schedule for implementation of BPTC measures, although it didn't seem like it on our September 2019 site visit. If SHN recommends BPTC measures be implemented after the onset of winter period I will immediately contact the Regional Board to establish a compliance schedule.

5.5 For Region 1 Dischargers, describe any activities that will be performed to address legacy waste discharge issues.

N/A as far as I know. No legacy issues identified at this time. I will have SHN help decide what if anything needs to be reported as a legacy issue when we have this Site Management Plan reviewed by them to ensure we are protecting water quality, in the next 6 weeks. If SHN identifies legacy issues I will update the water board with a new Site Management Plan when submitting the Disturbed Area Stabilization plan.

7. Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

✓ I have read and accept the above terms.

Operator/Responsible Party Forrest Borzini

Date Prepared 9/27/2019

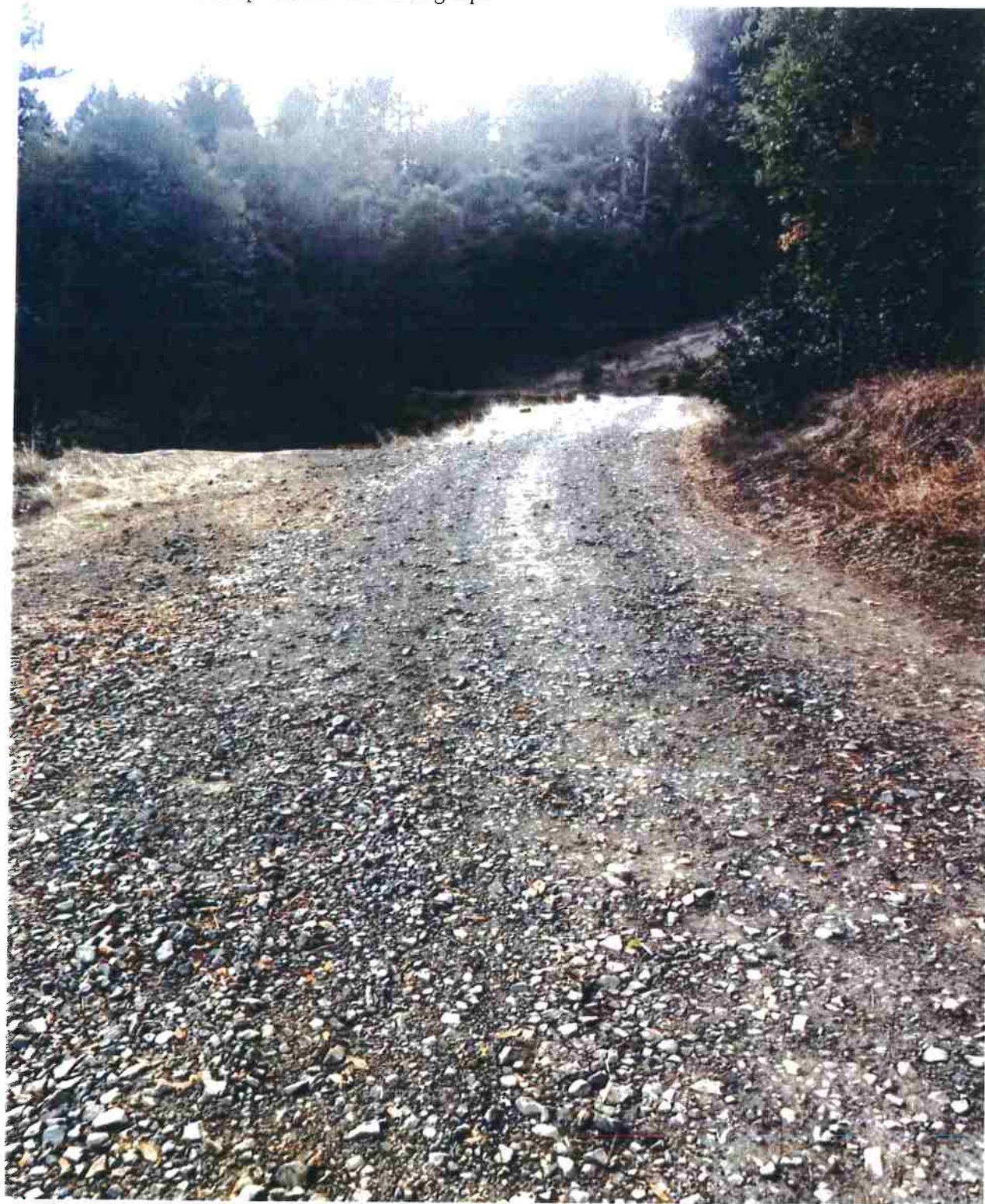
Site Management Plan

Attachment # 2 Pictures

Preparer Name:	See Attachment #3 for more info (Jasmine Finley)	Application Number:	408771
Email Address:	forrestborzini@gmail.com	Tier and Risk Designation:	1 high risk
Site Name:	Sun House Farms	Disturbed Area (ft²):	43,560
County:	Humboldt	Cultivation Area (ft²):	43,560
APN(s):	218-151-006	Cumulative Disturbed Area (ft²)*:	
Site Address:	575 Road D/Garberville, CA 95542	Cumulative Cultivation Area (ft²)*:	

WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 1 of 29

Blue rocked road to hoop houses with rolling dips



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 2 of 29

Road to hoop houses rolling dip needing to be redone. I plan to re-rock and shape this rolling dip after completion of rocking the road to the outdoor as recommended by SHN on our last site visit.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 3 of 29

Rolling dip not needing to be redone.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 4 of 29

Road to outdoor rocked



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 5 of 29

Road to outdoor still needing rock



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 6 of 29

Road to outdoor water bar to take water off road needs to be redone. Plan to redo this water bar before the onset of winter 2019.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 7 of 29

Another picture of the above water bar that needs to be redone.



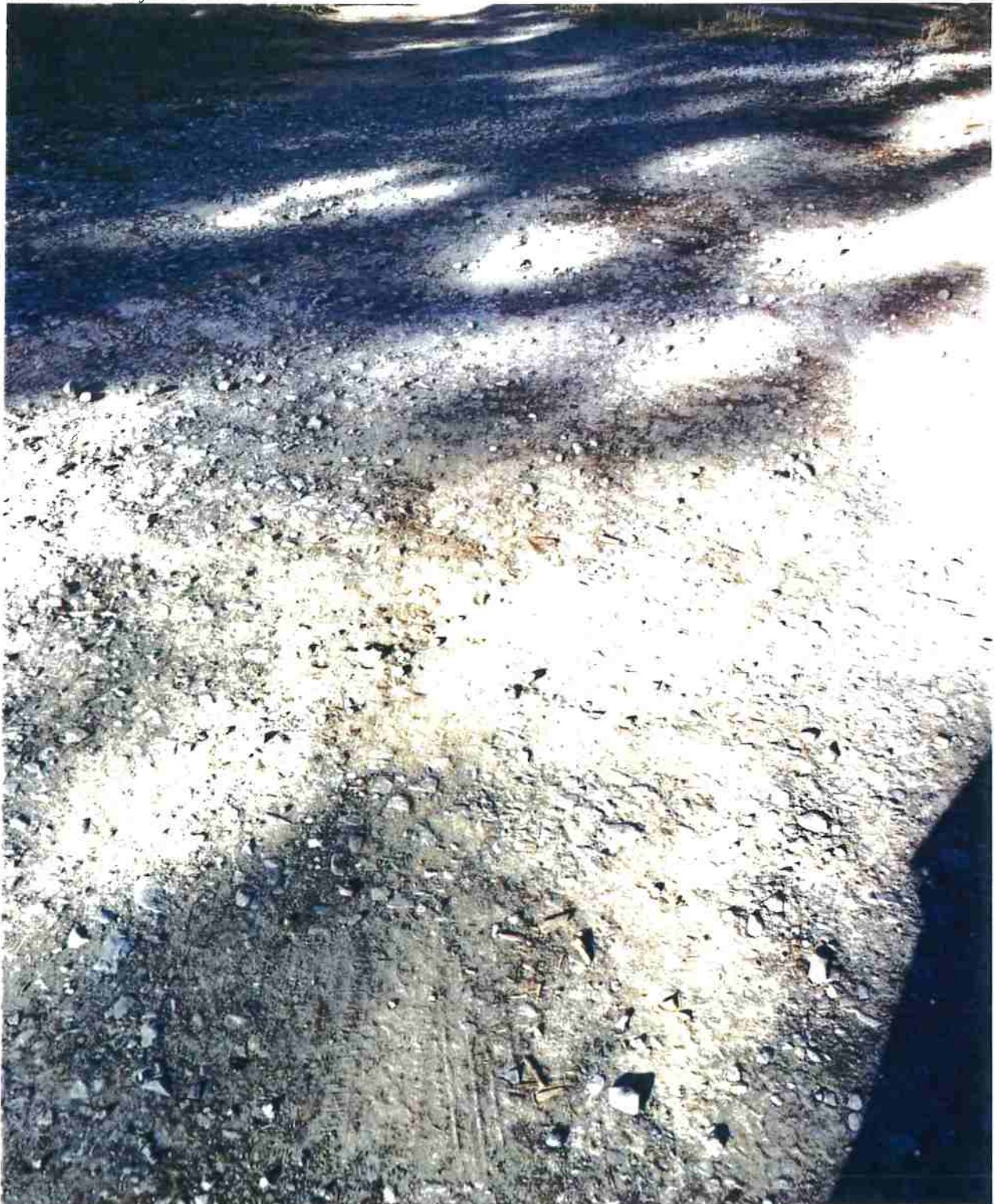
WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 8 of 29

D Road shared access road picture of my property crowned.



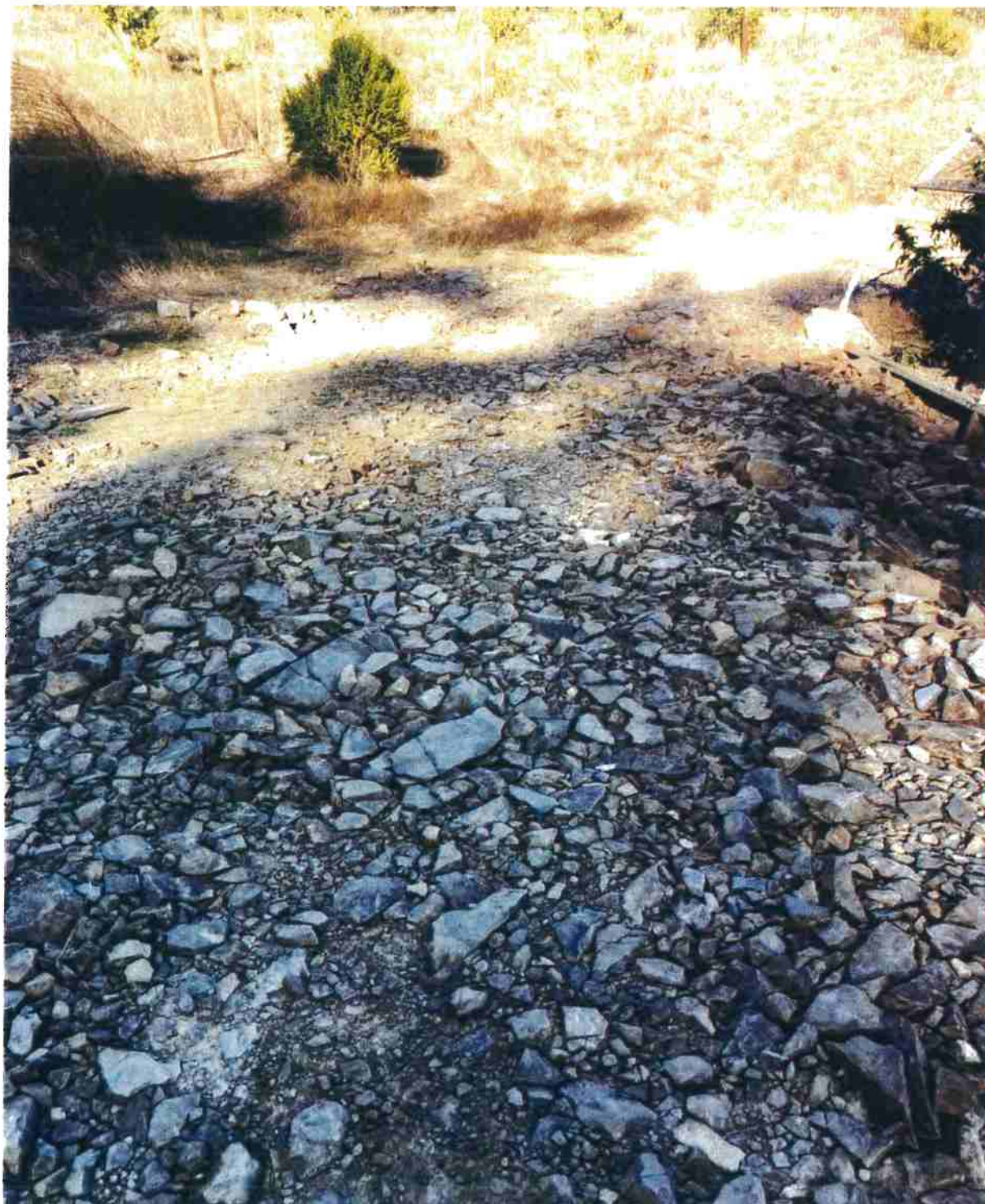
WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 9 of 29

Rocked front yard. Rocked in 2018.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 10 of 29

Rocked road leading to the 2 greenhouses. Also a picture of SC#1 Cross sectional.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 11 of 29

SC#1 Outlet



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 12 of 29

Stream crossing inlet.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 13 of 29

Bare places will straw and seed with erosion control mix prior to the onset of winter per Light
Depravation area



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 14 of 29

Bare places will straw and seed with erosion control mix prior to the onset of winter period. Roadside light deprivation area.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 15 of 29

Bare places will straw and seed with erosion control mix prior to the onset of winter period. Outdoor Garden area.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 16 of 29

Bare places will straw and seed with erosion control mix prior to the onset of winter period.
Outdoor garden area where an old shed was removed in 2019.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 17 of 29

Bare places will straw and seed with erosion control mix prior to the onset of winter period.
Roadside leading to hoop house.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 18 of 29

Bare places will straw and seed with erosion control mix prior to the onset of winter period.
Foot path off road by hoop houses.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 19 of 29

Erosion problems don't exist beside any of the greenhouses. Here are a few different shots of sides of greenhouses. Hoop houses have plastic removed before the onset of winter period and beds are cover cropped.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 20 of 29

More sides of Greenhouses with no erosion problem. Note I will straw and seed this bare ground before the onset of winter period.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 21 of 29

Fuel storage #1 in containment with non permeable cover over the top. Will be building some kind of generator containment in the near future.



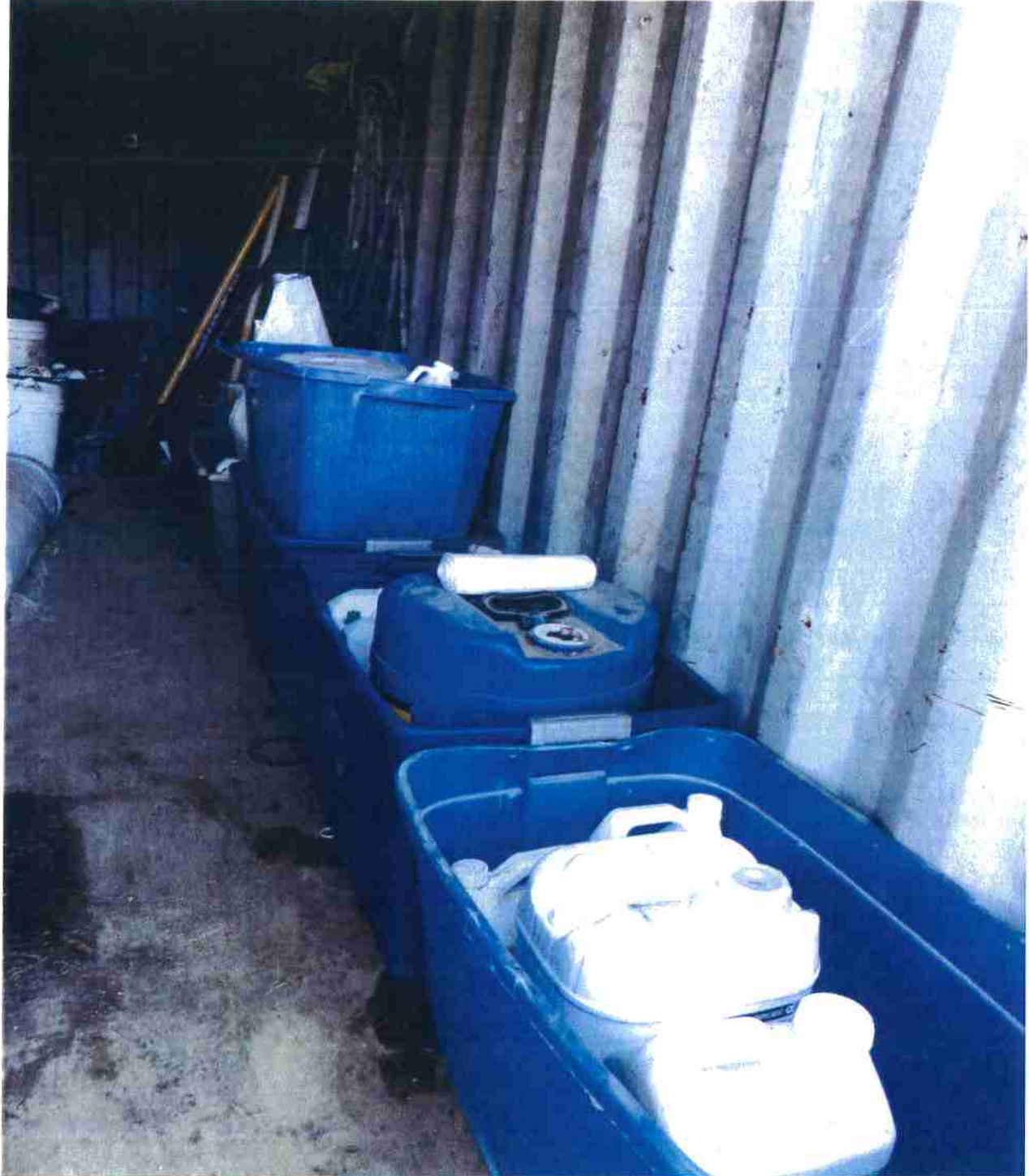
WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 22 of 29

Fuel storage #2 in containment with non permeable cover over the top. Will be building some kind of generator containment in the near future.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 23 of 29

Pesticide/fertilizer storage inside of secondary containment totes in C-crate. Marked Pesticide and fertilizer storage on Site Map.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 24 of 29

Temporary small petroleum storage. Until Fuel storage building is built.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 25 of 29

water bag with berm.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 26 of 29

Water bag with berm closer to berm.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 27 of 29

Compost pile covered now due to early rain will be surrounded with fiber rolls before the onset of winter period.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 28 of 29

Mobile waste storage. Covered as recommended by SHN on site visit. Will be looking into other more permanent covers for the dump trailer in the near future. Trash is contained in cans or thrash bags inside of.



WDID: 1_12CC408771 SMP Attachment #2 Pictures Page 29 of 29

Site Management Plan Attachment #3 Preparer Information

Preparer Name:	See Attachment #3 for more info (Jasmine Finley)	Application Number:	408771
Email Address:	forrestborzini@gmail.com	Tier and Risk Designation:	1 high risk
Site Name:	Sun House Farms	Disturbed Area (ft²):	43,560
County:	Humboldt	Cultivation Area (ft²):	43,560
APN(s):	218-151-006	Cumulative Disturbed Area (ft²)*:	
Site Address:	575 Road D/Garberville, CA 95542	Cumulative Cultivation Area (ft²)*:	

This Site Management Plan and all attachments were prepared by Jasmine Finley, from information collected directly from the enrollee, Sun House Farms LLC (Business Owner: Forrest Borzini).

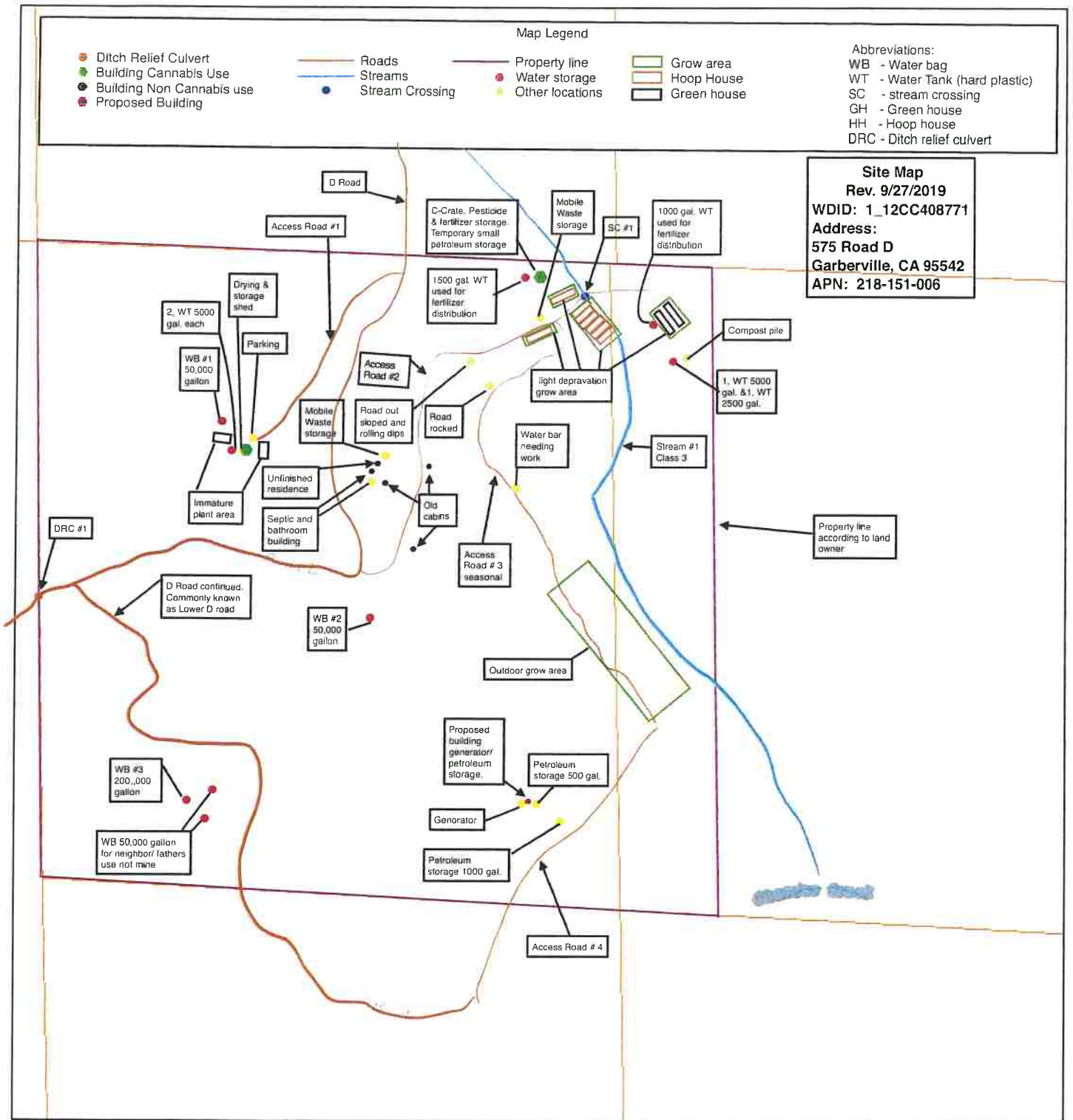
I, Jasmine Finley, do not claim any particular title or credential. I have family members enrolled under this order so I have familiarized myself with the Site Management Plan requirements.

Forrest Borzini is my older brother. I am assisting with the Site management plan for his site but also have asked SHN to check my work to ensure we are not a threat to water quality. This site is high risk, so I decided to have the professionals take a look at the Site Management Plan and make recommendations on any needed changes to protect water quality. I will update the water board with any changes made to our Site Management Plan at the same time the disturbed area stabilization plan is turned in. (estimated is no more than 90 days to prepare. We hope to have it complete in one month, that is if no big issues come up during the drafting of the plan. [plan will be done no later than December, 30 2019. If for any reason this date changes I will immediately contact the water board with new estimate and reason for delay]. Disturbed Area Stabilization Plan is being prepared by SHN, Civil Engineering, Environmental Services, Geosciences, Planning & Permitting, Surveying. www.shn-engr.com).

I apologize in advance if I have not included some needed details. I am doing my best to ensure these farms are complying with the 2019 order and implementing needed BPTC Measures before the onset of winter period. I am happy to redraft Site Management Plans and any attachments to include any other needed details. Please let me know if any changes need to be made.

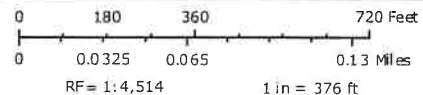
You can contact me, Jasmine Finley at (707)223-3776 with any concerns or details on changes needed. My email is finleyandfriends707@gmail.com

Site Management Plan, Attachment # 4 Site Map



ArcGIS Web Map

Humboldt County Planning and Building Department



Printed: September 27, 2019

Web AppBuilder 2.0 for ArcGIS

Map Disclaimer:

While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.

Source: Humboldt County GIS, Esri, HERE, Garmin, (c) OpenStreet Map contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreet Map contributors, and the GIS User Community

City Boundary

Counties

Parcels (no APN labels)

PLN-12029-CUP Sun House Farms

WDID: 1_12CC408771 SMP Attachment #4 Site Map Page 1 of 1

Page 89 of 110

Humboldt County Site Plan

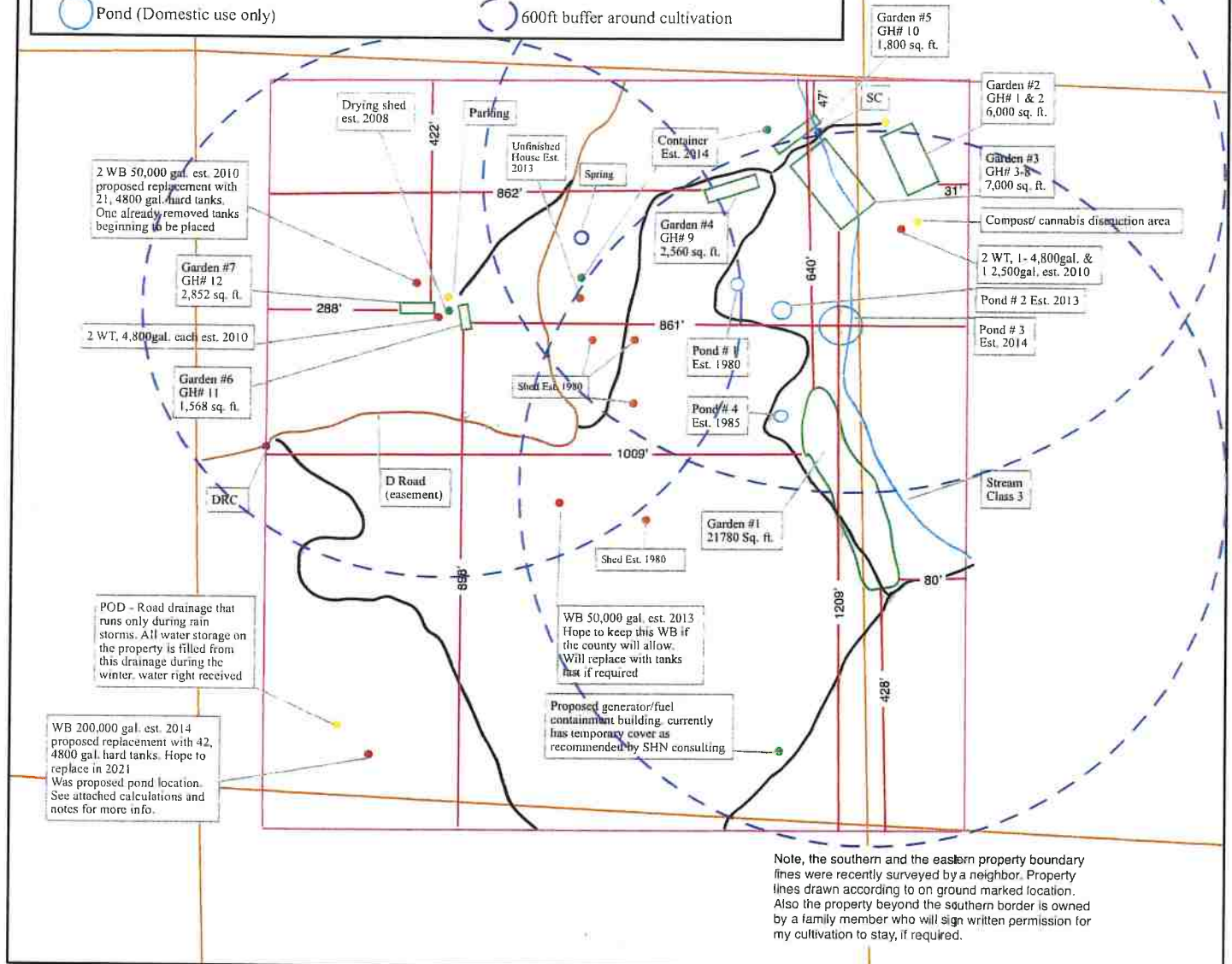
Revised: 02/23/2020

Map Legend

- DPR
- Property boundary according to GIS
- Property boundary according to property owner
- Cultivation area
- ~ Roads with easement
- Road without easement
- ~ Streams
- Pond (Domestic use only)
- Stream Crossing
- Water storage
- Ditch relief culvert
- Building used for cannabis cultivation
- Building not used for cannabis cultivation
- Other locations to note
- Spring(domestic use only)
- 600ft buffer around cultivation

Owner: Forrest Borzini
Business: Sun House Farms LLC
APN: 218-151-006

Abbreviations:
GH- Greenhouse or hoop house
DRC - Ditch relief culvert
SC - Stream crossing
WB - Water Bladder
WT - Water Tank
DPR - distance to property line



ArcGIS Web Map

Humboldt County Planning and Building Department

0 180 360 720 Feet
0 0.0325 0.065 0.13 Miles
RF= 1:4,514 1 in = 376 ft



Printed: February 20, 2020

Web AppBuilder 2.0 for ArcGIS

Map Disclaimer:

While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.

Source: Humboldt County GIS, Sources: Esri, HERE, Garmin, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Explanation of Square footages given on Site Plan

Garden #1:

Measurement was taken from the past map created and measured by Pacific watershed associates. This garden is off shaped and not easy for me to personally measure. A total square footage of 21,780.

Garden #2:

2 greenhouses, each measuring 30'x100'. A total square footage of 6,000.

Garden #3:

6 hoop houses, 5 measuring 15'x80' and 1 measuring 17.5'x80'. a total square footage of 7,000.

Garden #4:

1 hoop house measuring 16'x160'. A total square footage of 2,560.

Garden #5:

1 hoop house measuring 90'x20'. A total square footage of 1,800.

Garden #6:

1 hoop house measuring 28'x56'. A total square footage of 1,568.

Garden #7:

1 greenhouse and a small amount of space beside greenhouse used as needed. Greenhouse measuring 24'x60' with a 20'x70.6' space used as needed outside of greenhouse. A total square footage of 2,852.

Total square footage on property is 43,560 sq. ft.

Note garden # 6 & 7 used for immature plant area.

Note, dates buildings and ponds established are best guess. Property was not owned/fully operated by Forrest until 2016.

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
Humboldt County Division of Environmental Health	✓	Conditional approval	Attached
Humboldt County Building Inspection Division	✓	Conditional approval	On file
Humboldt County Public Works, Land Use Division	✓	Conditional approval	Attached
CAL FIRE		No response	On file
Northwest Information Center (NWIC)	✓	Comments	On file and confidential
California Department of Fish and Wildlife (CDFW)	✓	Comments	
Regional NCUAQMD		No response	
North Coast Regional Water Quality Control Board (NCRWQCB)		No response	
Humboldt County District Attorney		No response	
Federal Public Defender, Palo Verde		No response	
Federal Public Defender, Garberville		No response	
Humboldt County Agriculture Commissioner		No response	
Humboldt County Sheriff	✓	Comments	Attached
California Division of Water Rights		No response	
Southern Humboldt Joint Unified School District		No response	

M/W/E

12/28



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

11/24/2020

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, **Building Inspections**,
FPD: Palo Verde, RWQCB, NCUAQMD, School District: Southern Humboldt JUSD, Cal Fish & Wildlife, Division of Water
Resources, CalFire, CA Division of Water Rights, NWIC, FPD: Garberville

Applicant Name Sun House Farms LLC **Key Parcel Number** 218-151-006-000

Application (APPS#) PLN-12029-CUP **Assigned Planner** Keenan Hilton 707-268-3722

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: 12/9/2020

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

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

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

Other Comments: _____

DATE: 1-5-21 PRINT NAME: Ross Etkin



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:

Accela Record No: PLN 12029 APN: 218-151-006-000

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

☐ Site plan appears to be accurate.

☒ Site plan is not accurate, submit revised site plan showing the following items:

☒ All grading including ponds and roads,

☒ Location of any water course including springs,

☒ All structures including size and use and all setbacks from each other, above stated items, and property lines.

☐ _____

☐ _____

☐ Existing operation appears to have expanded as follows: _____

☐ Proposed new operation has already started.

☒ ^{N/A} Development is near a wet area. If yes, distance from development: Outdoor garden < 50'
↓
SMA

☒ Development is near a Steam side Management Area (SMA). If yes, distance from development: _____

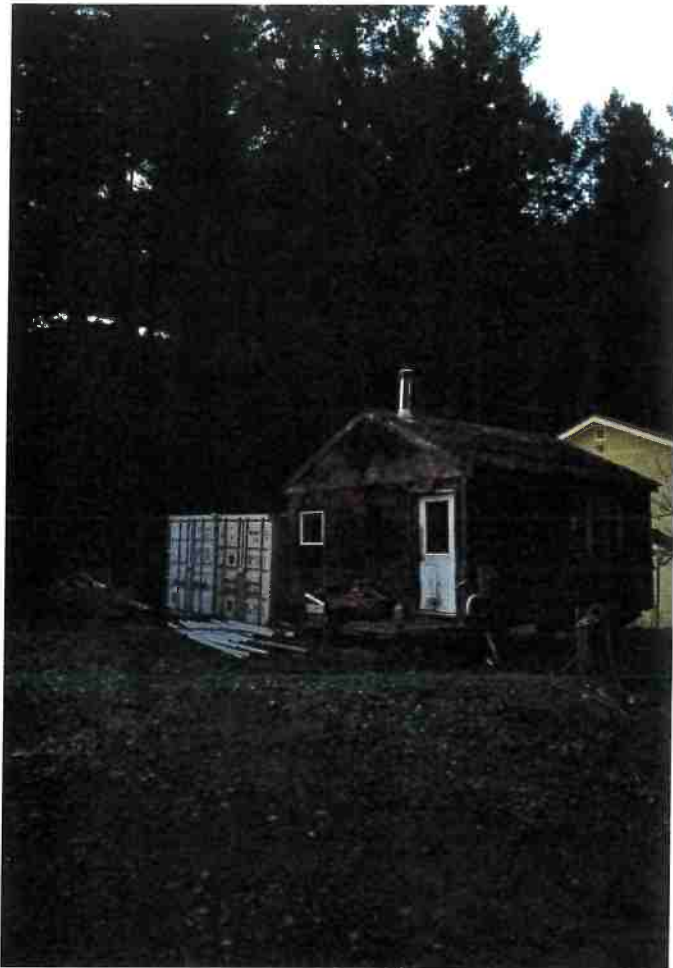
☒ Recommend approval based on the condition that all required grading, building, plumbing, electrical, and mechanical permits and or Agricultural Exemptions are obtained.

☒ Other Comments: Garden #1 < 50' from SMA, 2x 50K gal WB not
existent, 2 storage containers missing by residence, more water
tanks than map shows, map missing property line and structure to
structure setbacks.

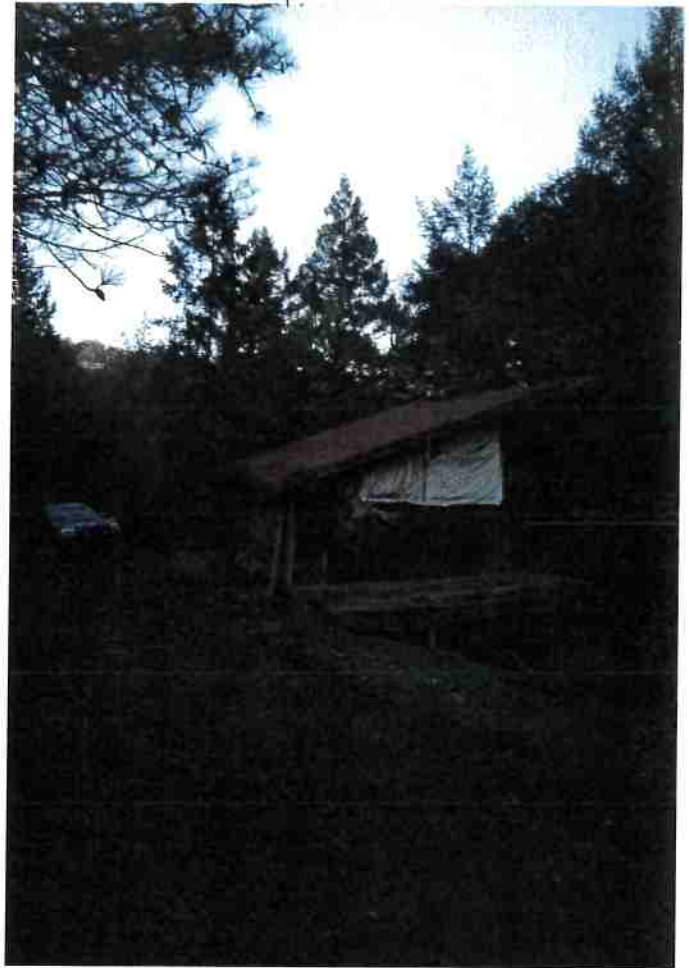
Name: Ross Eskig

Date: 1-5-21

shed



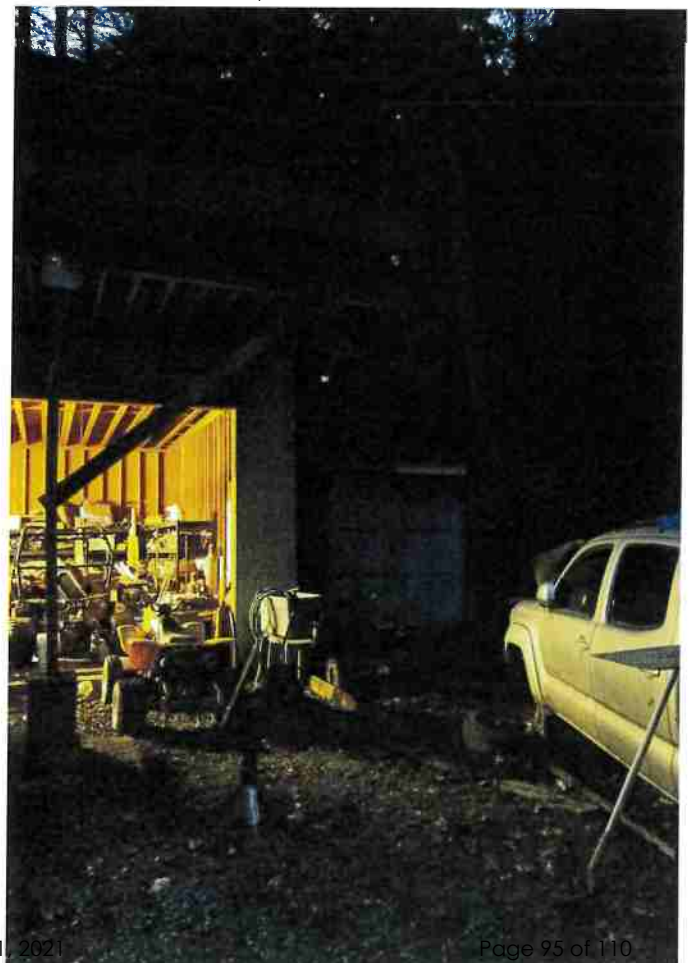
shed



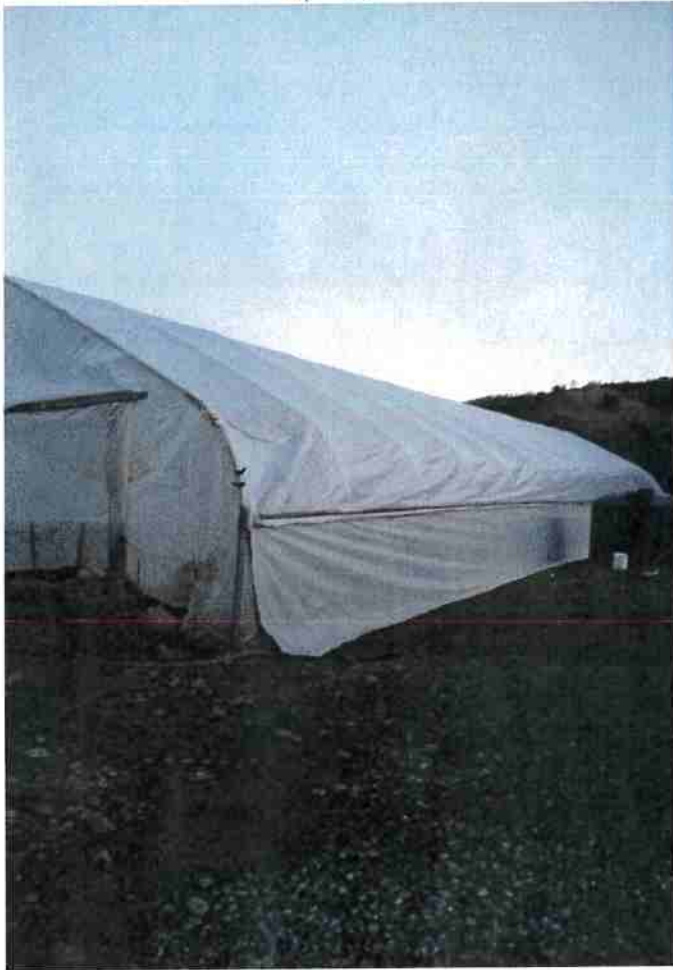
Unfinished residence



sto. container →



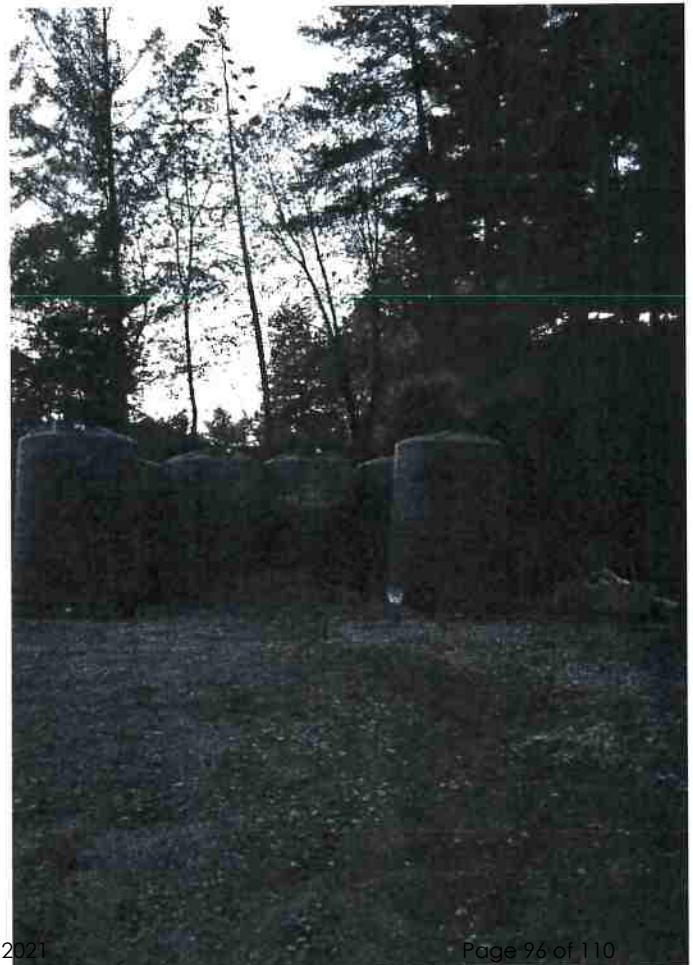
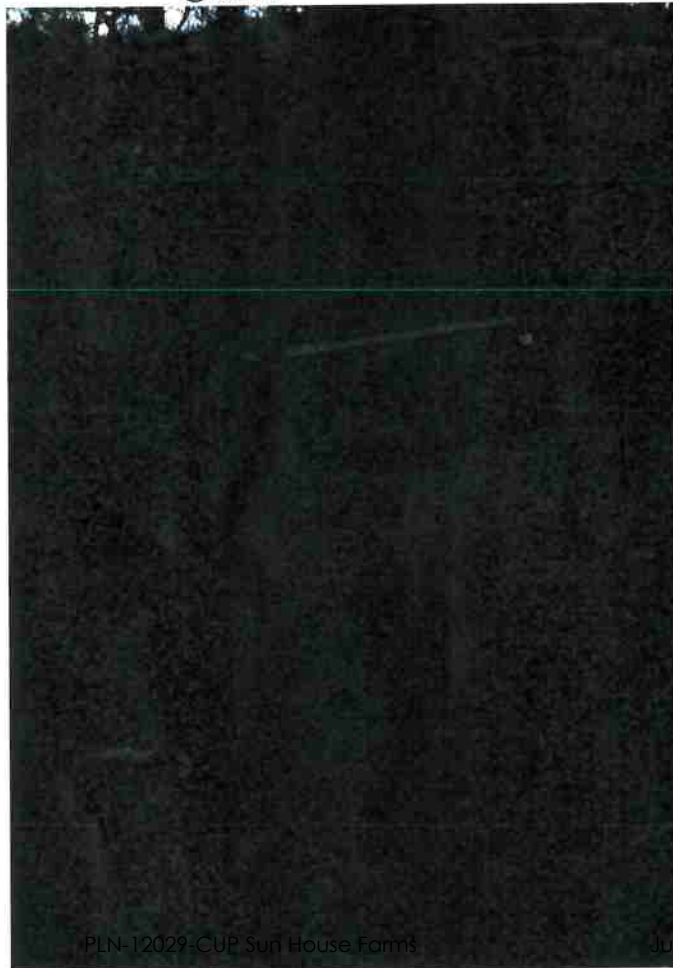
#3



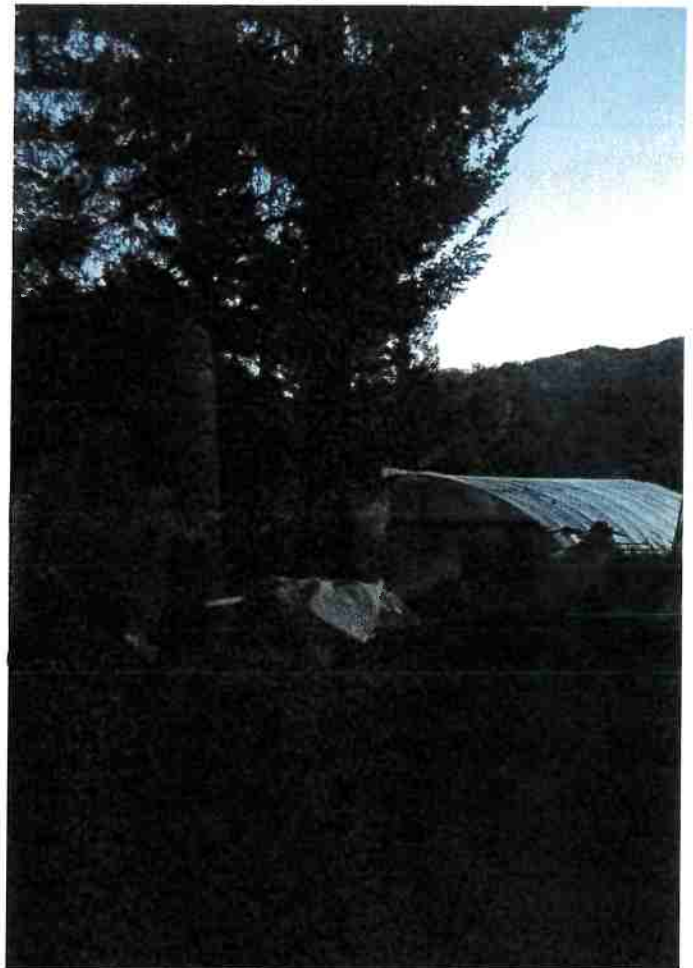
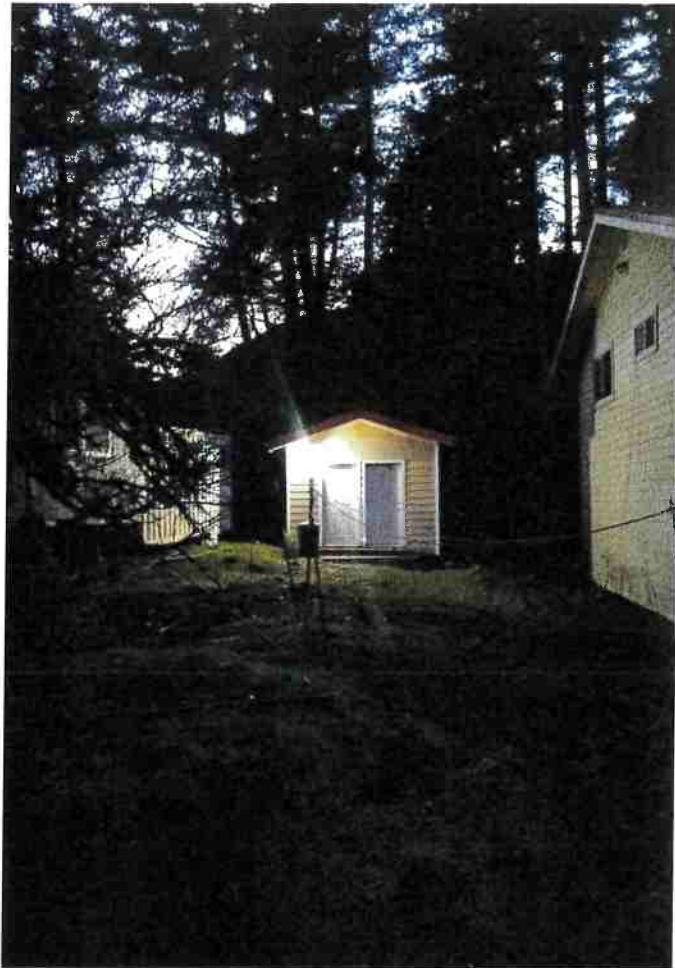
Compost / destruction area



Shed

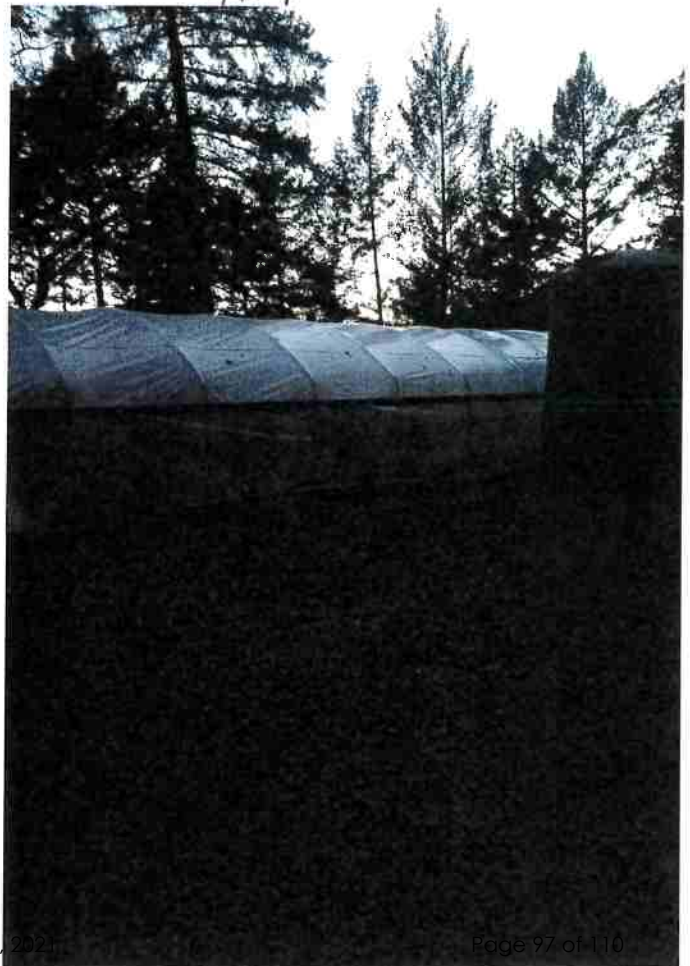
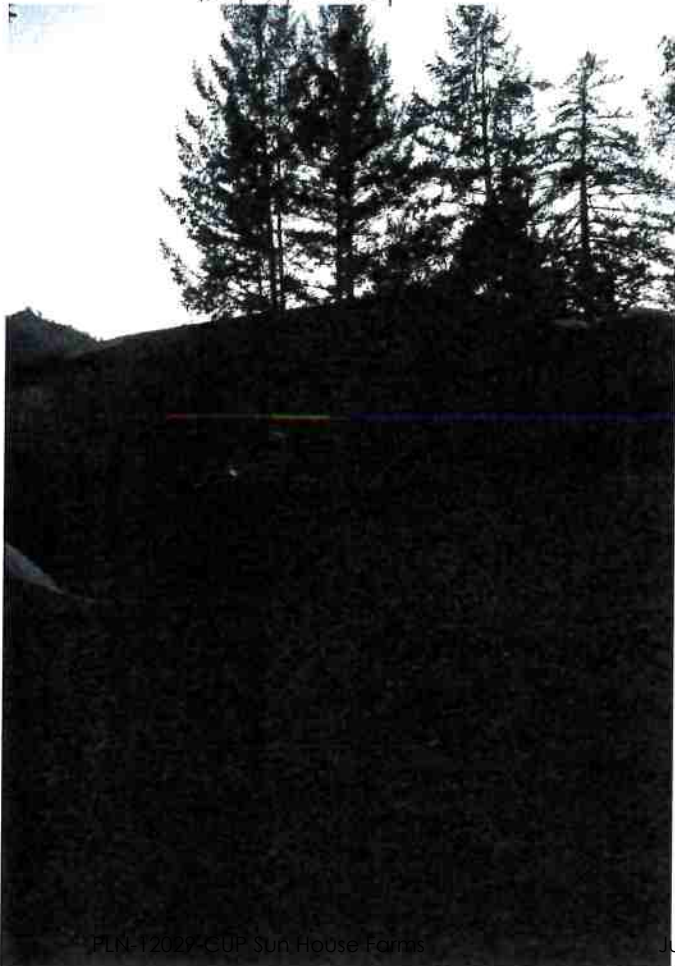


#6

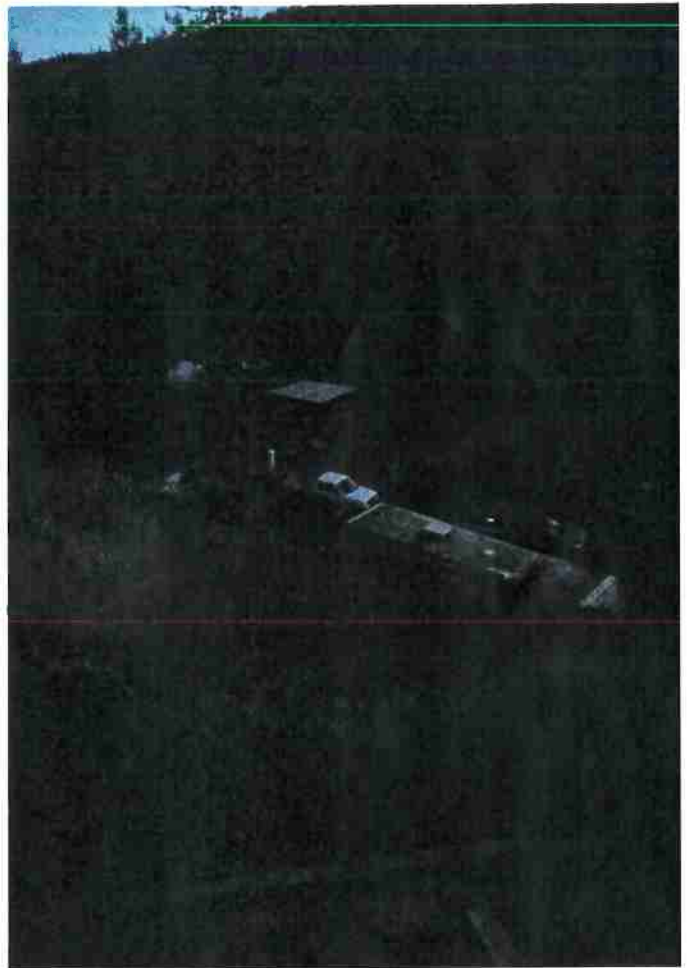
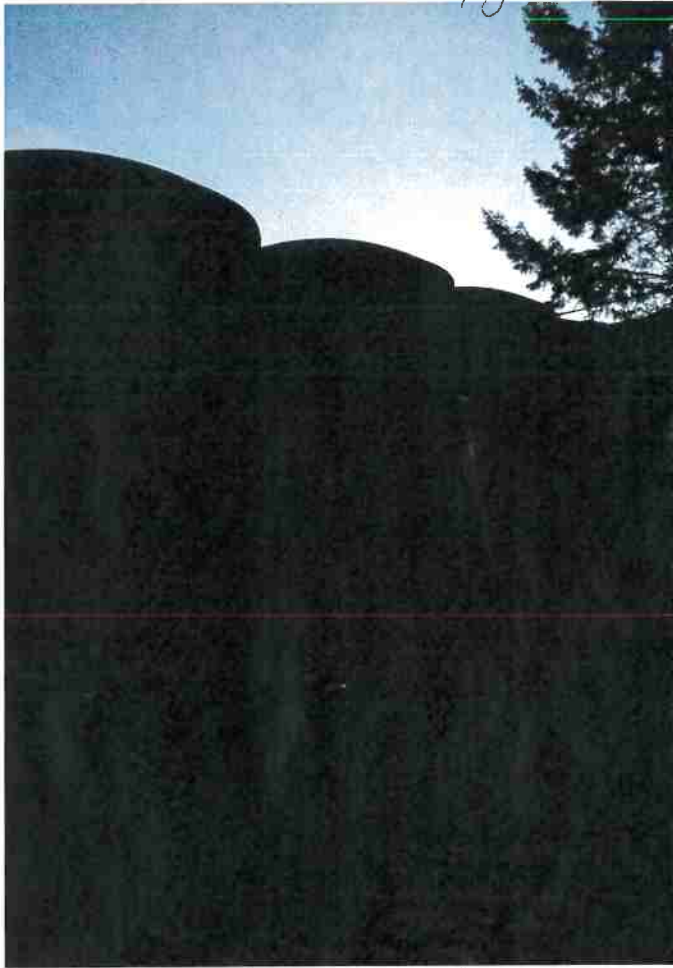


Drying Shed

#7



Tanks x 5 not x 2 by garden #7, #6



#5, metal storage



#4



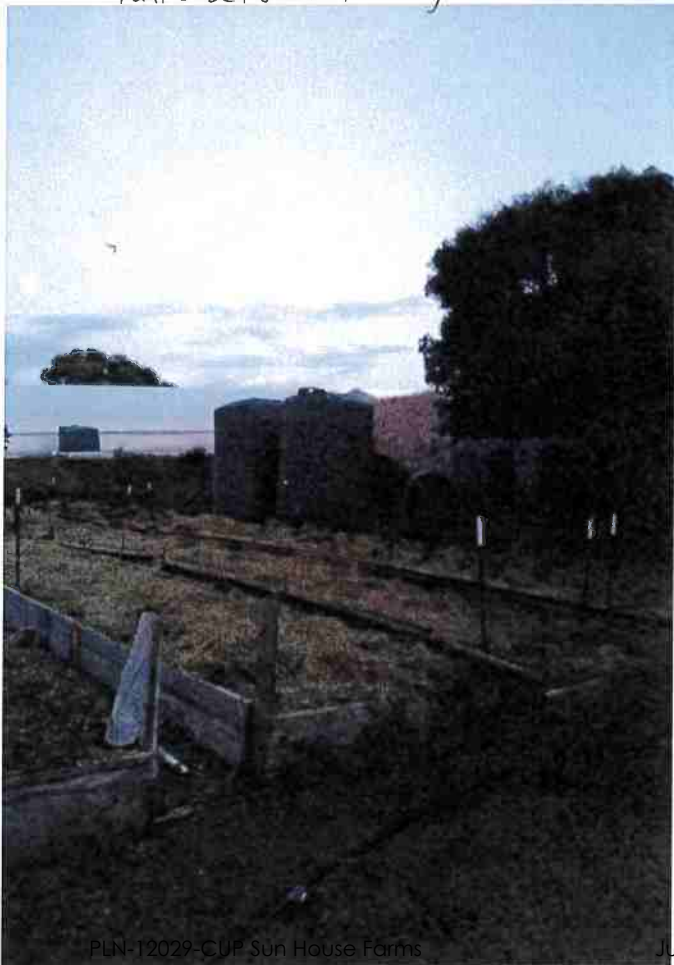
#1



pond 1



Tanks between #3, #2



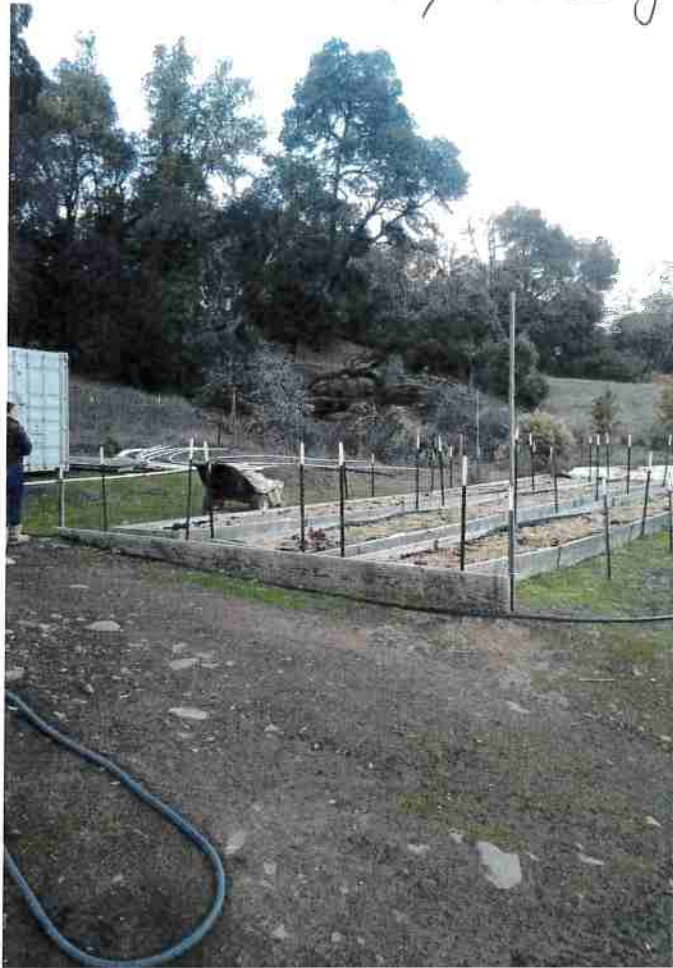
#3



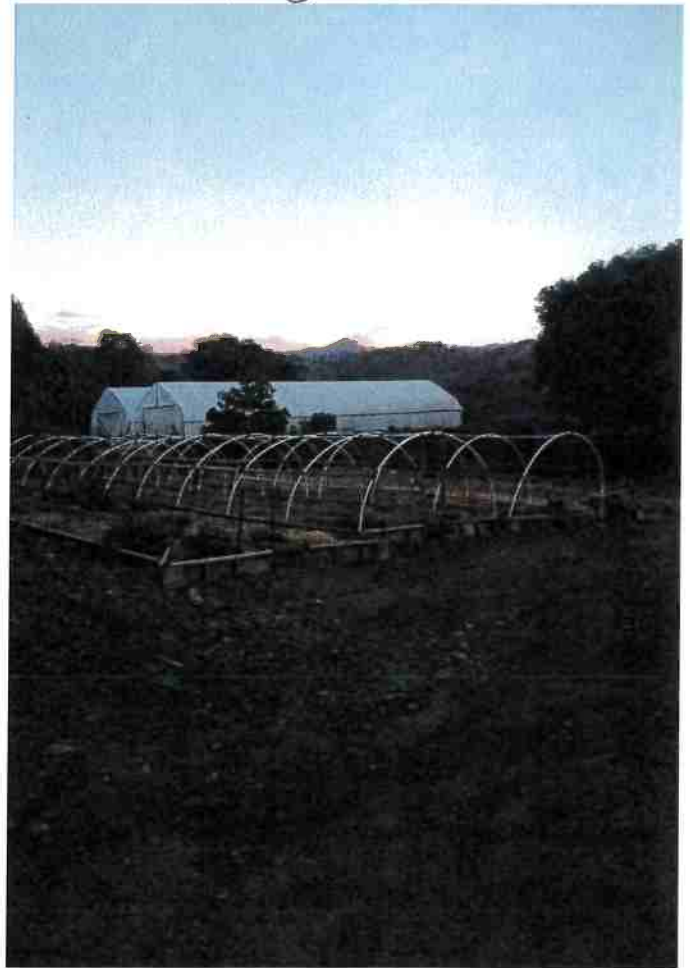
Garden #2



Garden #5, metal storage



#3



pond 2



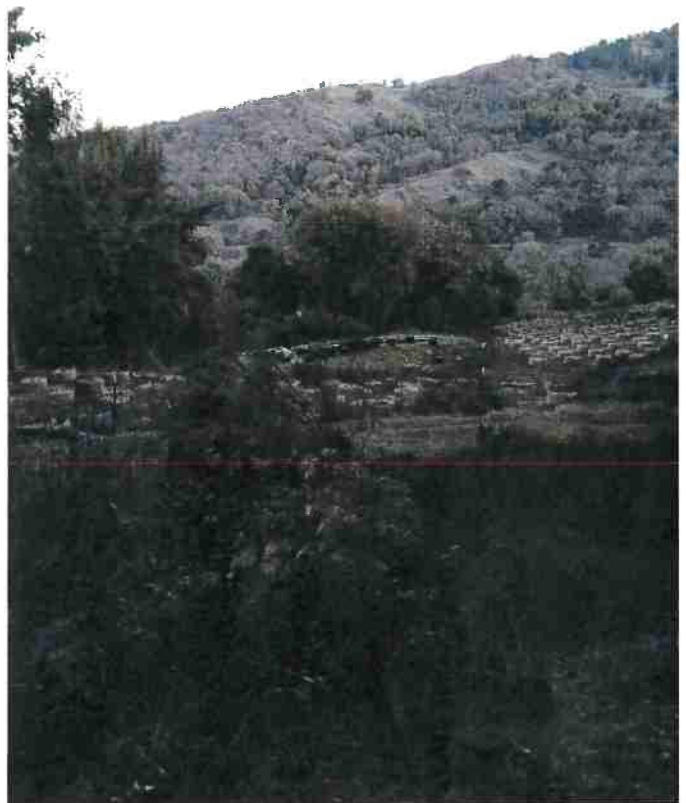
pond 3



pond 4



Garden #1



Generator / Fuel containment



Giannini, Trip

From: Hilton, Keenan
Sent: Thursday, January 28, 2021 11:11 AM
To: Planning Clerk
Subject: FW: Forrest Borzini Sun House Farms 218-151-006 12029
Attachments: EPIMS_HUM_07619_R1_OpLaw.pdf; Crossing 1 inlet.JPG

Please post updated response from CDFW

From: Simpson, Nicholas@wildlife <Nicholas.Simpson@wildlife.ca.gov>
Sent: Wednesday, January 20, 2021 2:30 PM
To: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Subject: RE: Forrest Borzini Sun House Farms 218-151-006 12029

Hi Keenan,

Attached is the operation of law letter, which describes crossing #1 in detail.

I have also include a photo of the inlet. Per our conversation yesterday, my notes indicate work should occur at the inlet. My notes also indicate the culvert outlet is approximately 75 feet from the land and associated cannabis cultivation area. Erosion was observed at the culvert outfall and directly above the culvert due to over steepened fill and banks. There was no evidence of sediment delivery or overland flow from the cultivation area to the outlet basin, as water from the landing is directed away from the outlet basin to the west and east. However; I do recommend a berm be installed along the landing to permanently direct all landing overland flow away from the outlet basin.

If you have any more questions, please let me know.

Thank you,

Nicholas Simpson
Senior Environmental Scientist (Specialist)
California Department of Fish and Wildlife
Northern Region/Timberland Conservation Planning
619 Second Street, Eureka, CA 95501
Office: (707) 445-6512
Cell: (707) 601-8401
nicholas.simpson@wildlife.ca.gov

From: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Sent: Tuesday, January 19, 2021 10:31 AM
To: Simpson, Nicholas@wildlife <Nicholas.Simpson@wildlife.ca.gov>; Sanville, Cheri@Wildlife <Cheri.Sanville@wildlife.ca.gov>
Subject: RE: Forrest Borzini Sun House Farms 218-151-006 12029

Warning: This email originated from outside of CDFW and should be treated with extra caution.

Hi Nick,

I'll plan on calling at 3pm.

-Keenan

From: Simpson, Nicholas@wildlife <Nicholas.Simpson@wildlife.ca.gov>

Sent: martes, 19 de enero de 2021 9:00 a. m.

To: Hilton, Keenan <KHilton@co.humboldt.ca.us>; Sanville, Cheri@Wildlife <Cheri.Sanville@wildlife.ca.gov>

Subject: RE: Forrest Borzini Sun House Farms 218-151-006 12029

Keenan,

Today from 3-4 would be a better time for me. If not, I have more availability tomorrow.

Thank you,

Nicholas Simpson
Senior Environmental Scientist (Specialist)
California Department of Fish and Wildlife
Northern Region/Timberland Conservation Planning
619 Second Street, Eureka, CA 95501
Office: (707) 445-6512
Cell: (707) 601-8401
nicholas.simpson@wildlife.ca.gov

From: Hilton, Keenan <KHilton@co.humboldt.ca.us>

Sent: Friday, January 15, 2021 11:25 AM

To: Simpson, Nicholas@wildlife <Nicholas.Simpson@wildlife.ca.gov>; Sanville, Cheri@Wildlife <Cheri.Sanville@wildlife.ca.gov>

Subject: RE: Forrest Borzini Sun House Farms 218-151-006 12029

Warning: This email originated from outside of CDFW and should be treated with extra caution.

Nick,

I'll plan on calling you Tuesday Jan 19 at about 1 pm if that would work for you.

Thanks,
Keenan



Keenan Hilton
Planner II, Cannabis Services Division
[Planning and Building Department](#)
707.268.3722

From: Simpson, Nicholas@wildlife <Nicholas.Simpson@wildlife.ca.gov>
Sent: jueves, 14 de enero de 2021 5:10 p. m.
To: Sanville, Cheri@Wildlife <Cheri.Sanville@wildlife.ca.gov>; Hilton, Keenan <KHilton@co.humboldt.ca.us>
Subject: RE: Forrest Borzini Sun House Farms 218-151-006 12029

Cheri and Keenan,

Please feel free to give me a call next week to discuss the Forrest Borzini property. I am best reached by cell phone.

Thank you,

Nicholas Simpson
Senior Environmental Scientist (Specialist)
California Department of Fish and Wildlife
Northern Region/Timberland Conservation Planning
619 Second Street, Eureka, CA 95501
Office: (707) 445-6512
Cell: (707) 601-8401
nicholas.simpson@wildlife.ca.gov

From: Sanville, Cheri@Wildlife <Cheri.Sanville@wildlife.ca.gov>
Sent: Thursday, January 14, 2021 4:36 PM
To: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Cc: Simpson, Nicholas@wildlife <Nicholas.Simpson@wildlife.ca.gov>
Subject: RE: Forrest Borzini Sun House Farms 218-151-006 12029

Hi Keenan,
Please excuse my delay. Your email got buried. It's EPIMS-07619. Nick Simpson is the one that visited the site actually. He did some cannabis LSAA work temporarily and is back to his post in timber, but hopefully he remembers enough to assist you. I do not believe we have received a subsequent notification. At present those CDFW points 1-4 are not covered under any agreement and CDFW does not approve of the current conditions. I would happy to discuss this project further. It would probably be best to include Nick.
Thanks,
Cheri

From: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Sent: Tuesday, January 5, 2021 11:41 AM
To: Sanville, Cheri@Wildlife <Cheri.Sanville@wildlife.ca.gov>
Subject: Forrest Borzini Sun House Farms 218-151-006 12029

Warning: This email originated from outside of CDFW and should be treated with extra caution.

Hi Cheri,

This project is under review. You visited the site on June 24, 2020. I'm wondering if we could find a time to chat about the cultivation area placed In the Operation of Law Approval Letter EPIMS # 17619-R1 you state that CDFW could

support cultivation on the flat over the culvert and intermittent stream. I have not visited the site and I hope to be able to glean a bit about the contours and water flow patterns by talking with you briefly.

I'm working from home today. If you can identify a time, I'll call you at the 599-2067 number. Otherwise we could shoot for a time a little later in the week. I'm trying to act fast on this since decisions regarding renewal of their interim permit and state license for 2021 must be made very soon.

Thank you,
Keenan



Keenan Hilton
Planner II, Cannabis Services Division
[Planning and Building Department](#)
707.268.3722



California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
REGION 1 – NORTHERN REGION
619 Second Street
Eureka, CA 95501
www.wildlife.ca.gov

GAVIN C. NEWSOM, Governor
CHARLTON H. BONHAM, Director



July 6, 2020

Forrest Borzini
575 D Road
Garberville, CA 95542
forrestborzini@gmail.com

Subject: **Lake or Streambed Alteration EPIMS # 17619-R1 Borzini Operation of Law Approval Letter and Need to Notify, CDFW Site Inspection Summary**

Dear Forrest Borzini,

On July 9, 2019, the California Department of Fish and Wildlife (CDFW) received your Notification of Lake or Streambed Alteration (Notification). On August 8, 2019 your Notification was deemed complete due to the passage of 30 days with no action taken by CDFW to incomplete your Notification.

The Department is required to submit a draft Lake or Streambed Alteration Agreement (Agreement) to you within 60 calendar days from the date the Notification is complete. Therefore, the Department had until October 10, 2019, to issue you a draft Agreement or inform you that an Agreement is not required. Due to current staffing limitations, the Department did not meet that date. As a result, by law, you may now complete the **project described in your notification** without an Agreement.

Please note that pursuant to Fish and Game Code (FGC) section 1602, subdivision (a)(4)(D), if you proceed with this project, **it must be the same as described and conducted in the same manner as specified in the notification and any modifications to that Notification received by CDFW in writing prior to the date of this letter.** This includes completing the project within the proposed term and seasonal work period and implementing all avoidance and mitigation measures to protect fish and wildlife resources specified in the notification. If the term proposed in your notification has expired, you will need to re-notify CDFW before you may begin your project. Beginning or completing a project that differs in any way from the one described in the notification may constitute a violation of FGC section 1602.

Your notification includes the following information: The project notified for was cannabis cultivation. The Notification discloses a **water bladder collecting diverted flow from a seasonal surface runoff generated from a road ditch at (lat./long): 40.032696, -123.570767. CDFW did not evaluate hydraulic connection to the diversion ditch, nor was a geologic evaluation of the water bladder landing prepared by a licensed geologist provided for CDFW review.**

Conserving California's Wildlife Since 1870

This letter does not retroactively permit any stream crossings, water diversions or other encroachments not described above. No other projects that may be subject to FGC1602 were disclosed.

Also note that while you are entitled to complete the project without an Agreement, you are still responsible for complying with other applicable local, state, and federal laws. These include FGC sections 5650 and 5652 which make it unlawful to pollute waters of the state. FGC section 5650 makes it unlawful to deposit in, permit to pass into, or place where it can pass into waters of the state any substance or material deleterious to fish, plant life, mammals, or bird life, including, but not limited to gasoline and oil, as well as sediment. FGC section 5652 makes it unlawful to deposit in, permit to pass into, or place where it can pass into waters of the state, or to abandon, dispose of, or throw away, within 150 feet of the high water mark of the waters of the state, any garbage, refuse, or waste, among other materials. A person who violates FGC sections 1602, 5650, and 5652 in conjunction with the cultivation or production of cannabis is subject to significant penalties or fines. Specifically, CDFW may impose civil penalties administratively against any person found by CDFW to have violated these FGC sections in connection with the production or cultivation of cannabis following a complaint and, if requested, a hearing.

Other statutes in the FGC that might apply to your activity, include, but not limited to the following sections: 2080 et seq. (species listed as threatened or endangered, or a candidate for listing under the California Endangered Species Act); 1908 (rare native plants); 3511, 4700, 5050, and 5515 (fully protected species); 3503 (bird nests and eggs); 3503.5 (birds of prey); 5901 (fish passage); 5937 (sufficient water for fish); and 5948 (obstruction of stream), and the requirements set forth in the Forest Practice Act (Pub. Resources Code, § 4511 et seq.) for projects on private timberlands.

Finally, if you decide to proceed with your project without an Agreement, you must have a copy of this letter and your notification with all attachments available at all times at the work site. Please note this letter is only valid until October 10, 2024, which is 5 years from the date the Department was required to provide a Draft Agreement.

June 24, 2020 Site Inspection Summary, Need to Notify and Recommendations

On June 24, 2020, I met with you to conduct a site inspection of APN # 218-151-006. The purpose of the inspection was to determine if any points on the property are in potential violation with Fish and Game Code and would warrant separate Fish and Game Code 1602 notification. Figure 1 below identifies CDFW points of reference as identified during the June 24, 2020 site visit.

CDFW Point 1 (40.035598, -123.56775): A 24-inch diameter Class III watercourse crossing, flowing under a landing with cannabis cultivation. The culvert is functional; however, the inlet basin is actively eroding due to lack of armoring on the fillslope. In addition, the landing is partially draining to the inlet basin. Active erosion was observed along the outlet fill slope, as well as scour below the outlet due to lack of dissipation. This site requires Fish and Game Code 1602 notification as well as an associated

cannabis remediation fee. It is CDFW's opinion that the landing and associated cannabis cultivation activity could remain in place if the culvert inlet and outlet issues are corrected, the landing is hydrologically disconnected from the Class III watercourse, and cannabis cultivation does not occur within the buffer of the watercourse.

CDFW Point 2 (40.03424, -123.567771): An approximately 2,400 square foot pond connected to a Class III watercourse immediately downstream. It is CDFW's understanding the pond will only be used for emergency fire suppression only. A 24-inch diameter culvert is connected to an unsecured and perched downspout, with active erosion below. Armoring work within the channel below the downspout requires Fish and Game Code 1602 notification.

CDFW Point 3. (40.034772, -123.569564): A 4-foot diameter isolated spring excavated and used for domestic purposes. Diversion from this spring will require Fish and Game Code 1602 notification.

CDFW Point 4 (40.032554, -123.570454): A landing with multiple reservoir bags filled upstream from an inboard ditch. This site was approved by operation of law under EPIMS 17619. However; as the site currently exists, there is still potential for a future Fish and Game Code 5650 violation, given the proximity of the bags to a Class III watercourse 100 feet down slope. The landowner proposes to replace the bags with hard tank storage by next year. Once water is diverted to hard tank storage, the Fish and Game Code 5650 violation risk will no longer occur.

If you have any questions regarding this letter, please contact Nicholas Simpson, Senior Environmental Scientist (specialist) at your nicholas.simpson@wildlife.ca.gov.

Sincerely,



Cheri Sanville
Senior Environmental Scientist Supervisor

cc

Jasmine Finley
finleyandfriends707@gmail.com

North Coast Regional Water Quality Control Board
NorthCoast.Cannabis@Waterboards.ca.gov



Figure 1. Borzini parcel # 218-151-006 and associated CDFW points of reference as identified during the June 24, 2020 site visit.