COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

Hearing Date: July 15, 2021

To: Humboldt County Zoning Administrator

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

Subject: **Harry Asuncion and Troy Dean Asuncion., Special Permit**
Record Number: PLN-12618-CUP
Assessor's Parcel Number (APN:) 220-331-001
01 Miller Creek Road, Whitethorn area

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Please contact Christopher Alberts, Planner, at 707-445-7541 or by email at calberts@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
July 15, 2021	Special Permit	Christopher Alberts

Project Description: A Special Permit for 9,900 square feet of outdoor cannabis cultivation with ancillary propagation. Water for irrigation is sourced primarily from rainwater catchment from the rooftops of existing structures. The rainwater catchment will be supplemented by a point of diversion from an unnamed spring. The applicant anticipates a maximum of 90,000 gallons of water will be required annually for irrigation. Water storage onsite totals 120,000 gallons within hard tanks. There will be two family members operating the farm. Processing, including drying and curing will occur within a 560-square-foot structure. Further processing such as trimming and packaging will occur offsite at a licensed processing facility. Electricity is sourced from solar and backup generator power.

Project Location: The project is located in Humboldt County, in the New Harris area, on the East and West side of Road A, approximately .5 miles West from the intersection of Road k and Road A, on the property known as 3223 Road A.

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)

Record Number: PLN-12813-SP

Assessor's Parcel Number: 218-031-009

Applicant	Owner	Agents
Harry Asuncion and Troy Dean Asuncion 94-357 Makapipipi St. Mililani, HI 96789	Harry Asuncion and Troy Dean Asuncion 94-357 Makapipipi St. Mililani, HI 96789	Chris Herbst PO Box 242 Arcata, CA 95518

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

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

Major Issues: None.

Harry Asuncion and Troy Dean Asuncion
Record Number: PLN-12813-SP
Assessor's Parcel Number: 218-031-009

Recommended Zoning Administrator Action:

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

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

Executive Summary:

Harry Asuncion and Troy Dean Asuncion seeks a Special Permit to allow the continued operation of an existing 9,900 square feet of outdoor cannabis cultivation operation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The site is designated as Residential Agriculture (RA) in the Humboldt County 2017 General Plan Update and zoned Forestry Recreation (FR). Cultivation is proposed in the southeast portion of the parcel. Cultivation will take place within ten (10) raised beds totaling 6,400 square feet. Cultivation will also take place in one 2,336-square-foot greenhouse. Ancillary propagation will occur in a 600-square-foot greenhouse. Artificial lighting used for ancillary propagation nursery, and processing will adhere to shielding and International Dark Sky Association standards as set forth in the CMMLUO. The applicant anticipates there will be one (1) cultivation cycle occurring annually. The proposed operation will be utilizing a maximum of three family members. The applicant anticipates all processing will occur offsite at a licensed processing facility. If a processing facility is not available at the time of harvest, the applicant proposes to dry and cure cannabis onsite in a 560-square-foot shed. Further processing such as trimming will occur offsite at a licensed processing facility. Power for the project will be provided by solar with a backup generator.

Water Resources

Water for irrigation will be provided by rainwater catchment utilizing large liners covering approximate 2,800 square foot sloping. The applicant anticipates 90,000 gallons of water will be required annually for irrigation. Water storage onsite totals 210,710 gallons composed of 40 hard tanks (140,710 gallons) and two (2) bladders (70,000 gallons). The applicant will not be utilizing the water bladders a source for water storage for the project. The applicant will be utilizing 120,000 gallons of the existing hard tank storage onsite for water storage. Total catchment of rain off the large liners is calculated as (2,800 sf * 67 inches/12 inches per cubic foot * 7.48 gallons per cubic feet= ~116,937 gallons). Staff believes there is a sufficient amount of water storage for the proposed cannabis operation.

Biological Resources

According to the California Natural Diversity Data Base (CNDDB) there are no mapped rare or endangered species located on the parcel. The nearest Northern Spotted Owl (NSO) activity center is located approximately 1.58 miles northwest from the project site and the nearest NSO observation is mapped approximately 1.24 miles northwest from the project site. Marbled murrelet habitat is mapped 0.53 miles north from the project site. Staff does not believe the proposed

project will have an impact on the NSO's due to the distance from the project site to the nearest mapped NSO observation. The project will be utilizing solar as the energy source and artificial lighting used for ancillary propagation nursery, and processing will adhere to shielding and International Dark Sky Association standards as set forth in the CMMLUO. The project is not likely to have an impact on the Marbled murrelet because the project site does not have suitable habitat or forging habitat area for the specie. The Marbled murrelet prefers to nest in old growth redwood trees and forge on small fish. The proposed project occurs in an open grassland on the southeast portion of the parcel and there are no ponds or streams that would be considered Marbled murrelet forging habitat located on the parcel.

Access

The property is accessed via private driveway from A Road. The applicant submitted a self-certified Road Evaluation form indicating the entire road segment is developed to the equivalent of a road category 4 standard. The applicant submitted a Water Resource Protection Plan (WRPP) prepared by the agent dated July 2018. According to the WRPP the following areas are out of compliance with the following areas: Project Site Maintenance, Erosion Control and Drainage Features; Stream Crossing Maintenance; Water Storage and Use; Fertilizers and Soil Amendments; Pesticides/Herbicides; and Petroleum Products and other Chemicals. The WRPP provides a list of Prioritized Corrective Actions and Schedule to Reach Full Compliance. The applicant shall have a licensed engineer verify the Prioritized Action List found on page 10 of the WRPP have been completed.

Onsite Relocation

According to the Restoration Plan prepared by the agent dated March 7, 2021, the applicant consolidated the existing cultivation on the parcel into one area on the southeast portion of the parcel in 2018. The applicant relocated approximately 3,000 square feet of existing outdoor cannabis cultivation from the southwest portion of the parcel to the southeast portion of the parcel. The retired cultivation was located on a narrow peninsula between two Class II watercourses that are a tributary to Pipe Creek. The applicant proposes to restore the retired area by removing all cultivation materials, including large capacity "smart" pots and other cultivation-related materials, including removal of the perimeter fence; and natural vegetative growth is colonizing the site, therefore re-seeding is un-necessary, however, as part of the forester's mitigation plan, the retired cultivation site is slated to be planted with Douglas Fir seedlings with approximately 10 feet spacing. The applicant will be transplanting a dozen or so excess oak seedlings from elsewhere on the property to be inter-planted with Douglas Fir seedling within the retired cultivation site. The applicant shall document the site clean up and submit a short memo within one year of the proposed project approval.

Timber Conversion

According to Humboldt County WebGIS, timber conversions occurred on the southwest portion and southeast portion of the property between the years 2010 and 2012. The applicant submitted a Registered Professional Forester Report to address the previous conversions. According to the report, it is estimated that approximately 30-40% of the total area of the site appears to be dominated by Douglas-fir encroachment with a minor component of hardwood (madrone, live oak, and pepperwood) regeneration and brush. The applicant submitted a Restocking Plan prepared by Timberland Resource Consultants dated November 23, 2020, which states the applicant will restock a total of 0.30-acres (131 trees) to the lower cultivation site. The reporting on the planting component of the restoration plan shall be carried out by a Registered Professional Forester, with reporting to take place no sooner than 3 years after planting activities commence, and not longer than 5 years, as described in the Timberland Resource Consultants Letter dated December 2, 2020 (see Attachment 4).

Tribal Consultation

The project is located in the Bear River and Sinkyone Aboriginal Ancestral Territories. The project was referred to the Northwest Information Center, Bear River Band, and Sinkyone. The Bear River Band Rancheria recommended a Cultural Resource Investigation to be conducted on the parcel. The applicant submitted a Cultural Resource Inventory Report prepared by DZC Archaeology & Cultural Resource Consulting dated January 2021. According to the report there were zero (0) archaeological resources located during the survey. The project has an ongoing condition to include inadvertent archaeological discovery language.

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

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

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

RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT
Resolution Number 21-
Record Number: PLN-12813-SP
Assessor's Parcel Number: 218-031-009

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Harry Asuncion and Troy Dean Asuncion, Special Permit request

WHEREAS, **Harry Asuncion and Troy Dean Asuncion,** submitted an application and evidence in support of approving a Special Permit for the operation of a proposed 9,900 square foot outdoor cannabis operation with drying activities;

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

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on July 15, 2021, and reviewed, considered, and discussed the application for a Special Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

1. FINDING: **Project Description:** The application is a Special Permit to allow for a 9,900 square foot (SF) outdoor cannabis cultivation operation with appurtenant propagation and drying activities. Power is provided by solar with a backup generator within shed. Water for irrigation will be provided by rainwater catchment utilizing large liners covering approximate 2,800 square foot sloping. The applicant anticipates 90,000 gallons of water will be required annually for irrigation. Water storage onsite totals 210,710 gallons.

EVIDENCE: a) Project File: PLN-12813-SP

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Zoning Administrator has considered the Addendum to the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016.

EVIDENCE: a) Addendum Prepared for the proposed project.

b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.

d) A Water Resource Protection Plan (WRPP) prepared by the agent dated July 2018, which identifies corrective actions that need to be completed in order to bring the project into compliance with state local regulations.

e) The property is accessed via private driveway from A Road. The applicant submitted a self-certified Road Evaluation form indicating the entire road segment is developed to the equivalent of a road category 4 standard.

f) A Restoration Plan prepared by the agent dated March 7, 2021 for the retired lower cultivation area.

g) A Restocking Plan prepared by Timberland Resource Consultants dated November 23, 2020, which provides recommendations that will bring the historic timber conversions into compliance with state and local regulations.

h) A Cultural Resource Inventory Report prepared by DZC Archaeology & Cultural Resource Management dated January 2021 which concludes the current and proposed cannabis operation will have no effect or changes to any cultural or historic resources from the project.

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

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

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

EVIDENCE

a) The Forestry Recreation Zone or FR Zone is intended to be applied to areas of the County in which general agriculture is an allowable use for FR zones. The parcel is also zoned as a Special Building Site (B-5(40)) which is intended to be combined with any principal zone in which sound and orderly planning indicate that lot area and yard requirements should be modified.

b) All general agricultural uses are principally permitted in the FR zone.

c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 10,000 square feet of existing outdoor cannabis and up to 10,000 square feet of existing mixed-light cannabis on a parcel over 5 acres subject to approval of a Special Permit and a determination

that the cultivation was in existence prior to January 1, 2016. The application for 10,000 square feet of mixed-light cultivation on a 20-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

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

EVIDENCE

a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned FR (HCC 314-55.4.8.2.2).

b) The subject parcel was created by Parcel Map 546 (lot 1) recorded in Book 5 of Parcel Maps page 10.

c) The project will obtain water from a non-diversionary water source.

d) The property is accessed via private driveway from A Road. The applicant submitted a self-certified Road Evaluation form indicating the entire road segment is developed to the equivalent of a road category 4 standard.

e) The slope of the land where cannabis will be cultivated is less than 15%.

f) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, church, or Tribal Cultural Resource.

6. FINDING The cultivation of 9,900 square feet of outdoor cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

a) The site is located on a road that that meets the functional capacity for the project needs.

b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.

c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.

d) Water for irrigation will be provided by rainwater catchment utilizing large liners covering approximate 2,800 square foot sloping.

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

element law.

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

DECISION

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

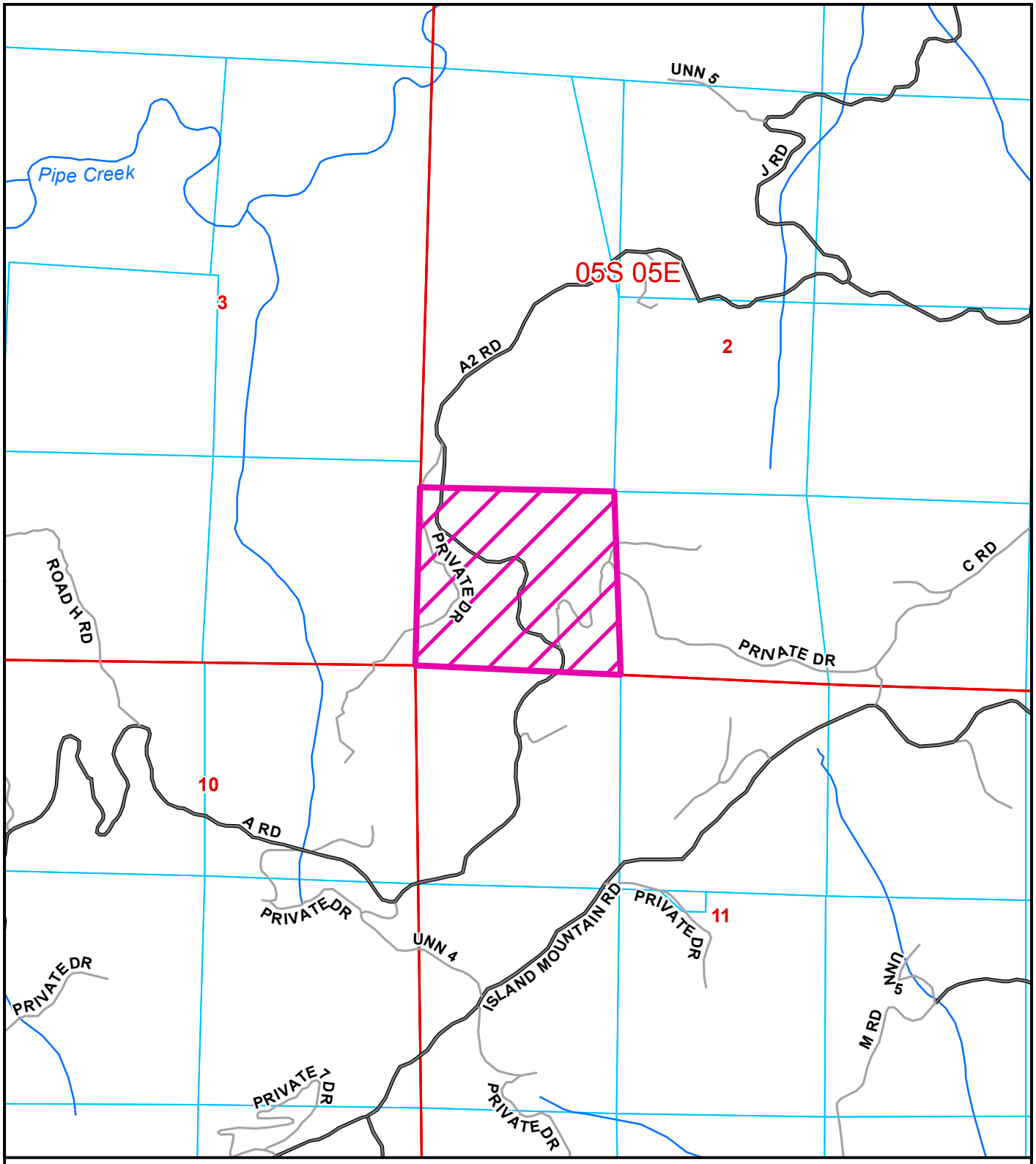
- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special Permit for Harry Asuncion and Troy Dean Asuncion, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on July 15, 2021.

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

_____

John H. Ford, Zoning Administrator,
Planning and Building Department



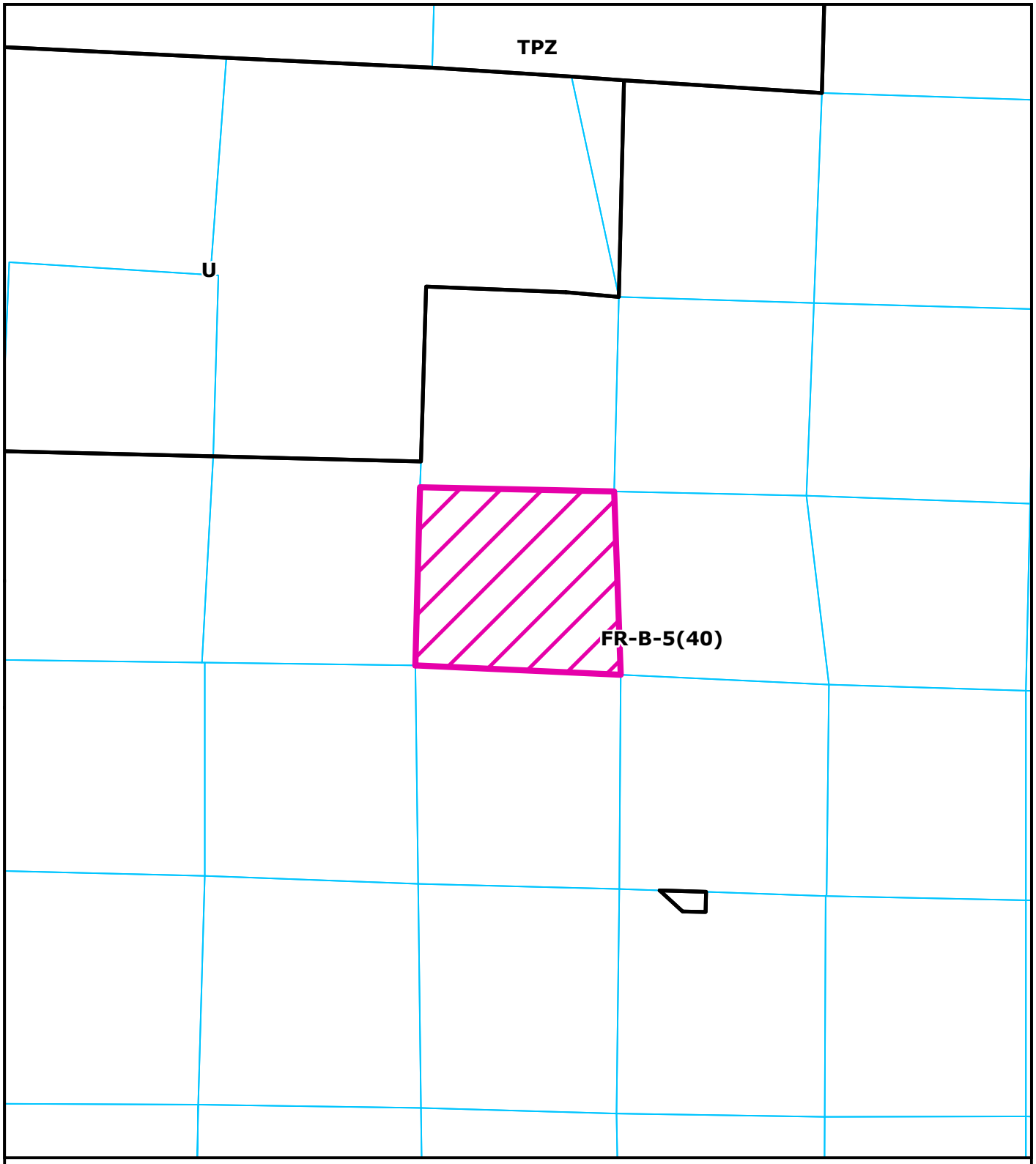
TOPO MAP
PROPOSED HARRY ASUNCION AND TROY DEAN ASUNCION
NEW HARRIS AREA
SP-16-655
APN: 218-031-009-000
T05S R05E S2 HB&M (JEWETT ROCK)

Project Area =

N

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



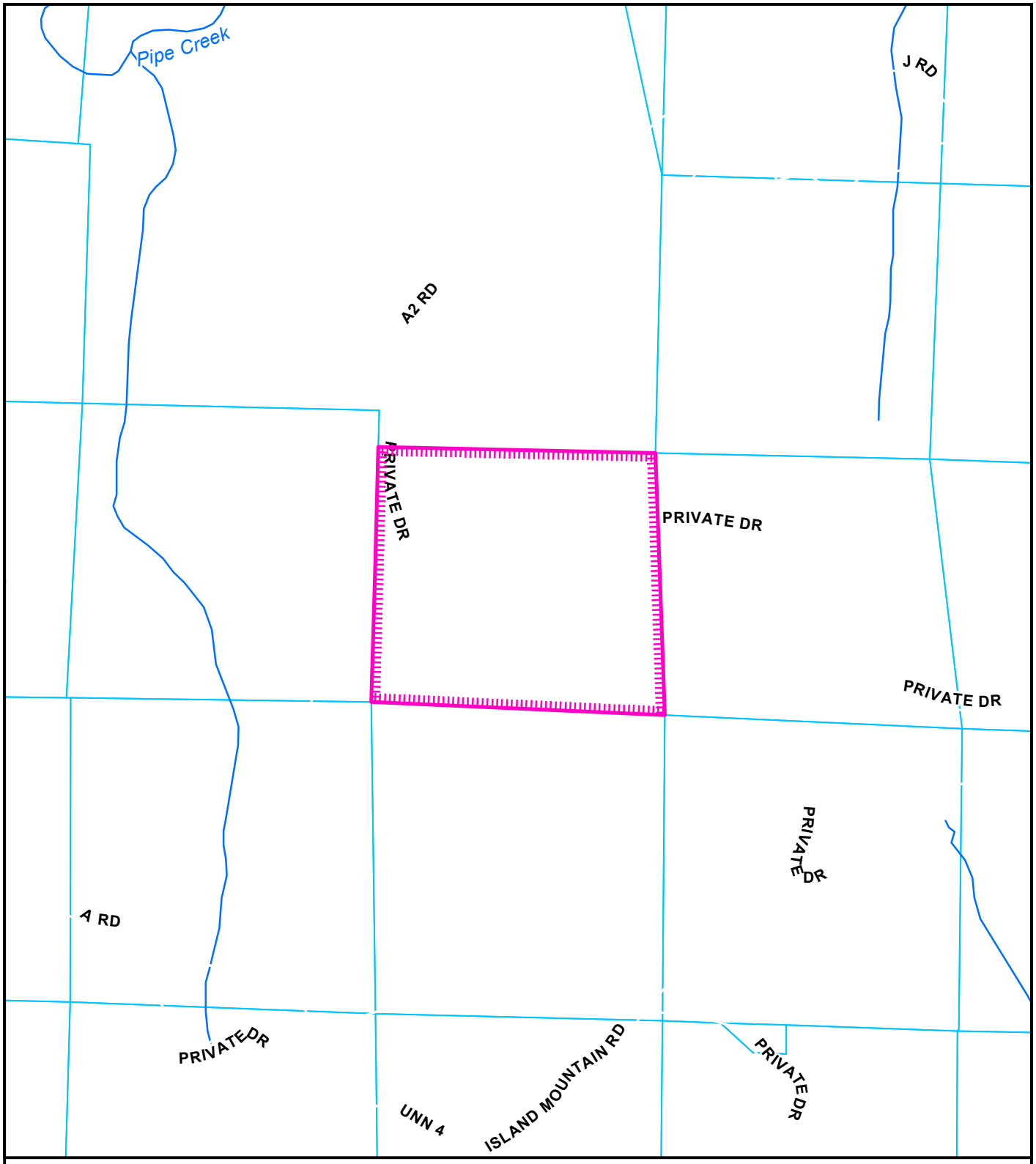
ZONING MAP
PROPOSED HARRY ASUNCION AND TROY DEAN ASUNCION
NEW HARRIS AREA
SP-16-655
APN: 218-031-009-000
T05S R05E S2 HB&M (JEWETT ROCK)

Project Area =

N

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



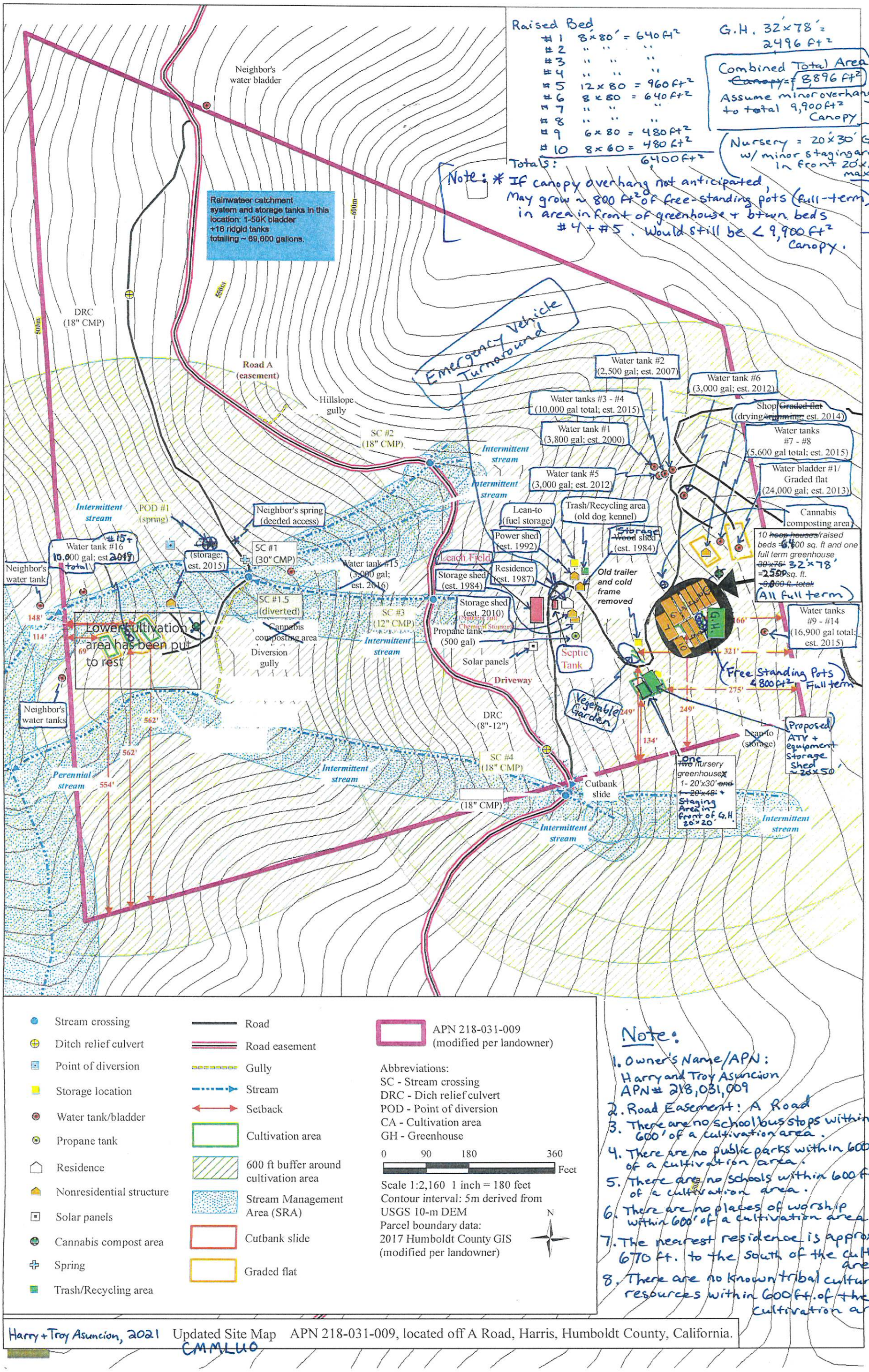
AERIAL MAP
PROPOSED HARRY ASUNCION AND TROY DEAN ASUNCION
NEW HARRIS AREA
SP-16-655
APN: 218-031-009-000
T05S R05E S2 HB&M (JEWETT ROCK)

Project Area =

N

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.

0 800 1,600 Feet


Raised Bed
#1 8x80' = 640ft²
#2 " " "
#3 " " "
#4 " " "
#5 12x80 = 960ft²
#6 8x80 = 640ft²
#7 " " "
#8 " " "
#9 6x80 = 480ft²
#10 8x60 = 480ft²
Totals: 6400ft²
G.H. 32'x78' = 2496 ft²
Combined Total Area ~~Canopy~~ = 8896 ft²
Assume minor overhang to total 9,900ft² Canopy
Nursery = 20'x30' G.H. w/ minor staging area in front 20'x20' max.
Note: * If canopy overhang not anticipated, May grow ~ 800 ft² of free-standing pots (full-term) in area in front of greenhouse + btwn. beds #4 + #5. Would still be < 9,900 ft² Canopy.
Neighbor's water bladder
Rainwater catchment system and storage tanks in this location: 1-50K bladder +16 ridgid tanks totalling ~ 69,600 gallons.
600ft
500ft
DRC (18" CMP)
Road A (easement)
Hillslope gully
SC #2 (18" CMP)
Intermittent stream
Emergency Vehicle Turnaround
Water tank #2 (2,500 gal; est. 2007)
Water tank #6 (3,000 gal; est. 2012)
Water tanks #3 - #4 (10,000 gal total; est. 2015)
Shop ~~Graded flat~~ (drying/trimming; est. 2014)
Water tank #1 (3,800 gal; est. 2000)
Water tanks #7 - #8 (5,600 gal total; est. 2015)
Water tank #5 (3,000 gal; est. 2012)
Water bladder #1/ Graded flat (24,000 gal; est. 2013)
Cannabis composting area
Trash/Recycling area (old dog kennel)
Lean-to (fuel storage)
Storage ~~Wood~~ shed (est. 1984)
Power shed (est. 1992)
Leach Field
Residence (est. 1987)
Storage shed (est. 1984)
Old trailer and cold frame removed
10 ~~hoop houses~~/raised beds ~~6,400~~ sq. ft and one full term greenhouse ~~30'x75'~~ 32'x78' = ~~2,250~~ 2496 sq. ft. ~~9,000 ft. total~~ (All full term)
Intermittent stream
POD #1 (spring)
Neighbor's spring (deeded access)
Water tank #16 (10,000 gal; est. 2019) ~~total~~ #15+
(storage; est. 2015)
SC #1 (30" CMP)
Water tank #15 (3,000 gal; est. 2016)
Neighbor's water tank
SC #1.5 (diverted)
Storage shed (est. 2010) (Nursery and Chemical Storage)
Water tanks #9 - #14 (16,900 gal total; est. 2015)
148'
114'
69'
Lower cultivation area has been put to rest
Cannabis composting area
Diversion gully
SC #3 (12" CMP)
Intermittent stream
Propane tank (500 gal)
Solar panels
Septic Tank
166'
321'
Free Standing Pots @ 800 ft² Full term
Driveway
Vegetable Garden
275'
249'
249'
134'
Neighbor's water tanks
562'
562'
DRC (8"-12")
Lean-to (storage)
Proposed ATV + equipment Storage Shed ~ 20x50'
SC #4 (18" CMP)
Perennial stream
554'
Intermittent stream
Cutbank slide
(18" CMP)
One ~~two~~ nursery greenhouse~~s~~ 1- 20'x30' ~~and 1- 20'x48'~~ + Staging Area in front of G.H 20'x20'
Intermittent stream
Intermittent stream
Stream crossing
Ditch relief culvert
Point of diversion
Storage location
Water tank/bladder
Propane tank
Residence
Nonresidential structure
Solar panels
Cannabis compost area
Spring
Trash/Recycling area
Road
Road easement
Gully
Stream
Setback
Cultivation area
600 ft buffer around cultivation area
Stream Management Area (SRA)
Cutbank slide
Graded flat
APN 218-031-009 (modified per landowner)
Abbreviations:
SC - Stream crossing
DRC - Dich relief culvert
POD - Point of diversion
CA - Cultivation area
GH - Greenhouse
0 90 180 360 Feet
Scale 1:2,160 1 inch = 180 feet
Contour interval: 5m derived from USGS 10-m DEM
Parcel boundary data: 2017 Humboldt County GIS (modified per landowner)
N
Note:
1. Owner's Name/APN: Harry and Troy Asuncion APN# 218,031,009
2. Road Easement: A Road
3. There are no school bus stops within 600' of a cultivation area.
4. There are no public parks within 600ft. of a cultivation area.
5. There are no schools within 600 ft. of a cultivation area.
6. There are no places of worship within 600' of a cultivation area.
7. The nearest residence is approx. 670 ft. to the south of the cultivation area.
8. There are no known tribal cultural resources within 600ft. of the cultivation area.
Harry + Troy Asuncion, 2021 Updated Site Map APN 218-031-009, located off A Road, Harris, Humboldt County, California.
CMMLUO

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

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

A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.

2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently $750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, the Department will file the NOD and will charge this cost to the project.

5. The applicant shall submit evidence of enrollment into the State Cannabis Cultivation Discharge program by submitting copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Applicability and a Site Management Plan. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB. Should the site qualify for an exemption, the applicant shall provide proof of a SWRCB exemption status.

6. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #7 through #14. 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.

7. The applicant shall ensure all driveways and private road intersections onto the County Road

shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). Confirmation from the Department of Public Works that the work has been done will satisfy this condition.

8. 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. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.

9. The applicant shall gravel the surface at the location of A Road where it meets the applicant's private driveway Road for a minimum width of 20 feet and a length of 50 feet where it intersects the County road. Confirmation from the Department of Public Works that the work has been done will satisfy this requirement.

10. The applicant shall install water monitoring device on each source – rainwater catchment when utilized and storage tanks applicable - to monitor water used for cannabis irrigation sperate from domestic use.

11. The applicant shall install a permitted onsite wastewater treatment system, associated with a permitted structure, to support the needs of the project. Confirmation from the Department of Environmental Health that the work has been done will satisfy this condition.

12. The applicant shall have a Register Professional Forester verify that the Restocking Plan prepared by Timberland Resource Consultants dated November 23, 2020, has effectively been implemented. Final signoff from the Planning Department will satisfy this condition.

13. The applicant shall have a qualified Biologist verify that the Restoration Plan prepared by the Agent dated March 7, 2021 has effectively been implemented. Confirmation from a qualified Biologist that the work has been done will satisfy this condition.

14. The applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.

15. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

16. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.

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

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

2. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.

3. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.

4. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.

5. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.

6. The use of anticoagulant rodenticide is prohibited.

7. 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.

8. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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).

14. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.

15. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).

16. 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.

17. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).

18. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.

19. Pay all applicable application, review for 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. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.

22. 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

23. 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."

24. 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).

25. 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.

26. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
    a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
        (1) Emergency action response planning as necessary;
        (2) Employee accident reporting and investigation policies;
        (3) Fire prevention;
        (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
        (5) Materials handling policies;
        (6) Job hazard analyses; and
        (7) Personal protective equipment policies, including respiratory protection.

    b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
        (1) Operation manager contacts;
        (2) Emergency responder contacts; and
        (3) Poison control contacts.

    c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.

    d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

27. All cultivators shall comply with the approved processing plan as to the following:

a. Processing practices
b. Location where processing will occur
c. Number of employees, if any
d. Employee Safety Practices
e. Toilet and handwashing facilities
f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
g. Drinking water for employees
h. Plan to minimize impact from increased road use resulting from processing
i. On-site housing, if any

28. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.

29. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.

30. 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.

31. 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.

32. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
    a. Identifying information for the new owner(s) and management as required in an initial permit application;
    b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
    c. The specific date on which the transfer is to occur;
    d. Acknowledgement of full responsibility for complying with the existing permit; and
    e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

33. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

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

2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #6 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #26 and 27 of the Ongoing Requirements/Development Restrictions, above.

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

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

   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 MEDICIAL MARIJUANA LAND USE ORDINANCE

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

APN 218-031-009; 3223 A Road, Miranda, County of Humboldt

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

July 2021

Background

Modified Project Description and Project History –

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

The modified project involves a Special Permit (PLN-12813-SP) for an existing 9,900 square foot outdoor cultivation operation. Cultivation will take place within ten (10) raised beds totaling 6,400 square feet. Cultivation will also take place in one 2,336-square-foot greenhouse. Ancillary propagation will occur in a 600-square-foot greenhouse. Artificial lighting used for ancillary propagation nursery, and processing will adhere to shielding and International Dark Sky Association standards as set forth in the CMMLUO. The applicant anticipates there will be one (1) cultivation cycle occurring annually. The proposed operation will be utilizing a maximum of three family members. The applicant anticipates all processing will occur offsite at a licensed processing facility. If a processing facility is not available at the time of harvest, the applicant proposes to dry and cure cannabis onsite in a 560-square-foot shed. Further processing such as trimming will occur offsite at a licensed processing facility. Power for the project will be provided by solar with a backup generator.

Water for irrigation will be provided by rainwater catchment utilizing large liners covering approximate 2,800 square foot sloping. The applicant anticipates 90,000 gallons of water will be required annually for irrigation. Water storage onsite totals 210,710 gallons composed of 40 hard tanks (140,710 gallons) and two (2) bladders (70,000 gallons). The applicant will not be utilizing the water bladders a source for water storage for the project. The applicant will be utilizing 120,000 gallons of the existing hard tank storage onsite for water storage. Total catchment of rain off the large liners is calculated as (2,800 sf * 67 inches/12 inches per cubic foot * 7.48 gallons per cubic feet= ~116,937 gallons). Staff believes there is a sufficient amount of water storage for the proposed cannabis operation.

The project is located in the Bear River and Sinkyone Aboriginal Ancestral Territories. The project was referred to the Northwest Information Center, Bear River Band, and Sinkyone. The Bear River Band Rancheria recommended a Cultural Resource Investigation to be conducted on the parcel. The applicant submitted a Cultural Resource Inventory Report prepared by DZC Archaeology & Cultural Resource Consulting dated January 2021. According to the report there were zero (0) archaeological resources located during the survey. The project has an ongoing condition to include inadvertent archaeological discovery language.

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

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

1. Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 9,774 square feet of cultivation with ancillary propagation and processing activities is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

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

- Cultivation and Operations Plan prepared by the Agent dated April 9, 2021.
- Site Plan prepared by the Agent dated April 7, 2021.
- Cultural Resource Inventory Report prepared by DZC Archaeology & Cultural Resource Consulting dated January 2021.

- Water Resource Protection Plan prepared by the Agent dated July 2018.
- Restoration Plan prepared by the agent dated March 7, 2021.
- Restocking Plan prepared by Timberland Resource Consultants dated November 23, 2020.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

FINDINGS

1. The proposed project will permit an existing cannabis operation and bring the operation into compliance with county and state requirements intended to adequately mitigate environmental impacts.

2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.

3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

CONCLUSION

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

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)

2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (Not applicable)

3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Plot Plans prepared by the agent dated 4/7/2021 – **Attached** with project Maps)

4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan prepared by the agent dated 4/9/2021- **Attached**)

5. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above)

6. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (NOI and reporting, Water Resource Protection Plan (WRPP) prepared by the Agent – Attached separately as Attachment 3b. Notice of Applicability: Waste Discharge Requirements Water Quality WDID 1_12CC430391 – on file)

7. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (Not applicable)

8. If the source of water is a well, a copy of the County well permit, if available. (Not applicable)

9. 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. (Timberland Resource Consultants Letter-**Attached**)

10. 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)

11. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)

12. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)

13. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)

14. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)

15. Cultural Resource Inventory Report prepared by DZC Archaeology & Cultural Resource Consulting dated January 2021. (On file)

16. Restoration Plan prepared by the Agent dated March 7, 2021. (**Attached**)

17. Restocking Plan prepared by Timberland Resource Consultants dated November 23, 2020. (**Attached**)

CULTIVATION OPERATIONS PLAN (Updated 4-9-21)

1. Description of water source, storage, irrigation plan, and projected water usage

WATER SOURCE AND STORAGE:

The primary source of water for cannabis irrigation on the parcel is a rainwater catchment system. Rainfall is caught directly from the sky on large liners covering a sloping, though relatively planar ground surface that would not otherwise convey water flow that might be considered jurisdictional to the State Water Resources Control Board. The catchment system is isolated from any streams, swales, springs or seeps anywhere in the area.

The total rainwater catchment area is 2,800 sq. ft. Rainfall in the project location is approx. ~ 1.5 times greater than what Eureka receives, and the rainwater catchment system has been capturing over 100,000 gallons per year over the last 3 years. This has provided more water storage than what has been needed to irrigate the cannabis (~90,000 gallons/yr.). There is a developed spring on the property that provides domestic water needs and may supplement the rainwater catchment system if future conditions become much drier. A Small Irrigation Use Registration (SIUR) was filed for the spring, which was granted by the State Water Resources Control Board for the beneficial use of cannabis irrigation (Application # H501176 and Certificate # 100126). At the time the SIUR application was submitted (7/27/18), it was not clear how much the rainwater catchment system would produce, nor how much water would be required to irrigate the cannabis. Over the last 3 years, records clearly demonstrate that the rainwater catchment system has been providing more than enough water to satisfy the demand to irrigate the cannabis.

Note that there is another spring on the property that solely serves the neighboring parcel, which has a deeded access easement to the spring.

Existing on-site water storage on this parcel totals 210,710 gallons, composed of 40 rigid tanks (140,710 gal. total) and 2 bladders (70,000 gal. total). This is a theoretical maximum because neither the bladders nor the tanks are ever filled to absolute 100% capacity due to logistical factors (for the tanks) and for safety factors (for the bladders). The totals include 20,000 gallons of domestic water storage (4 tanks), and another 2,550 gallons combined storage from 2 tanks used as nutrient mixing and distribution tanks (“tea tanks”).

See the site map for storage tank and bladder locations and capacities. It is understood that the bladders may need to be replaced with rigid tanks or perhaps eliminated altogether once it is assured the water storage capacity is proven unnecessary. Note that the primary purpose of the larger of the two bladders (50,000 gal.) is for capturing water from the rainwater catchment system for subsequent distribution via pumping to other water storage vessels located closer to the cultivation area. Typically, the large bladder doesn’t contain much water by the start of the dry season since it is used to fill the other water storage vessels. However, it remains ready to capture any rainwater that might be collected from rare summer rain events. Water storage is presumed to be available for fire protection in the event of an emergency.

The spring is used throughout the year to supply fresh water for domestic needs. Production from the spring largely is generally reduced during the summer dry season unless summer rainfall helps boost water production from the spring.

The landowners have obtained a signed Lake and streambed Alteration Agreement (LSAA) from the California Department of Fish and Wildlife (CDFW) covering 5 stream crossing upgrades and road surface drainage improvements. The spring was determined to be non-jurisdictional by CDFW by a senior CDFW hydrologist during the field inspection.

IRRIGATION PLAN: Irrigation is applied at agronomic rates to avoid overwatering plants. When young plants are in the early stages of vegetative growth, the Applicant hand waters plants to tailor water application to what the individual plants require. Once plants are transplanted out into the large pots or beds where they will stay until harvest, they are thoroughly soaked to ensure complete wetting of all the growing media. Beds and pots are subsequently watered by hand as needed, generally once every 3 days or so once they are well established. Fertilizer supplements are applied once plants exhibit signs that they have begun to exhaust the nutrients contained within the initial soil mix. Water storage in tanks are independent of one another, preventing a large catastrophic loss of water loss in the event of water system leaks.

PROJECTED WATER USAGE: The total current cannabis cultivation area for the Applicant's parcel is approximately 9,900 sq. ft., including one greenhouse as well as several raised beds. Based on the past 3 years of water usage, water use for cannabis irrigation is approximately 85,000 - 90,000 gallons/yr. This equates to 0.5 gallons of water per 10 square feet of cultivation area per day, 1/3 of CDFW's generic estimate of 1.8. With approximately 210,000 gallons of existing water storage on-site, all cannabis related irrigation water demands can be satisfied by water stored through the dry months. Excluding the 70,000 gallons of water storage in the two bladders and the 20,000 gallons of storage in domestic use tanks, that still leaves 120,000 gallons of storage in rigid tanks which can still satisfy all cannabis related irrigation water demands through the dry months. That is also is in the ballpark of what the rainwater catchment system collects annually. Domestic use on the Project Site is estimated at 50,000 gallons for the entire year and can be satisfied by the spring.

Table 1: Water Use for Cultivation (thousands of gallons/month)

Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec	**Total**
0	0	0	0.2	1.3	10	25	25	15	10	0	0	**86.5**

Table 2: Domestic Water Use (thousands of gallons/month)

Jan	**Feb**	**Mar**	**Apr**	**May**	**Jun**	**July**	**Aug**	**Sep**	**Oct**	**Nov**	**Dec**	**Total**
2	2	3	5	5	5	5	5	5	5	5	3	**50**

2. Description of site drainage, including runoff and erosion control measures

RUNOFF AND EROSION CONTROL MEASURES: Applicant has a Water Resource Protection Plan (WRPP) for the property, which has recommended erosion control treatments on the property. The primary issues are related to poor road surface drainage, as well as 3 stream crossings on the A Road, and 2 more stream crossings on the lower/spring access road that contain old or undersized culverts which are slated to be upgraded in the near future, which will include road surface drainage treatments. The applicant has obtained a LSAA from CDFW to carry out this work. All bare soil associated with erosion control work will be covered with straw or other mulch. Applicant will implement BMPs from the North Coast Regional Water Board's order as need to ensure protection of the water quality of streams located on the property.

In addition, bare ground surfaces in and around the cultivation area are covered in cedar wood chips to prevent soil erosion and deter pests. Bare or sparsely covered areas outside the cultivation area perimeter will be planted with native plants during the wet season and covered with natural leaf litter and small woody debris or other vegetative matter in order to promote natural habitat diversity. Straw waddles and heavy mulch are also used to help trap sediment at the base of slopes to prevent delivery to the stream network.

3. Waste Management.

CULTIVATION RELATED WASTE: All organic plant waste shall either be utilized as product or be composted on site at the compost area shown on the premises diagram. Soil will be reused and amended using organic materials. Any pesticide and fertilizer containers will be temporarily stored in the secure cannabis waste storage area behind the power/generator shed and hauled off to an authorized facility and recycled pursuant to pesticide regulations. Items of garbage that cannot be recycled will be disposed of in appropriate waste bins and taken to the local transfer station on a regular basis as necessary.

REFUSE DISPOSAL: Trash is stored inside the old dog kennel enclosure located on the back side of the Power Shed, opposite the residence. Applicant hauls trash and recycling to a transfer station or recycling facility at appropriate intervals as needed.

HUMAN WASTE: There is one on-site residence. There is a modern septic system (OWTS) of unknown capacity (unpermitted), which has served the residence for over a decade with no signs of problems or issues. The Applicant will work with the county and a qualified professional to investigate and bring the existing unpermitted system into compliance, or install a new permitted OWTS. All cultivation work will be done by family members or the owners of the property and will not be hiring workers.

4. Protocols for use and storage of fertilizers, pesticides, and other regulated products

PESTICIDE MANAGEMENT: Applicants control pests and molds through both cultural practices and utilize organic and biologic controls when necessary. Cultural methods the landowners utilize involve setting out sticky aphid whitefly traps by Seabright Laboratories during the flowering cycle. It's a sticky trap that is hung on the trellis netting used to support the plants. It's non-poisonous and weatherproof. Ladybugs have been purchased and released once insect pressure reached elevated levels in past years but have been re-appearing naturally in subsequent years. Another pest control method utilized is squishing cucumber beetles by hand if observed.

Different organic insecticide and fungicide concentrates have been used during the vegetative stage to prevent and eliminate soft bodied insects, molds and mildews. The first of these concentrates is "Eliminator" by The Amazing Dr. Zymes. It's Omri listed (Organic Materials Review Institute) which is generally considered as a trustworthy certified source by many growers. The second concentrate is "Plant Therapy" by Lost Coast. It's been certified through the National Organic Program. The third concentrate is "Green Cleaner" by Central Coast Garden Products. The last concentrate used is "Canncontrol" by Mamoth. Each of these solutions are concentrates which are diluted with water. They don't leave any type of residue. Some of the most common insects they deter are aphids, fungus gnats, mites, thrips, and whiteflies.

The active ingredient in Dr. Zymes is:
Citric Acid is organic, food grade. **ACTION:** Adjusts pH of plant surface. Preservative. This ingredient makes the pH of the plant inhospitable for powdery mildew and kills spores on contact due to its anti-fungal properties.

The active ingredient in Plant Therapy is:
Soybean oil is organic, food grade, and non-GMO. **ACTION:** Coats insects and suffocates on contact. Bugs cannot build an immunity to suffocation.
Peppermint Essential Oil is organic and food grade. **ACTION:** Natural bug repellent.
Citric Acid is organic, food grade. **ACTION:** Adjusts pH of plant surface. Preservative. This ingredient makes the pH of the plant inhospitable for powdery mildew and kills spores on contact due to its anti-fungal properties.

The active ingredient in Green Cleaner is:
Soybean oil is organic, food grade, and non-GMO. **ACTION:** Soybean oil coats the pest insects or spores to smother and limit respiration and hatch/propagation rates.
Isopropyl alcohol and citric acid: Both dehydrate. **ACTION:** Kills mites and their eggs on contact. Both active processes kill eggs, immatures stages and adult bugs limiting the potential for developed insecticide resistance.

The active ingredient in Mamoth Canncontrol is:
Thyme oil is organic, food grade, and non-GMO. **ACTION:** Natural bug repellent.
Corn Oil is organic and food grade. **ACTION:** Coats insects and suffocates on contact.

These products will be stored with their original labels in the 8' x 12' shed next to the house. Spill proof containers will be used to prevent spills during transport. Floors are non-permeable surfaces and secondary containment totes will be used while pesticides are in storage. All manufacturer recommendations for the use of products will be followed, and protective gear including gloves and masks will be used and maintained in good working order. Applicant will track the use of pesticides, if any, and report that usage at the end of the year. Any use of pesticides will be in compliance with State Pesticide laws and regulations enforced by the County Agricultural Commissioner's Office and the California Department of Pesticide Regulation.

FERTILIZERS AND SOIL AMENDMENTS: All fertilizers and amendments are stored in the same storage structure as described above. Spill proof containers will be used to prevent spills during transport. Used soil will remain in the cultivation beds and re-amended for use at the beginning of the growing season. Cover crops will be planted once the last Cannabis harvest is completed to help lock up nutrients and be tilled into the soil in early spring to enhance fertility in the raised beds.

There is a one-time application of 4 bags of chicken manure per raised bed, tilled into the soil at the start of the season. Once plants begin to show signs indicating the nutrients in the soil are being depleted, liquid fertilizers are applied approximately every 2 weeks. These consist of Emerald Harvest products (Veg 3-0-3 and Bloom 1-4-6), Cali Pro A (3-0-0) and Cali Pro B (2-2-5), King Kola (0.3-2-3), and Sturdy Stalk (0-0-1). Nutrient applications cease in the late stages of flowering to allow nutrients to be depleted in the final plant product.

Other nutrients which have been utilized in the past consist of "Age-Old Grow" (high nitrogen), "Base Line" (humic acid), and perhaps a bit of Epson salts (for magnesium). Chicken manure, bat guano, feather meal, and bone meal have also been used.

All amendments and nutrients are organic and fertilizers are applied per packaging instructions. Applicant will track the use of fertilizers and soil amendments and report that usage to the NCRWQCB annually.

PETROLEUM: Applicant only has small gas cans (< 5 gallon) for use in fueling a gas-powered water pump, weed eater, small generator, and other miscellaneous small gas-powered equipment. When not in use, the gas containers are stored in secondary containment totes under a lean-to attached to the north side of the power shed. The generator is only used to help charge the battery array (in the power shed) primarily charged by the solar electric system when solar production is limited.

PROPANE: Applicant has a 500 gallon LP tank on-site that meets local regulations of above ground storage tanks. Propane is used for domestic purposes only, serving the residence. It is not used in the cultivation activities

5. Description of cultivation activities

CULTIVATION ACTIVITIES:

All cultivation activities can generally be conducted by one person over most of the season, only involving two people intermittently during particularly busy time periods. The landowners (or family members) carry out the cultivation activities and are not anticipating the need to hire any employees.

Applicant is proposing a total of approximately 9,900 sq. ft. of canopy area utilizing outdoor cultivation. This will take place entirely within the upper consolidated cultivation area (CA-up), which contains 10 outdoor raised-beds, 2 raised beds inside a greenhouse, and less than a dozen smart pots.

Note that there is a 20'x30' (600 sq. ft.) greenhouse downslope of the cultivation area that will solely serve as an immature plant area. A second greenhouse (20'x50') next to the 20'x30' greenhouse, has been removed and is proposed for the construction of a 20'x50'garage or storage building to house the OHV (quad) and other equipment.

The current cultivation plan consists of carrying out a single run of full-term plants grown in the 10 outdoor raised beds (totaling 6,400 ft^2), and in the two raised beds inside the 32'x73'greenhouse (another 2,336 ft^2) in the main cultivation area. If the plants get off to a late start and are anticipated to be on the small side, a number of free-standing full-term plants may be added in a large isle between the greenhouse and raised beds (~ 800 ft^2). The total aggregate mature plant canopy area will stay under the 9,900 ft^2 as proposed.

The vegetative cycle will begin with seedlings or clones started in in small containers (cups or 4" pots) in early to mid-May, propagated in the 20' x 30' greenhouse. Immature plants will likely be transplanted into 2-gallon pots around mid-late May, which may take up enough space that the full-term greenhouse up in the cultivation area will be utilized to temporarily house some of the young plants. Once the weather permits, plants will be planted directly into the raised beds (and free-standing pots if needed) in early-mid June.

The single harvest cycle will take place over a span of time ranging from late September to early November, depending on individual plant maturity and the weather. The harvest plan is to sell the wet plants directly to a licensed processer as a "fresh-freeze" product, who will come to the Project Site and pick up and buy the freshly harvested plants directly. This will eliminate the need for any drying or trimming activities. If needed, harvested flowers will be dried in the 20' x 28' shed above the cultivation area, which will also serve as the cannabis harvest storage location. No trimming will be done on-site unless it is with a licensed self-contained mobile processor who comes to the site. This would only be implemented after consultation with the county to ensure it would be a permissible action. If not sold as a fresh-freeze product, Flower would most likely be transported to an as-yet undetermined licensed off-site processing facility.

The cultivation operation is focused on growing high quality, organic cannabis utilizing the most environmentally sound practices. Future development at the site may include incorporating permaculture, earth-tubes, bi-facial solar panels, additional renewable energy resources, and other county-approved off-the-grid concepts. The landowners have a vision of improving their land and providing a sustainable, earth-friendly resource efficient model into the future. Any future development or changes at the site will only be implemented after consultation with the County to ensure compliance with local and State regulations.

6. Processing Plan

PROCESSING PLAN:

1) Summary of Processing Practices: The plan is to sell ripe, fresh, whole, wet plants direct to a licensed "fresh-freeze" distributer/processor who will come and pick up the plants as they are harvested in batches. The only activity required will be the cutting down of plants ready for harvest, which can be carried out by one or two people as needed and will be carried out by the landowners themselves. No additional people will be employed.

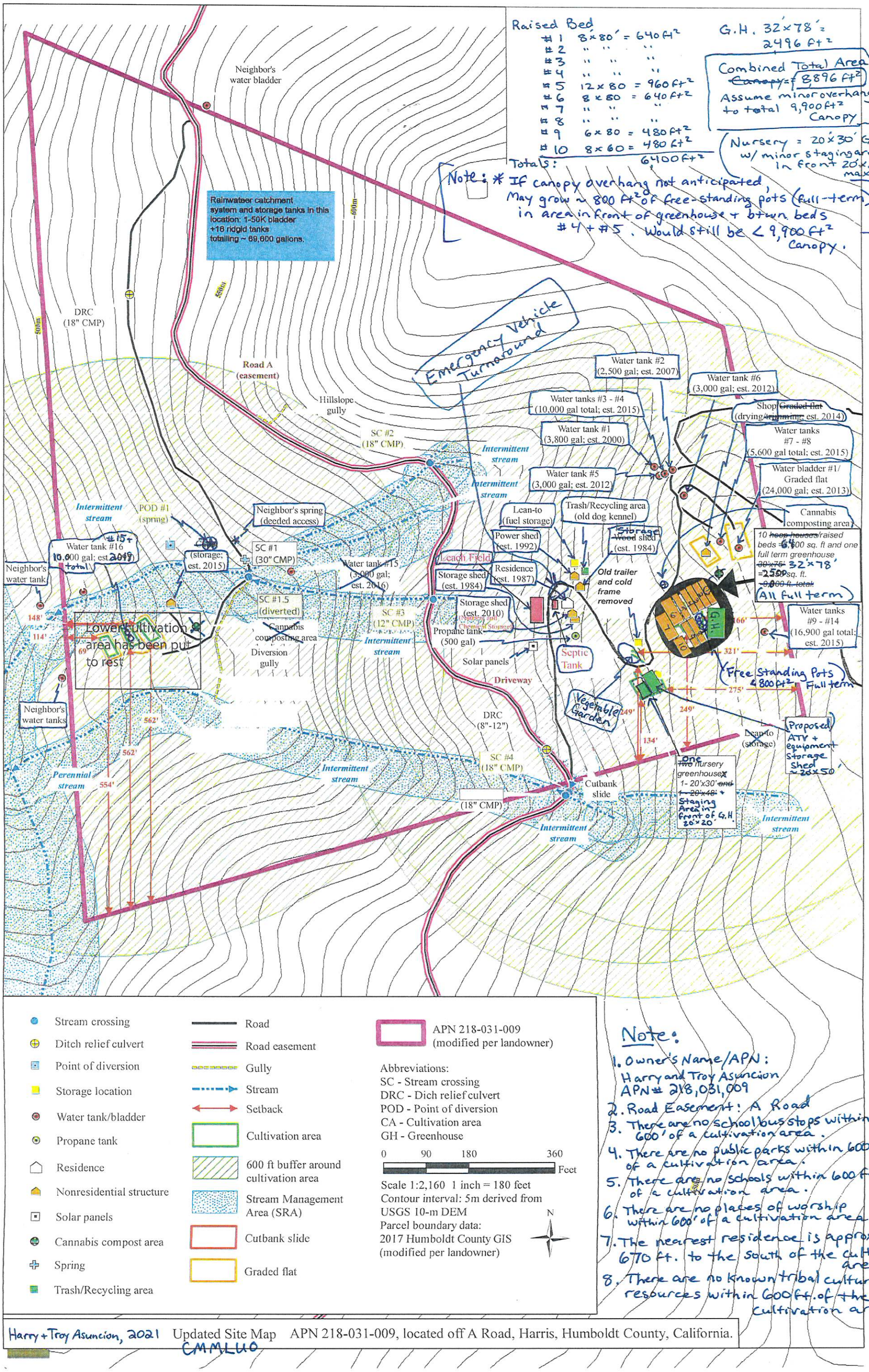
As a back-up plan, it is proposed that the Applicant may hang and dry plants on-site in the 20' x 28' shed located just upslope and east of the cultivation area. Again, no additional employees will be needed. Any dried Flower will be transported to permitted off-site processing facility for further processing. **No processing is proposed on-site.**

2) Description of location where processing will occur: N/A
3) Estimated number of employees: Zero. The applicants do not anticipate having to hire any outside employees and will do the work themselves.
4) Summary of Employee Safety Practices: Not applicable since there will be no employees.
5) Description of toilet and handwashing facilities: All toilet and handwashing activities will take place in the landowner's home, which has a functional kitchen and bathroom.
6) Description of plumbing and /or septic system and whether or not the system is capable of handling increased usage: The house has a fully functional plumbing and septic system that serves a standard kitchen and single bathroom. The previous owner had a septic tank and leach field installed decades ago, which served up to 4 people on a regular basis with no signs of failure or problems. The current landowner does not expect to have any more family or visitors present than that, so no increased usage is anticipated. Though the septic system was unpermitted, it was reportedly installed by someone who was competent in the installation of permitted and functional septic systems at the time. The current septic system will be investigated by a licensed professional to show it's sufficient or be brought up to county standards.
7) Description of source of drinking water for employees: Again, not applicable since there will be no employees. The landowners get their drinking water from two domestic-use tanks located upslope of the cultivation area (CA-up), which are filled by pumping water from the spring intake tanks at the lower portion of the property.

8) Description of increased road use resulting from processing and a plan to minimize that impact: Again, not applicable since the landowners will be the only people carrying out the cultivation activities so there will be no increased traffic associated with it.
9) Description of on-site house, if any (will there be Farmworker housing provided?): There is an existing 3-bedroom, 1-bathroom house that has served a family of four for several decades. Since the new Applicants are planning on carrying out all activities themselves, it will not be necessary to provide any Farmworker housing.

7. Security Plan

SECURITY PLAN: Gates leading to cultivation areas will be locked. Applicant shall maintain restricted areas which will be clearly designated. A dog roams the property to alert the landowners of strangers and help guard the property.


Raised Bed
#1 8x80' = 640ft²
#2 " " "
#3 " " "
#4 " " "
#5 12x80 = 960ft²
#6 8x80 = 640ft²
#7 " " "
#8 " " "
#9 6x80 = 480ft²
#10 8x60 = 480ft²
Totals: 6400ft²
G.H. 32'x78' = 2496 ft²
Combined Total Area
~~Canopy~~ = 8896 ft²
Assume minor overhang to total 9,900ft² Canopy
Nursery = 20'x30' G.H. w/ minor staging area in front 20'x20' max.
Note: * If canopy overhang not anticipated, May grow ~ 800 ft² of free-standing pots (full-term) in area in front of greenhouse + btwn. beds #4 + #5. Would still be < 9,900 ft² Canopy.
Neighbor's water bladder
Rainwater catchment system and storage tanks in this location: 1-50K bladder +16 rigid tanks totalling ~ 69,600 gallons.
600ft
550ft
500ft
DRC (18" CMP)
Road A (easement)
Hillslope gully
SC #2 (18" CMP)
Intermittent stream
Emergency Vehicle Turnaround
Water tank #2 (2,500 gal; est. 2007)
Water tank #6 (3,000 gal; est. 2012)
Water tanks #3 - #4 (10,000 gal total; est. 2015)
Shop/~~Graded flat~~ (drying/~~irrigation~~; est. 2014)
Water tank #1 (3,800 gal; est. 2000)
Water tanks #7 - #8 (5,600 gal total; est. 2015)
Water tank #5 (3,000 gal; est. 2012)
Water bladder #1/ Graded flat (24,000 gal; est. 2013)
Intermittent stream
POD #1 (spring)
Neighbor's spring (deeded access)
Lean-to (fuel storage)
Trash/Recycling area (old dog kennel)
Cannabis composting area
Power shed (est. 1992)
~~Storage~~ Wood shed (est. 1984)
10 ~~hoop houses~~/raised beds ~~6,400~~ sq. ft and one full term greenhouse ~~30'x75'~~ 32'x78' = ~~2,250~~ 2496 sq. ft. ~~9,000 ft. total~~ (All full term)
Water tank #16 ~~10,000~~ gal; est. ~~2009~~ 2017 ~~total~~
(storage; est. 2015)
SC #1 (30" CMP)
Water tank #15 (3,000 gal; est. 2016)
Leach Field
Storage shed (est. 1984)
Residence (est. 1987)
Old trailer and cold frame removed
Neighbor's water tank
SC #1.5 (diverted)
Storage shed (est. 2010) (Nursery and Chemical Storage)
SC #3 (12" CMP)
Water tanks #9 - #14 (16,900 gal total; est. 2015)
Lower cultivation area has been put to rest
Cannabis composting area
Diversion gully
Intermittent stream
Propane tank (500 gal)
Septic Tank
Solar panels
Driveway
Free Standing Pots @ 800 ft² Full term
Vegetable Garden
Neighbor's water tanks
DRC (8"-12")
Proposed ATV + equipment Storage Shed ~ 20x50'
Lean-to (storage)
SC #4 (18" CMP)
Perennial stream
Intermittent stream
Cutbank slide
(18" CMP)
~~two~~ One nursery greenhouse~~s~~ 1- 20'x30' ~~and 1- 20'x48'~~ + Staging Area in front of G.H 20'x20'
Intermittent stream
Intermittent stream
148'
114'
69'
562'
562'
554'
166'
321'
275'
249'
249'
134'
Stream crossing
Ditch relief culvert
Point of diversion
Storage location
Water tank/bladder
Propane tank
Residence
Nonresidential structure
Solar panels
Cannabis compost area
Spring
Trash/Recycling area
Road
Road easement
Gully
Stream
Setback
Cultivation area
600 ft buffer around cultivation area
Stream Management Area (SRA)
Cutbank slide
Graded flat
APN 218-031-009 (modified per landowner)
Abbreviations:
SC - Stream crossing
DRC - Dich relief culvert
POD - Point of diversion
CA - Cultivation area
GH - Greenhouse
0 90 180 360 Feet
Scale 1:2,160 1 inch = 180 feet
Contour interval: 5m derived from USGS 10-m DEM
Parcel boundary data: 2017 Humboldt County GIS (modified per landowner)
N
Note:
1. Owner's Name/APN: Harry and Troy Asuncion APN# 218,031,009
2. Road Easement: A Road
3. There are no school bus stops within 600' of a cultivation area.
4. There are no public parks within 600ft. of a cultivation area.
5. There are no schools within 600 ft. of a cultivation area.
6. There are no places of worship within 600' of a cultivation area.
7. The nearest residence is approx. 670 ft. to the south of the cultivation area.
8. There are no known tribal cultural resources within 600ft. of the cultivation area.
Harry + Troy Asuncion, 2021 Updated Site Map APN 218-031-009, located off A Road, Harris, Humboldt County, California.
CMMLUO

Timberland Resource Consultants

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December 2, 2020

Cannabis Services Division
Humboldt County Planning and Building Department
Attn: Keenan Hilton
3015 H Street
Eureka, CA 95501

RE: Permit Application No. 12813 / APN 218-031-009

The following RPF report is being submitted in response to the County's Deficiency Email dated July 27, 2020. Deficiency Item 5 requests the following:

5) Report prepared by a Registered Professional Forester (RPF Report) to address:

   a. Discussion of ecological values of the converted areas prior to 2016 including an estimate of the number and species of tree removed.

   b. Proposal to reforest converted areas at a 2:1 ratio of the post-2016 conversion if environmentally appropriate and/or proposal to perform thinning or other active management to produce valuable oak woodland (if deemed appropriate) on the parcel at a 10:1 ratio Staff must be able to state confidently to decision makers that, although a conversion that was not consistent with the county code and state law did occur, the project as recommended for approval is a net-benefit to the oak woodland ecological system and is a net benefit to timberland.

   c. Proposal to decommission the substandard interior roads leading to the retired cultivation sites to include:
      i. Assessment if there are areas where re-contouring is necessary to restore streams and drainage patterns
      ii. Proposal to plant or seed native species, if applicable

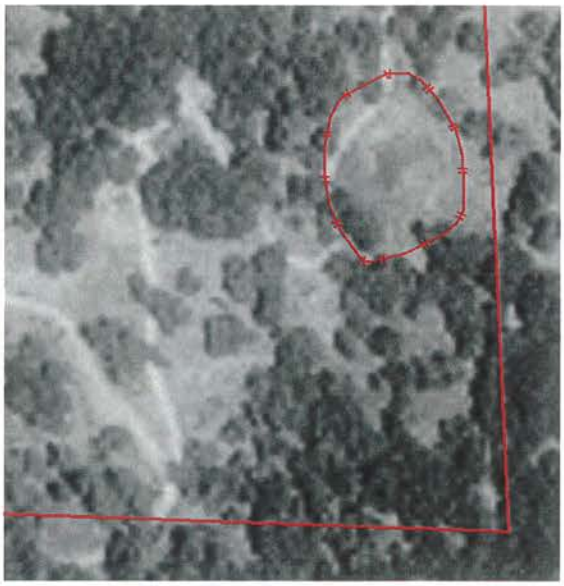
   d. Monitoring and reporting component of the plan

The foregoing report addresses the above requested items.

5a. Pre-2016 Stand Description and Ecological Values

Upper Cultivation Site

The Upper Cultivation Site is located within a natural grassland opening with minimal conifer and hardwood encroachment. A pond was developed at the Upper site between 1998 and 2005, which did not appear to involve tree removal per the imagery below. The site was regraded to its present size and configuration between 2016 and 2018, which consisted of cutting/grading of the eastern hillside to generate fill material that was used to fill in the pond and create the existing flat. In addition, it appears that several (6+/-) Oregon white oak trees were harvested in the southwestern corner but stumps not removed. The adjacent timber stands are composed of nearly pure oak woodland (primarily Oregon white oak) with minimal Douglas-fir encroachment.



1998 NAIP Imagery

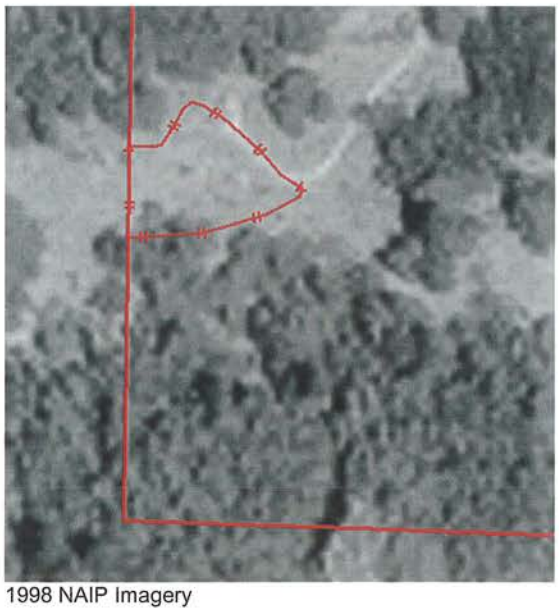
2016 NAIP Imagery

2018 NAIP Imagery

2020 NAIP Imagery

Lower Cultivation Site

The Lower Cultivation Site is located within a natural grassland opening with conifer and hardwood encroachment. The site was developed between 2010 and 2012, which consisted of vegetation and tree removal and minor grading. The Lower Cultivation Site is located on a narrow peninsula between two Class II watercourses that are tributary to Pipe Creek. The adjacent timber stands within the riparian zone are composed of Oregon white oak, pepperwood, and Douglas-fir encroachment. Douglas-fir diameter distribution is similar to that of a reverse J-shaped or negative exponential curve, where the number of small conifer trees (seedlings) per unit is greater than the number of large conifer trees (saplings). This is typical of conifer encroachment into natural grassland and is likely indicative of the stand structure and composition that occurred in the area prior to conversion. Prior to development, it is estimated that approximately 30-40% of the total area of the site appears to have been dominated by Douglas-fir encroachment with a minor component of hardwood (madrone, live oak and pepperwood) regeneration and brush. Roughly estimated, there was likely approximately 25-50 sapling/pole sized trees and 100-200 seedling-sized trees. Species composition was likely 20% hardwood and 80% conifer.



1998 NAIP Imagery

2010 NAIP Imagery

Ecological Values

Both Upper and Lower sites are located in natural grassland openings, which are part of a multi-layered mosaic of grassland, shrubland, and oak woodland distributed across the landscape. This community, often referred to as Oregon Oak Woodland or Coastal Oak Woodland, is composed primarily of Oregon white oak, California black oak, Pacific madrone, California bay and Coast Douglas-fir. Per the Humboldt County General Plan, Oak Woodlands account for 20% of the 1.5 million acres of forestland in Humboldt County.

Per the California Wildlife Habitat Relationships System California Department of Fish and Game California Interagency Wildlife Task Group, Coastal oak woodlands provide habitat for a variety of wildlife species. Barrett (1980) reports that at least 60 species of mammals may use oaks in some way. Verner (1980) reports 110 species of birds observed during the breeding season in California habitats where oaks form a significant part of the canopy or subcanopy. Quail, turkeys, squirrels, and deer may be so dependent on acorns in fall and early winter that a poor acorn year can result in significant declines in their populations (Shields and Duncan 1966, Graves 1977, Schitoskey and Woodmansee 1978). Therefore, many wildlife managers are concerned over the continuing loss of coastal oak woodland habitats as a result of man's activities.

2b. Proposal to mitigate converted areas

Lower Cultivation Site: Conversion of timberland has clearly occurred at the Lower Cultivation Site as described above. Prior to development, it is estimated that approximately 30-40% of the total area of the site appears to have been dominated by Douglas-fir encroachment with a minor component of hardwood (madrone, live oak and pepperwood) regeneration and brush. The restocking of the entire site per the specifications of the attached Restocking Plan would satisfy the 2:1 ratio requirement.

Upper Cultivation Site: The RPF cruised the Oregon white oak stands located within the vicinity of the Upper Cultivation Site on December 1, 2020 to determine stand density with regards to trees per acre. Several fixed-radius plots (1/50 acre) were randomly placed in the adjacent Oregon white oak stands revealing a stand density of 95 trees per acre. The 6 Oregon white oak trees that were previously removed therefore account for approximately 6.3% of an acre or 2,751 ft^2. To satisfy the 10:1 ratio requirement for active management to produce valuable oak woodland, the minimum treatment area would be 0.63 acres or 27,55 ft^2. The RPF identified a treatment area in the northeastern corner of the property, which contains a combination of California black oak, Oregon white oak, and natural grassland all of which are in various stages of conifer encroachment. Relative to the Oregon white oak stand surrounding the Upper Cultivation Site; this oak woodland consists of larger diameter trees and consequently fewer trees per acre. For this reason, we conservatively propose a larger treatment area of 1.3 acres.

The degree to which these areas are being encroached varies greatly. Whereas some of the treatment area contain only minimal amounts of encroachment in the form of seedlings and sapling-sized conifers, others contain larger Douglas-fir trees in the codominant canopy position. Three management types are commonly used to qualitatively stratify the degree of encroachment as follows:

Encroachment Stage 1
These areas consist of a dominant overstory of true oak species. The understory consists of a young cohort of very dense Douglas-fir regeneration, generally 5-25 feet tall. Little if any overtopping is occurring and most if not all of the Douglas-fir is sub-merchantable. If no action is taken, these stands will inevitably transition into conifer stands as soon as 20 years. Approximately 60% of the treatment area is in this stage.

Encroachment Stage 2
These areas consist of an overstory made up of pre-dominant and dominant oak trees and younger sapling to pole sized Douglas-fir which are primarily co-dominant in the canopy layer. The understory is generally dense with young Douglas-fir regeneration. Oak trees within this type are beginning to show 'funnel' shaped crowns as Douglas-fir trees shade out the lower canopy. Approximately 30% of the treatment area is in this stage.

Encroachment Stage 3
These areas consist of an overstory made up of pre-dominant oak trees and younger pole to small timber sized Douglas-fir trees in the dominant crown position. Sapling sized Douglas-fir trees occupy the intermediate crown positions, and the understory is generally sparse. Approximately 10% of the treatment area is in this stage.

Oak Restoration Treatment Specifications:

- Remove Douglas-fir regeneration via hand crew (chain saws) without the use of heavy ground-based equipment. Cut all Douglas-fir trees up to 12" DBH. Removal target is 90% of Douglas-fir stems. The cut needs to be made as low as possible on the stem, below the lowest live branch. Trees that are too difficult to fell safely can be girdled.
- Retain and protect all California black oak and Oregon white oak trees. Avoid damage to retained oak trees by falling Douglas-fir trees away from oaks to the extent feasible, or girde harvest trees.
- Girdle Douglas-fir trees 12” DBH and greater if felling will damage oaks. Girdles must completely go around the tree and should consist of two parallel horizontal bands through the bark and cambium

several inches apart. After the grooves have been made, the bark and cambium should be peeled away.

- Slash Treatment: Lop and scatter all Douglas-fir limbs and branches per 14CCR 895.1. **Lopping for Fire Hazard Reduction** means severing and spreading slash so that no part of it generally remains more than 30 inches above the ground. Douglas-fir logs may be processed and removed for use as firewood, or logs may be left on-site provided they are in close contact with the ground to facilitate decomposition. An alternative to lop and scatter is piling and burning. Hand pile slash into manageable piles for winter burning. Piles must not be underneath the crowns, or directly adjacent to other trees.
- Conduct oak restoration activities in the winter months not during the nesting season of protected raptors and migratory birds (March 1 through August 15).

3c. Proposal to decommission the substandard interior roads leading to the retired cultivation site.

The road that accesses the Lower Cultivation Site is not proposed to be decommissioned per Chris Herbst (PG #8433) of Pacific Watershed Associates. Per Chris Herbst:

"The road leading down to the abandoned cultivation site is used to access and maintain the spring that serves the residence, as well as the neighbor's spring, and cannot be decommissioned. The road is slated for upgrading next year and has two culvert installations identified as part of the LSAA signed by CDFW. Any road drainage leading to the lower cultivation site will be drained to the fullest extent during the road upgrading. An engineer is not required as it is in my purview as a licensed professional geologist to evaluate the abandoned cultivation site and determine what, if any treatment should be implemented to protect water quality and the environment."

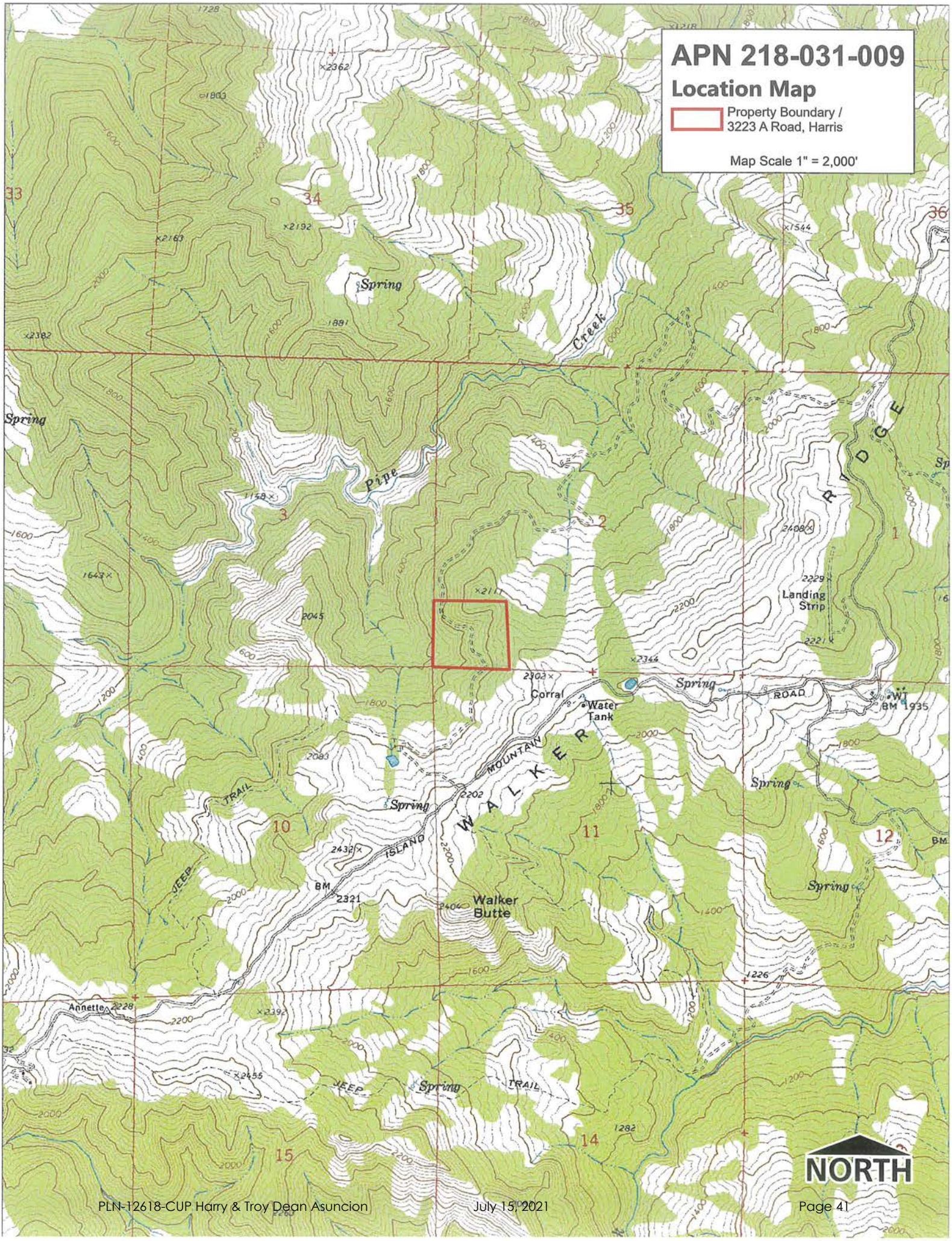
3d. Monitoring and reporting component of the plan

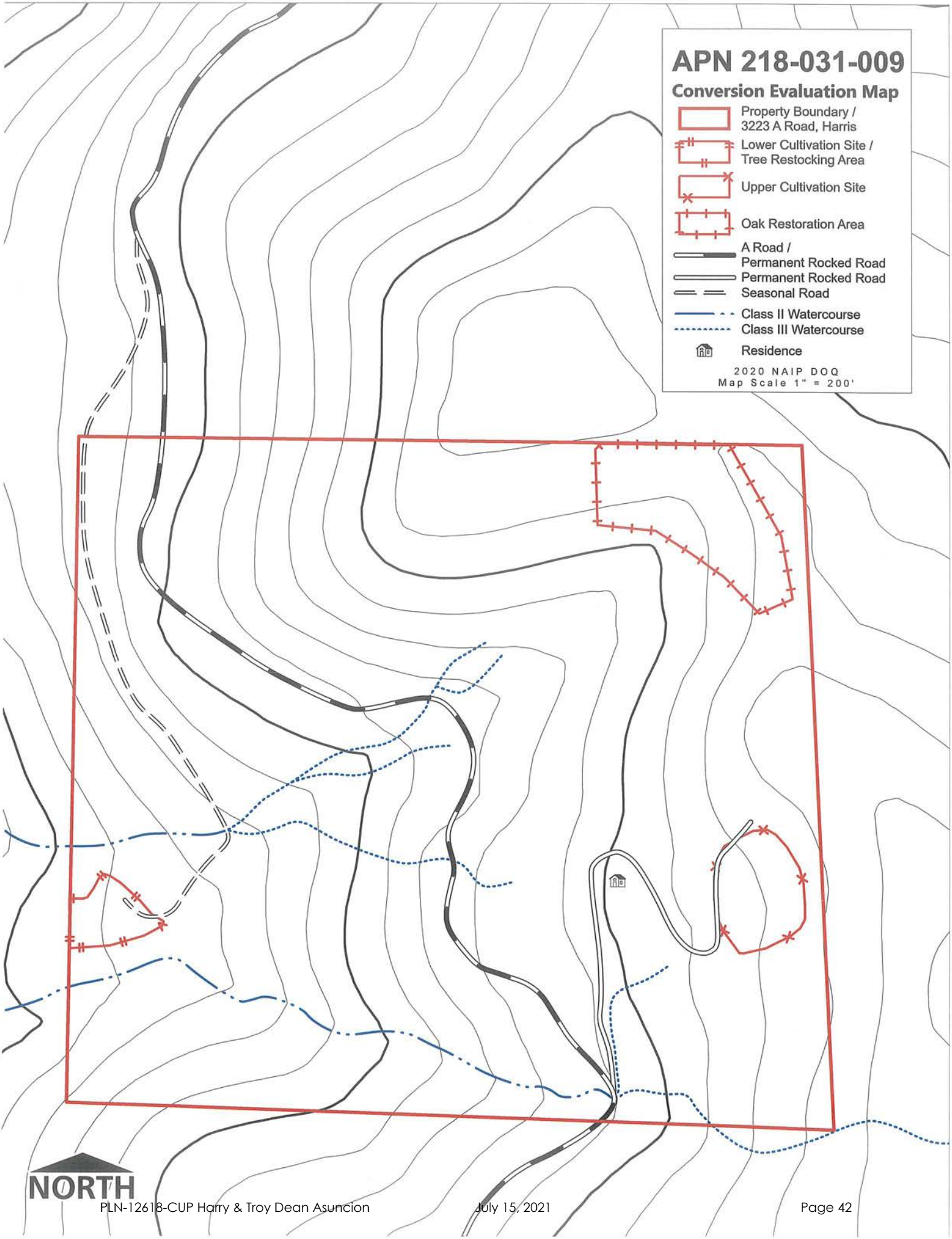
The restocking area shall meet the minimum stocking standards of 300-point count per 14CCR 895.1(b)(1) within five years of planting. Within five years of planting, but no sooner than three years, a report of stocking shall be submitted to the county by an RPF, which certifies that the area meets the minimum stocking standards of 14 CCR 912.7.

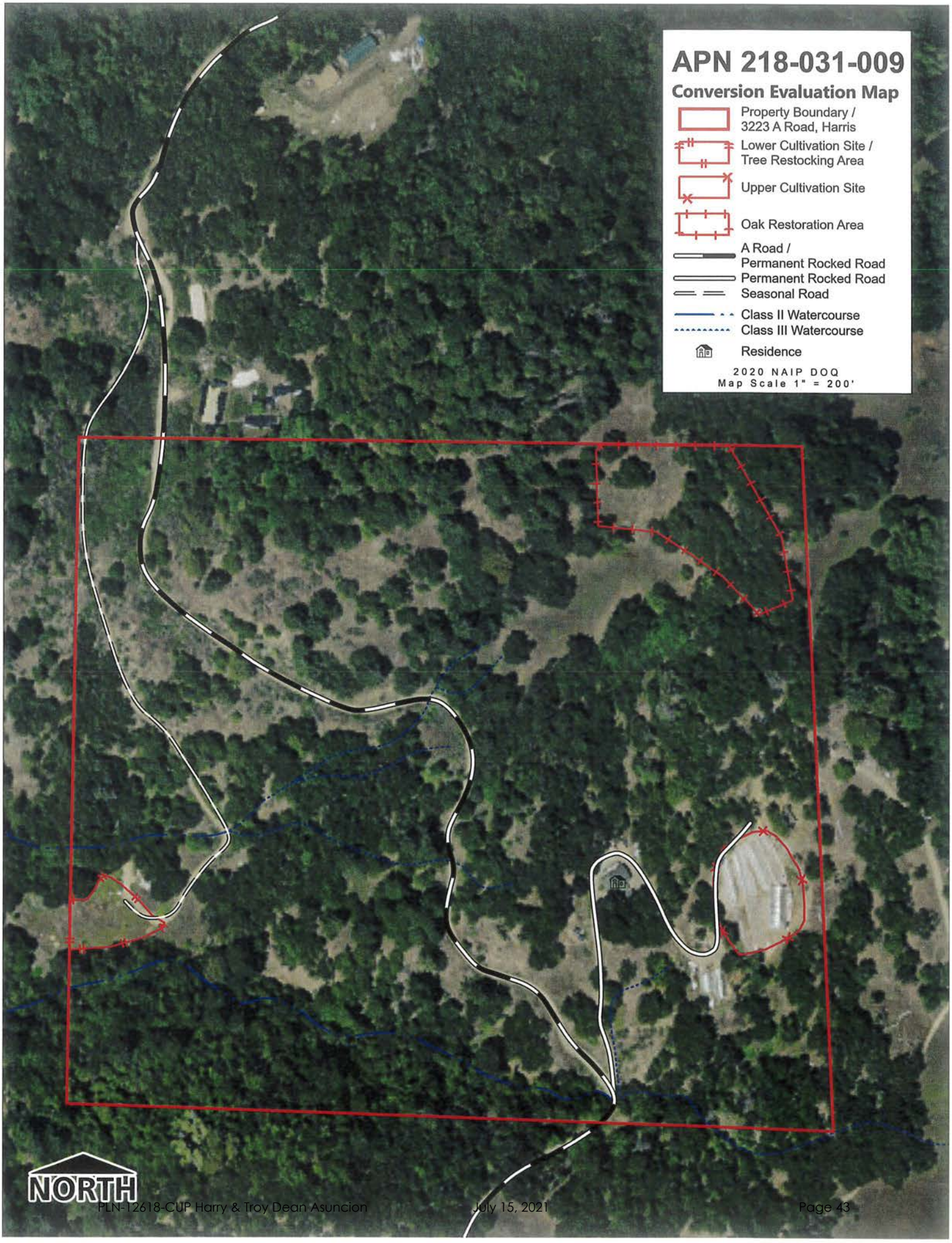
Following the completion of oak restoration activities, the RPF must examine the area to evaluate compliance with the treatment specifications outlined in this report. This inspection shall be used to certify no less than 90% of the 1.3 acres were successfully treated. After the inspection, a letter including pictures of the project area shall be sent to the Humboldt County Planning Department Cannabis Division describing the results of the restoration activities and the project's status in conformance.

Sincerely,

Chris Carroll, RPF #2628
Timberland Resource Consultants


APN 218-031-009
Location Map
Property Boundary /
3223 A Road, Harris
Map Scale 1" = 2,000'
NORTH
Spring
Creek
Pine
RIDGE
Landing
Strip
Corral
Water
Tank
ROAD
MOUNTAIN
WALKER
TRAIL
ISLAND
JEEP
Walker
Butte
Annette
Spring
Spring
Spring
Spring
Spring
TRAIL
JEEP


APN 218-031-009
Conversion Evaluation Map
Property Boundary / 3223 A Road, Harris
Lower Cultivation Site / Tree Restocking Area
Upper Cultivation Site
Oak Restoration Area
A Road / Permanent Rocked Road
Permanent Rocked Road
Seasonal Road
Class II Watercourse
Class III Watercourse
Residence
2020 NAIP DOQ
Map Scale 1" = 200'
NORTH


APN 218-031-009
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Lower Cultivation Site / Tree Restocking Area
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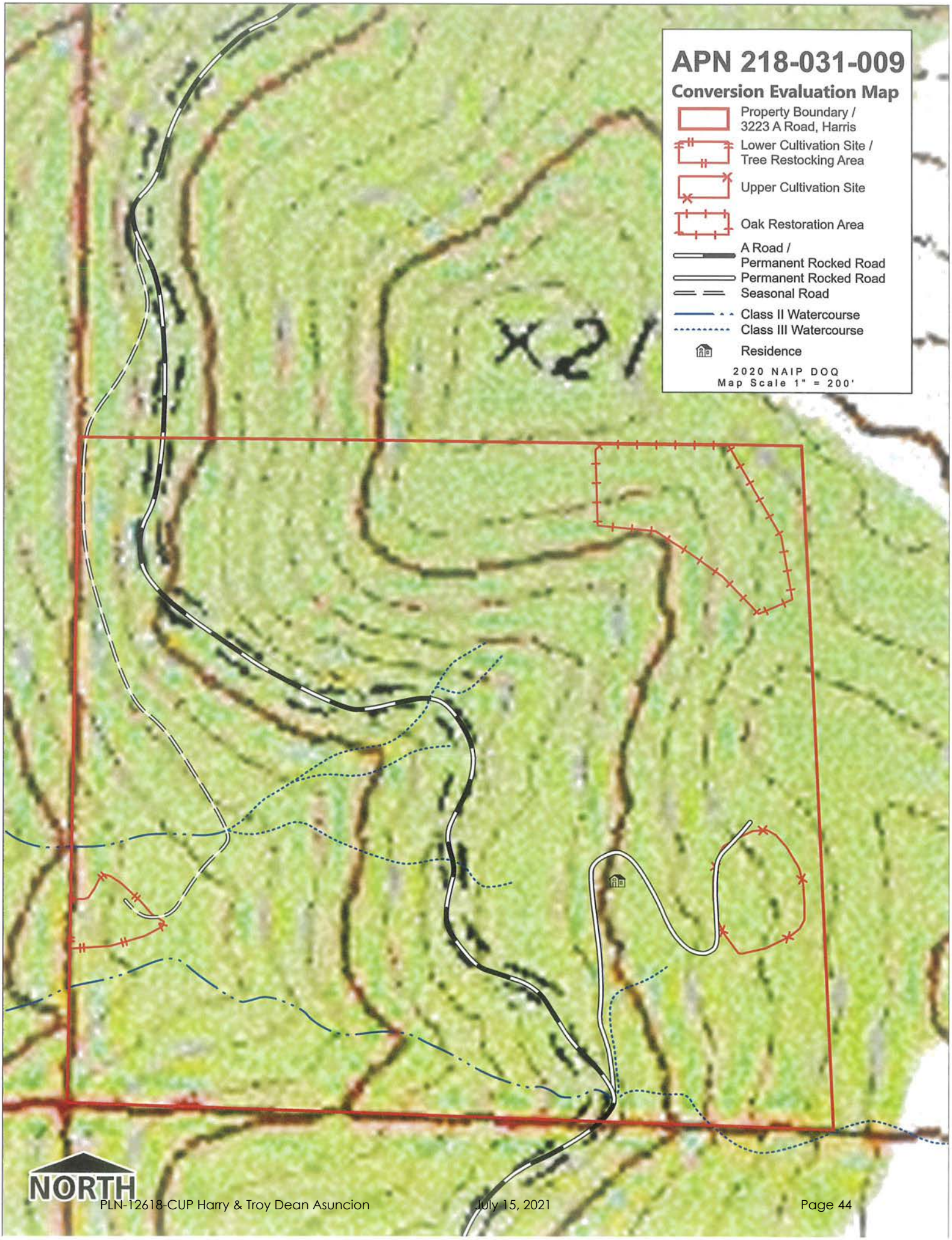
A Road / Permanent Rocked Road
Permanent Rocked Road
Seasonal Road
Class II Watercourse
Class III Watercourse
Residence
2020 NAIP DOQ
Map Scale 1" = 200'
NORTH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Upper Cultivation Site
Oak Restoration Area
A Road / Permanent Rocked Road
Permanent Rocked Road
Seasonal Road
Class II Watercourse
Class III Watercourse
Residence
2020 NAIP DOQ
Map Scale 1" = 200'
X21
NORTH

Pictures

Picture 1: Several Oregon white oak stumps, presumably those trees removed in association with the post 2016 development. Photo date 10-13-2020.

Pictures

Picture 2: Several Oregon white oak stumps, presumably those trees removed in association with the post 2016 development. Photo date 10-13-2020.

Pictures

Picture 3: Upper Cultivation Site. Photo date 10-13-2020.

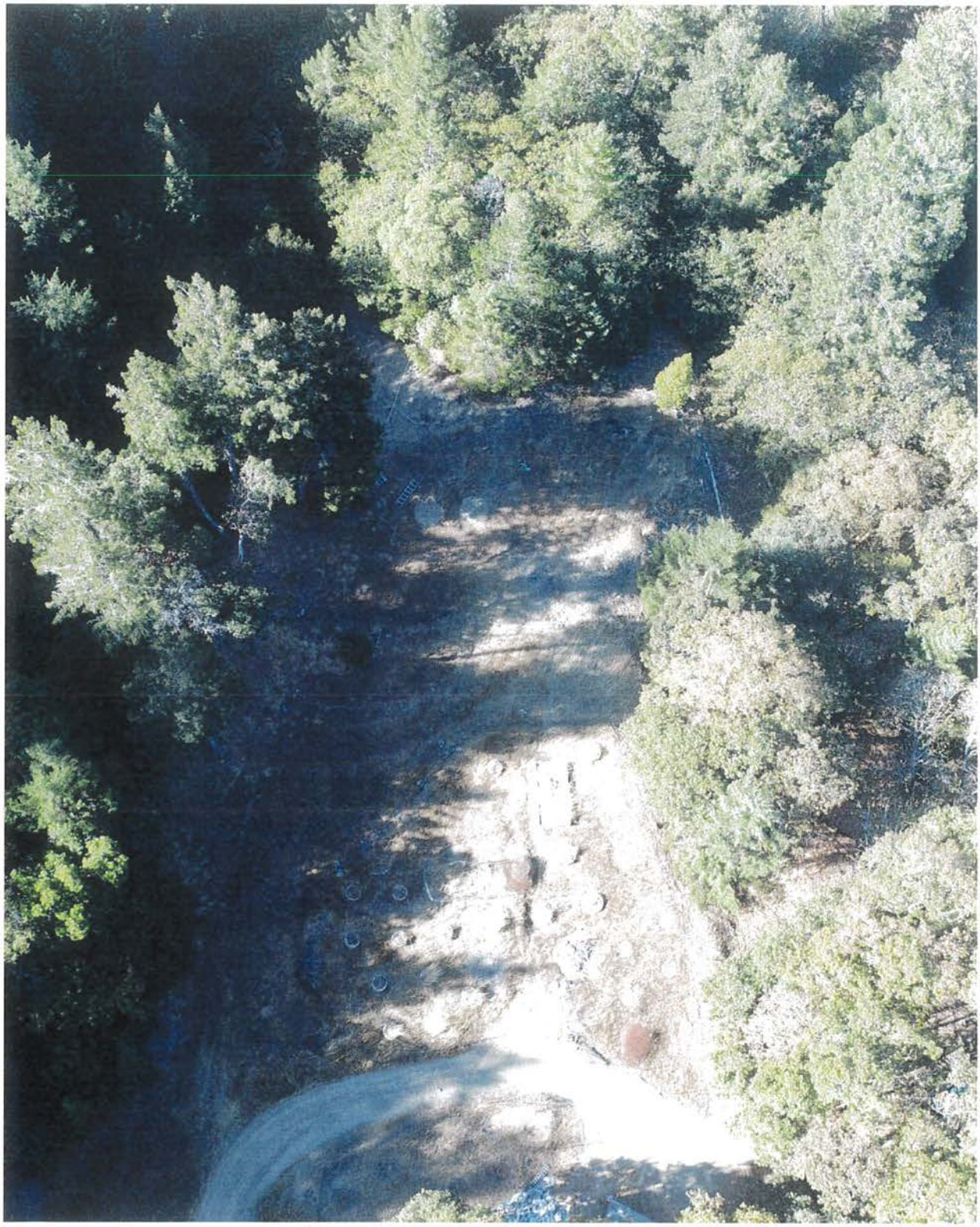
Pictures

Picture 4: Upper Cultivation Site. Photo date 10-13-2020.

Pictures

Picture 5: Lower Cultivation Site. Photo date 10-13-2020.

Pictures



Picture 6: Lower Cultivation Site. Photo date 10-13-2020.

Pictures

Picture 7: Lower Cultivation Site. The timber stand in background is located south of the site between the developed area and the Class II watercourse. Note minor forest encroachment occurring. Photo date 10-13-2020.

Pictures

Picture 8: Lower Cultivation Site. Note Douglas-fir seedling encroachment in the developed area. Photo date 10-13-2020.

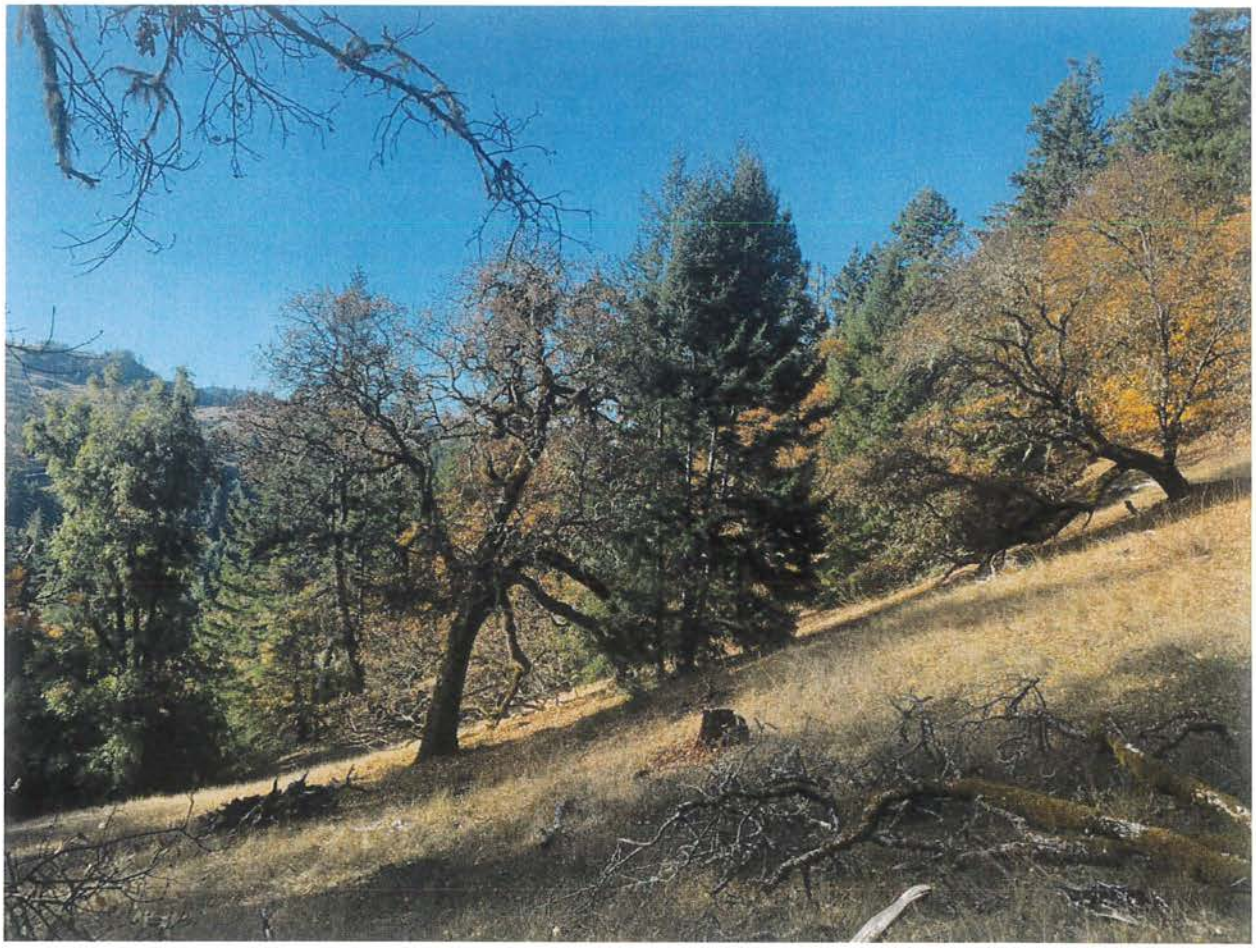
Pictures

Picture 9: Oak restoration treatment area. This is an example of Encroachment Stage 1. Photo date 12-1-2020.

Pictures

Picture 10: Oak restoration treatment area. This is an example of Encroachment Stage 1. Photo date 12-1-2020.

Pictures

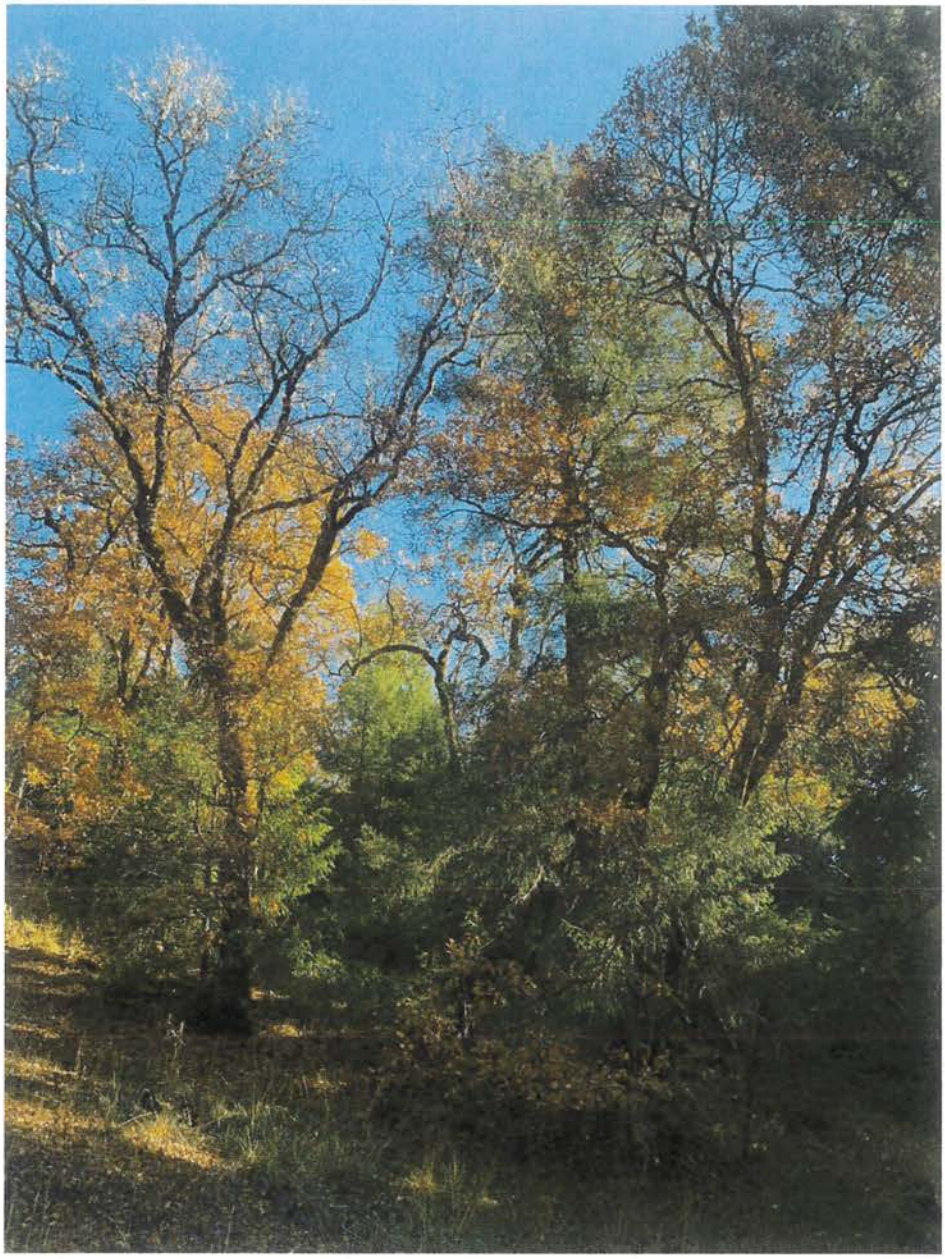


Picture 11: Oak restoration treatment area. The three Douglas-fir trees growing between the large California black oak to left and Oregon white oak to the right shall be removed. Photo date 12-1-2020.

Pictures

Picture 12: Oak restoration treatment area. This is an example of Encroachment Stage 2. Photo date 12-1-2020.

Pictures



Picture 13: Oak restoration treatment area. This is an example of Encroachment Stage 1 & 2. Note that the large Douglas-fir tree in background will likely be girdled to protect the nearby oaks from damage from felling. Photo date 12-1-2020.

Timberland Resource Consultants

RESTOCKING PLAN

FOR

APN 218-031-009

November 23, 2020

165 South Fortuna Blvd
Fortuna, CA 95540
707-725-1897
707-725-0972 Fax
trc@timberlandresource.com

Restocking Plan

Restocking Area: See attached Conversion Evaluation Map

Site	Total Acreage	# Trees at 10'x10' Spacing
Lower Cultivation Site	0.30	131
Totals:	0.30	131

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

Recommendation: No ripping/subsoiling of the ground surface with heavy equipment appears necessary. The ground was relatively soft. In the interest of protecting native vegetation and conifer/hardwood advanced natural regeneration, isolated compacted areas or shallow soils may be planted with a pick/shovel/post-hole digger.

Types of Seedlings: Harvested and/or understocked timberlands should be artificially regenerated with naturally-occurring conifer species and cultivars well-adapted to the timber stand's specific climate, elevation, and other environmental conditions. Planting seedlings from appropriate seed zones and elevation ranges ensures better seedling success and, eventually, a more resilient timber stand. Specifically, timberland within the property is characterized by Douglas-fir and tanoak. The areas to be planted occur within California Seed Zone 340 at approximately 1,600 feet in elevation.

Recommendation: The landowner shall plant Douglas-fir (best suited for Seed Zone 340 at ~1,600-foot elevation) at a uniform spacing no less than 10-feet by 10-feet, or 435 trees per acre.

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

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

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

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

Restocking Plan

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

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

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

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

Monitoring Seedling Survival: Although a newly planted stand immediately fulfills the Forest Practice Rule's stocking standards, the timber stand must continually contain an average density of at least 300 trees per acre (or 12-foot by 12-foot spacing) in order to meet the intent of the California Forest Practice Rules (CFPRs). A ***Countable Tree*** per 14CCR 895.1 must be in place at least two growing seasons among other requirements. Seedling survival can vary widely depending on several factors including genetics, weather, herbivory, etc. Monitoring growth and success of planted seedlings is key to ensure a minimum 300-point count stocking level is maintained or achieved 2-years after planting.

Recommendation: Monitor growth and success of planted trees one year after planting. Conduct a point count stocking sampling survey (protocol described in CFPRs 14CCR 1072). If less than 55% of the planted area meets the 300-point count minimum stocking level, repeat the planting process the following winter.

Certification: Within five years of planting, but no sooner than three years, a report of stocking shall be submitted to the county by an RPF that certifies that the area meets the minimum stocking standards of 14 CCR 912.7.

Sincerely,

Chris Carroll, RPF# 2628
Timberland Resource Consultants

RESTORATION PLAN for Humboldt County Cannabis Land Use Permit Application #12813, APN# 218-031-009

March 7, 2021

Cannabis Services Division
Humboldt County Planning and Building Department
Attention: Keenan Hilton or current Project Planner
3015 H Street, Eureka, CA, 95501

Prepared by:
Christopher Herbst, Professional Geologist #8433
greenape202@gmail.com

This restoration plan has been prepared to address the County's Deficiency email dated July 27, 2020 as it relates to the consolidation of cultivation activities (post-2017) on the property into one area and retiring a previously cultivated area from use. Cultivation activities on the property prior to 2016 took place in two areas which can be grouped into either the "upper" or "lower" cultivation areas (CA-up/CA-low) that relate to their position on the hillslope. The property slopes downwards, from right to left in Figure 1. The project site was inspected on January 20, 2021 by a professional geologist (P.G. #8433) to evaluate the environmental conditions and make recommendations as pertaining to the remediation of the retired cultivation area.

In late 2017, the property was sold to the current landowners, Harry and Troy Asuncion, with the intent to operate a compliant, legal cultivation business. In early 2018, the new landowners began cleaning up the property, disposing of old rubbish and materials and addressing road maintenance issues. Because of the proximity to nearby streams, the cultivation area associated with CA-low was consolidated with CA-up, which was located upslope and much further from the stream network.

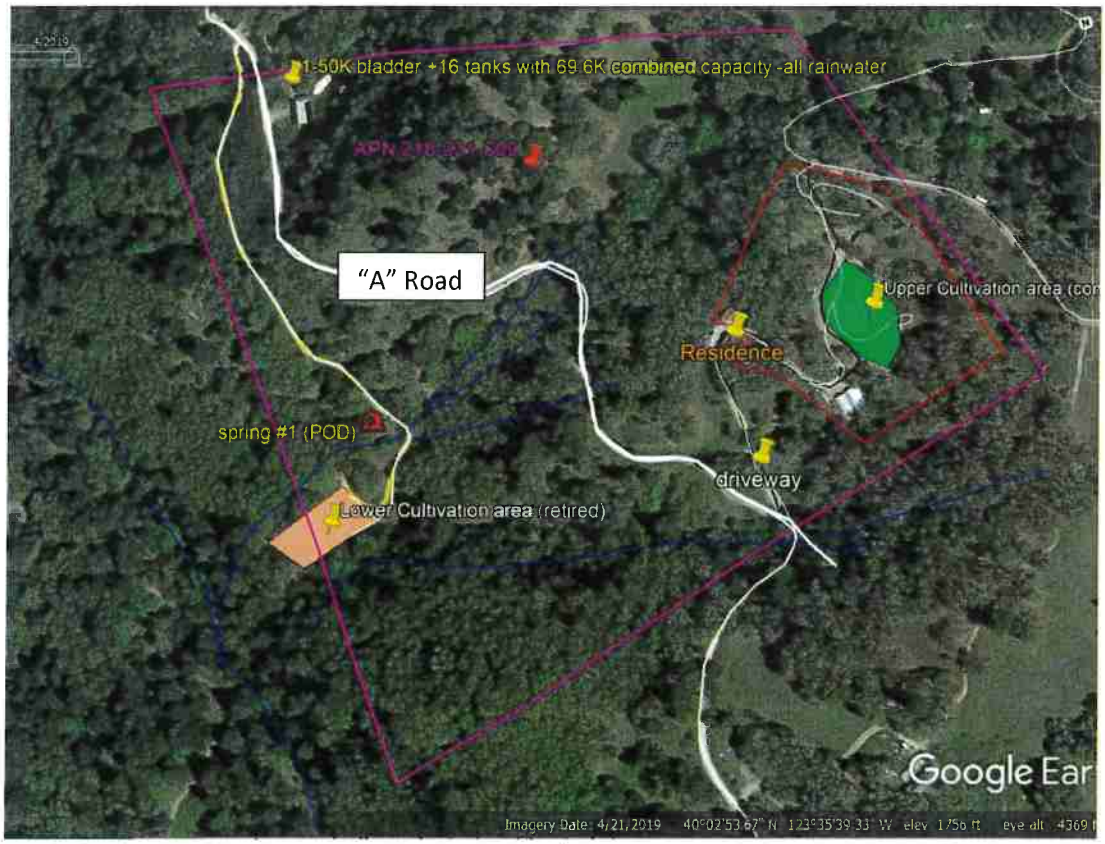


Figure 1. Retired cultivation area (CA-low), in pink, was consolidated with CA-Up (green). Note streams (in blue) on either side of CA-low; approximate property lines depicted in purple. The red polygon is the Premises area for CDFA licensing.

The justification for the onsite relocation is that the reconfiguration of the site is a clear benefit to the natural environment for multiple reasons:

1) Consolidating the cultivation activities into one area will reduce the overall footprint and impact on the land. This will result in less activity, traffic and disturbance on the project site. This will benefit the natural environment by minimizing the disturbance to wildlife and plant resources, and minimize soil erosion;
2) Moving the (CA-low) cultivation area away from the streams will reduce the potential to impact water quality both onsite and off-site. Both sediment and chemical pollutants will have much larger buffer zones, where settling and filtration may occur, reducing the potential for delivery to the stream network;
3) Remediation activities associated with upgrading the lower access road and re-planting activities proposed for the retired lower cultivation area (CA-low) will improve environmental conditions on the property.

Suitability of the relocation site:

During the consolidation process that occurred in 2018, the pre-2016 Upper Cultivation Area was modified to accommodate the equivalent area associated with the (now retired) CA-low. The previously developed area (pre-2016), was re-graded in order to fill in a non-functional pond and create a gently sloping pad where cultivation activities would be focused. The graded area is approximately 0.4 acres in size and slopes within the graded area range from 5 – 20% and are set back significantly from any streams or steep slopes. The closest stream is approximately 200 ft. away to the south. According the Registered Forester's report (Timberland Resources, Dec.2, 2020), approximately 6+ Oregon White Oaks were cut down during development of the consolidated cultivation area and remediation for this tree removal is included in the RPF report. The consolidated relocation site is approximately 150 -200 ft. slope distance to the nearest property line, and approximately 1,000 feet from the nearest domestic dwelling. This is a marked improvement over CA-low which was right on the boundary of the property line.

Proposed restoration of the retired site:

The lower cultivation area was developed sometime between 2010 and 2012 and involved a series of graded pads on a broad, relatively low gradient (5 – 10%) ridge bounded by two Class II streams. The grading involved a series of shallow cuts to create several relatively narrow, irregular shaped terraces. The entire graded area is approximately 0.5 acre in size and most cuts were on the order of 4 ft. or less of vertical depth, and cut-slopes were laid back between 30% - 50% slope gradients. A thorough inspection of the entire cultivation area and perimeter was conducted to evaluate its stability and determine whether the grading had created concentrated runoff discharge points that might be delivering sediment to the nearby streams.

Based on the gentle, ridge-top geomorphology and exposures of sandstone bedrock outcrops within the graded area, stability concerns were ruled out, based on approximately 20 years of experience. Next, even though the site has experienced several large storm events since it was created approximately a decade ago, no evidence of rills, gullies, or concentrated runoff were observed either within the cultivation area or beyond the perimeter. Due to the divergent nature of the broad ridge-top setting, run-off generated within the graded area appears to be dispersed and drains off rapidly in several different directions and locations. Furthermore, soils within the graded area appear relatively permeable, which likely allows for a significant amount of infiltration to occur during smaller storm events.

It is hereby recommended that the following activities should be implemented:

i. Removal of all cultivation materials, including large capacity "smart" pots and other cultivation-related materials, including removal of the perimeter fence.
ii. Natural vegetative growth is colonizing the site so re-seeding is un-necessary, however, as part of the forester's mitigation plan, the retired cultivation site is slated to be planted with Douglas Fir seedlings with approximately 10 ft. spacing. I recommend transplanting a dozen or so excess oak seedlings from elsewhere on the property to be inter-planted with the Douglas Fir seedling within the retired cultivation site. These can be monitored and watered when necessary to help re-establish them at the site.
iii. With the ongoing natural recolonization of vegetation reclaiming the retired cultivation area, it is my professional opinion that it would do more environmental harm than good to recontour/re-grade the site.

Monitoring and reporting component:

It is proposed that photos shall be taken to document the site clean-up, and used in a short memo-style report, to be submitted to the Humboldt County Planning Department staff within 1 year of the proposed Cannabis Project approval. Secondly, because the bulk of the restoration plan is centered on the planting of tree seedlings, the forester is already obligated to revisit the site and monitor tree seedling survival (Timberland Resource Consultants, Dec. 2020), which will satisfy the monitoring component of this plan. In addition, the applicants can conduct more frequent monitoring and provide support if necessary. The reporting on the planting component of this restoration plan will be carried out by a Registered Professional Forester, with reporting to take place no sooner than 3 years after planting activities commence, and not longer than 5 years, as described in the Timberland Resource Consultants letter dated Dec. 2020.

PHOTOS

Photo 1. View of the upper portion of the retired cultivation site (CA-low).

Photo 2. View of the lower portion of the retired cultivation site (CA-low).

Photo 3. Another view of the upper portion of the retired cultivation site (CA-low).

Photo 4. Closer up view of some of the cultivation waste slated to be cleaned up and removed.

Photo 5. View of one of the pads with vegetation colonizing the surfaces.

Photo 6. Closer up view of the young tree seedlings colonizing the surfaces.

Photo 7. View of another pad with vegetation colonizing the surfaces.

Timberland Resource Consultants

165 South Fortuna Boulevard, Fortuna, CA 95540
707-725-1897 • fax 707-725-0972
trc@timberlandresource.com

November 23, 2020

Cannabis Services Division
Humboldt County Planning and Building Department
Attn: Keenan Hilton
3015 H Street
Eureka, CA 95501

RE: Permit Application No. 12813 / APN 218-031-009

The following RPF report is being submitted in response to the County's Deficiency Email dated July 27, 2020. Deficiency Item 5 requests the following:

5) Report prepared by a Registered Professional Forester (RPF Report) to address:

   a. Discussion of ecological values of the converted areas prior to 2016 including an estimate of the number and species of tree removed.

   b. Proposal to reforest converted areas at a 2:1 ratio of the post-2016 conversion if environmentally appropriate and/or proposal to perform thinning or other active management to produce valuable oak woodland (if deemed appropriate) on the parcel at a 10:1 ratio Staff must be able to state confidently to decision makers that, although a conversion that was not consistent with the county code and state law did occur, the project as recommended for approval is a net-benefit to the oak woodland ecological system and is a net benefit to timberland.

   c. Proposal to decommission the substandard interior roads leading to the retired cultivation sites to include:
      i. Assessment if there are areas where re-contouring is necessary to restore streams and drainage patterns
      ii. Proposal to plant or seed native species, if applicable

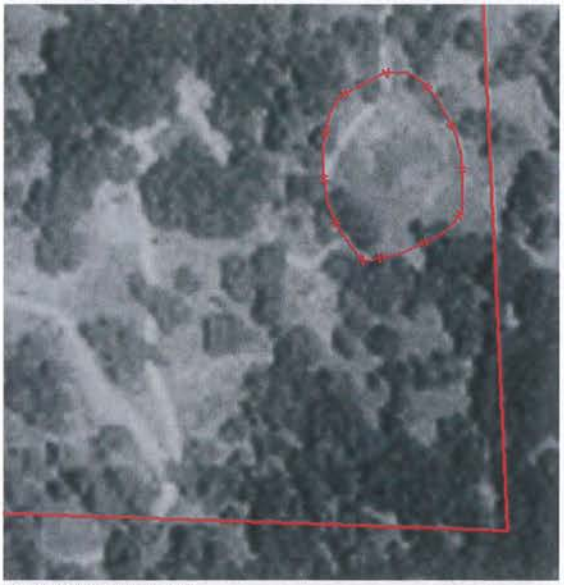
   d. Monitoring and reporting component of the plan

The foregoing report addresses the above requested items.

5a. Pre-2016 Stand Description and Ecological Values

Upper Cultivation Site

The Upper Cultivation Site is located within a natural grassland opening with minimal conifer and hardwood encroachment. A pond was developed at the Upper site between 1998 and 2005, which did not appear to involve tree removal per the imagery below. The site was regraded to its present size and configuration between 2016 and 2018, which consisted of cutting/grading of the eastern hillside to generate fill material that was used to fill in the pond and create the existing flat. In addition, it appears that several (6+/-) Oregon white oak trees were harvested in the southwestern corner but stumps not removed. The adjacent timber stands are composed of nearly pure oak woodland (primarily Oregon white oak) with minimal Douglas-fir encroachment.



1998 NAIP Imagery

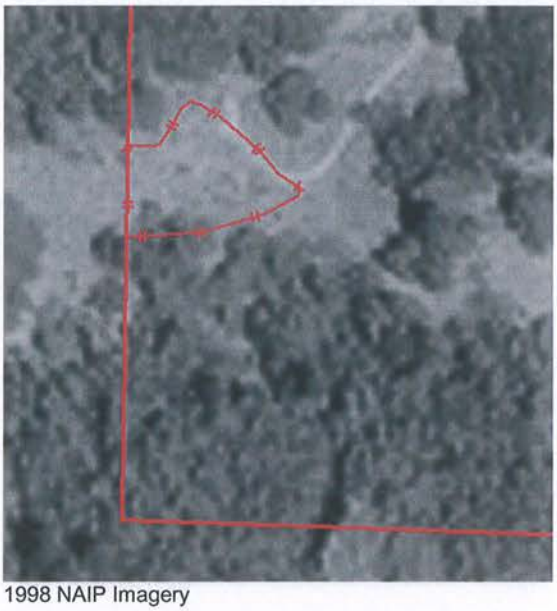
2016 NAIP Imagery

2018 NAIP Imagery

2020 NAIP Imagery

Lower Cultivation Site

The Lower Cultivation Site is located within a natural grassland opening with conifer and hardwood encroachment. The site was developed between 2010 and 2012, which consisted of vegetation and tree removal and minor grading. The Lower Cultivation Site is located on a narrow peninsula between two Class II watercourses that are tributary to Pipe Creek. The adjacent timber stands within the riparian zone are composed of Oregon white oak, pepperwood, and Douglas-fir encroachment. Douglas-fir diameter distribution is similar to that of a reverse J-shaped or negative exponential curve, where the number of small conifer trees (seedlings) per unit is greater than the number of large conifer trees (saplings). This is typical of conifer encroachment into natural grassland and is likely indicative of the stand structure and composition that occurred in the area prior to conversion. Prior to development, it is estimated that approximately 30-40% of the total area of the site appears to have been dominated by Douglas-fir encroachment with a minor component of hardwood (madrone, live oak and pepperwood) regeneration and brush. Roughly estimated, there was likely approximately 25-50 sapling/pole sized trees and 100-200 seedling-sized trees. Species composition was likely 20% hardwood and 80% conifer.



1998 NAIP Imagery

2010 NAIP Imagery

Ecological Values

Both Upper and Lower sites are located in natural grassland openings, which are part of a multi-layered mosaic of grassland, shrubland, and oak woodland distributed across the landscape. This community, often referred to as Oregon Oak Woodland or Coastal Oak Woodland, is composed primarily of Oregon white oak, California black oak, Pacific madrone, California bay and Coast Douglas-fir. Per the Humboldt County General Plan, Oak Woodlands account for 20% of the 1.5 million acres of forestland in Humboldt County.

Per the California Wildlife Habitat Relationships System California Department of Fish and Game California Interagency Wildlife Task Group, Coastal oak woodlands provide habitat for a variety of wildlife species. Barrett (1980) reports that at least 60 species of mammals may use oaks in some way. Verner (1980) reports 110 species of birds observed during the breeding season in California habitats where oaks form a significant part of the canopy or subcanopy. Quail, turkeys, squirrels, and deer may be so dependent on acorns in fall and early winter that a poor acorn year can result in significant declines in their populations (Shields and Duncan 1966, Graves 1977, Schitoskey and Woodmansee 1978). Therefore, many wildlife managers are concerned over the continuing loss of coastal oak woodland habitats as a result of man's activities.

Although oak woodlands are not rare in Humboldt County (315,000 acres), they have been designated as "sensitive critical habitat" in the Humboldt County General Plan. As such, discretionary projects which may result in a significant effect on oak woodlands shall evaluate and mitigate any impacts, consistent with the provisions of CEQA, specifically Public Resources Code Section 21083.4.

Regarding the harvesting of Oregon white oak trees at the Upper Cultivation Site; the California Oak Woodland Conservation Law (PRC 21083.4) requires counties to determine if projects involving the conversion of oak woodlands will have a significant impact on the environment, and to apply mitigation to offset the impact. However, Subsection (a) of PRC 21083.4 states: "*For purposes of this section, "oak" means a native tree species in the genus Quercus, not designated as Group A or Group B commercial species pursuant to regulations adopted by the State Board of Forestry and Fire Protection pursuant to Section 4526 , and that is 5 inches or more in diameter at breast height.*"

Oregon white oak are designated as a Group B species in the Forest Practice Rules per 14CCR 895.1, and therefore would not be subject to PRC 21083.4.

Commercial Species (For the Coast Forest District:) means those species found in group A and those in group B that are found on lands where the species in Group A are now growing naturally or have grown naturally in the recorded past.

Group A:

-coast redwood (*Sequoia sempervirens*)
-Douglas-fir (*Pseudotsuga menziesii*)
-grand fir (*Abies grandis*)
-western hemlock (*Tsuga heterophylla*)
-western redcedar (*Thuja plicata*)
-bishop pine (*Pinus muricata*)
-Sitka spruce (*Picea sitchensis*)
-western white pine (*Pinus monticola*)
-incense cedar (*Calocedrus decurrens*)
-Port Orford cedar (*Chamaecyparis lawsoniana*)
-California red fir (*Abies magnifica*)
-white fir (*Abies concolor*)
-Jeffrey pine (*Pinus jeffreyi*)
-ponderosa pine (*Pinus ponderosa*)
-sugar pine (*Pinus lambertiana*)

Group B:

-tanoak (*Notholithocarpus densiflorus*)
-red alder (*Alnus rubra*)
-white alder (*Alnus rhombifolia*)
-California black oak (*Quercus kelloggii*)
-Monterey pine (*Pinus radiata*)
-golden chinkapin (*Castanopsis chrysophylla*)
-pepperwood (*Umbellularia californica*)
-Oregon white oak (*Quercus garryana*)
-Pacific madrone (*Arbutus menziesii*)

2b. Proposal to reforest converted areas at a 2:1 ratio of the post-2016 conversion

Lower Cultivation Site: Conversion of timberland has clearly occurred at the Lower Cultivation Site as described above. Prior to development, it is estimated that approximately 30-40% of the total area of the site appears to have been dominated by Douglas-fir encroachment with a minor component of hardwood (madrone, live oak and pepperwood) regeneration and brush. The restocking of the entire site per the specifications of the attached Restocking Plan would satisfy the 2:1 ratio requirement.

Upper Cultivation Site: The RPF inspected the oak woodlands surrounding the Upper Cultivation Site, including other areas of the property, to evaluate active oak woodland management that would mitigate the removal of approximately six Oregon white oak trees post 2016. Most of the oak woodland habitat is not suffering from Douglas-fir encroachment and no restoration opportunities were observed. It appears that the removal of the Oregon white oak trees will not result in a significant effect on oak woodlands, and their removal was not in violation of the California Oak Woodland Conservation Law (PRC 21083.4)

3c. Proposal to decommission the substandard interior roads leading to the retired cultivation sites.

The road that accesses the Lower Cultivation Site is not proposed to be decommissioned per Chris Herbst (PG #8433) of Pacific Watershed Associates. Per Chris Herbst:

"The road leading down to the abandoned cultivation site is used to access and maintain the spring that serves the residence, as well as the neighbor's spring, and cannot be decommissioned. The road is slated for upgrading next year and has two culvert installations identified as part of the LSAA signed by CDFW. Any road drainage leading to the lower cultivation site will be drained to the fullest extent during the road upgrading. An engineer is not required as it is in my purview as a licensed professional geologist to evaluate the abandoned cultivation site and determine what, if any treatment should be implemented to protect water quality and the environment."

3d. Monitoring and reporting component of the plan

The restocking area shall meet the minimum stocking standards of 300-point count per 14CCR 895.1(b)(1) within five years of planting. Within five years of planting, but no sooner than three years, a report of stocking shall be submitted to the county by an RPF, which certifies that the area meets the minimum stocking standards of 14 CCR 912.7.

Sincerely,

Chris Carroll, RPF #2628
Timberland Resource Consultants

Pictures

Picture 1: Several Oregon white oak stumps, presumably those trees removed in association with the post 2016 development. Photo date 10-13-2020.

Pictures

Picture 2: Several Oregon white oak stumps, presumably those trees removed in association with the post 2016 development. Photo date 10-13-2020.

Pictures

Picture 3: Upper Cultivation Site. Photo date 10-13-2020.

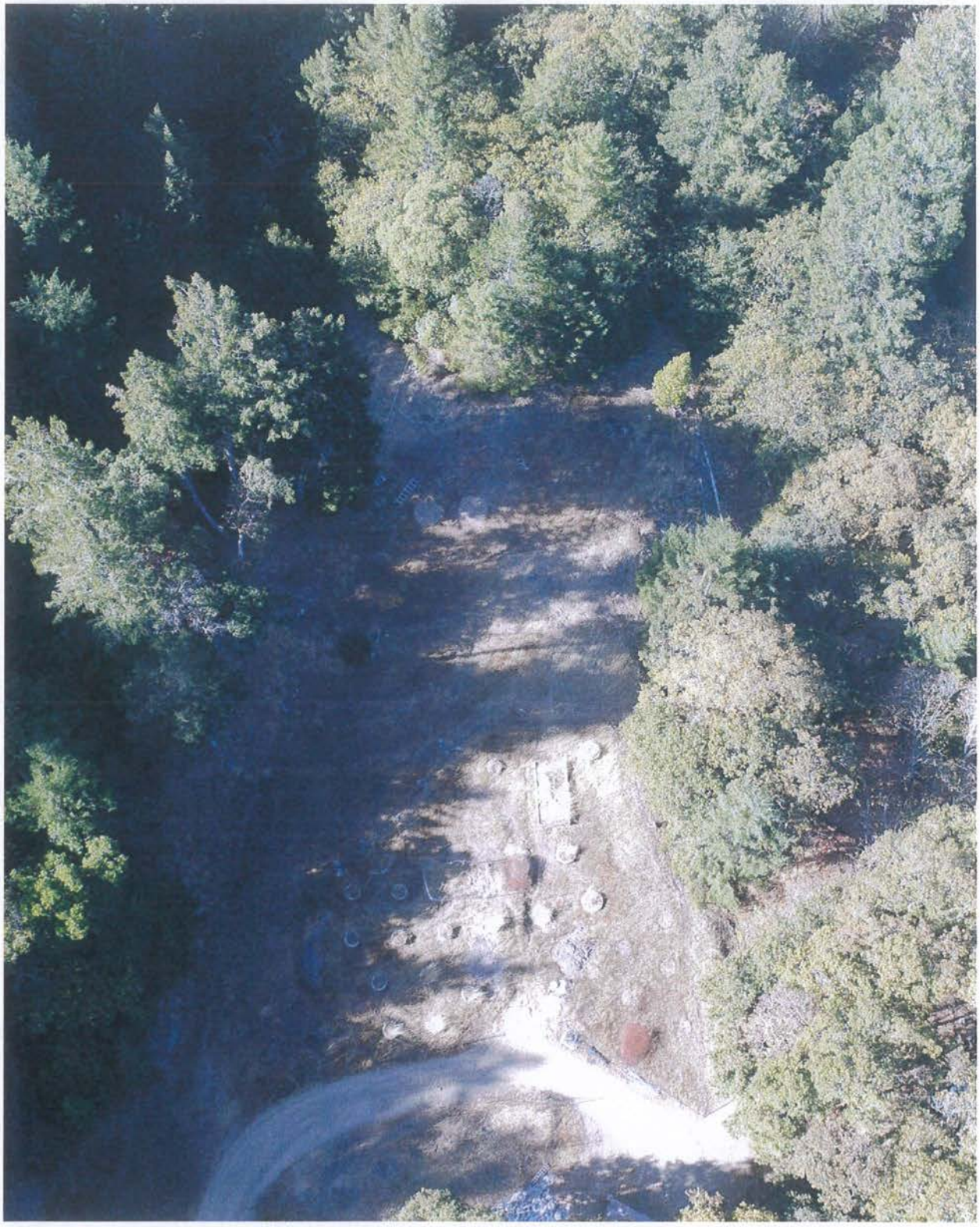
Pictures

Picture 4: Upper Cultivation Site. Photo date 10-13-2020.

Pictures

Picture 5: Lower Cultivation Site. Photo date 10-13-2020.

Pictures



Picture 6: Lower Cultivation Site. Photo date 10-13-2020.

Pictures

Picture 7: Lower Cultivation Site. The timber stand in background is located south of the site between the developed area and the Class II watercourse. Note minor forest encroachment occurring. Photo date 10-13-2020.

Pictures

Picture 8: Lower Cultivation Site. Note Douglas-fir seedling encroachment in the developed area. Photo date 10-13-2020.

Timberland Resource Consultants

RESTOCKING PLAN

FOR

APN 218-031-009

November 23, 2020

165 South Fortuna Blvd
Fortuna, CA 95540
707-725-1897
707-725-0972 Fax
trc@timberlandresource.com

Restocking Plan

Restocking Area: See attached Restocking Plan Map

Site	Total Acreage	# Trees at 10'x10' Spacing
Lower Cultivation Site	0.30	131
Totals:	0.30	131

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

Recommendation: No ripping/subsoiling of the ground surface with heavy equipment appears necessary. The ground was relatively soft. In the interest of protecting native vegetation and conifer/hardwood advanced natural regeneration, isolated compacted areas or shallow soils may be planted with a pick/shovel/post-hole digger.

Types of Seedlings: Harvested and/or understocked timberlands should be artificially regenerated with naturally-occurring conifer species and cultivars well-adapted to the timber stand's specific climate, elevation, and other environmental conditions. Planting seedlings from appropriate seed zones and elevation ranges ensures better seedling success and, eventually, a more resilient timber stand. Specifically, timberland within the property is characterized by Douglas-fir and tanoak. The areas to be planted occur within California Seed Zone 340 at approximately 1,600 feet in elevation.

Recommendation: The landowner shall plant Douglas-fir (best suited for Seed Zone 340 at ~1,600-foot elevation) at a uniform spacing no less than 10-feet by 10-feet, or 435 trees per acre.

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

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

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

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

Restocking Plan

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

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

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

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

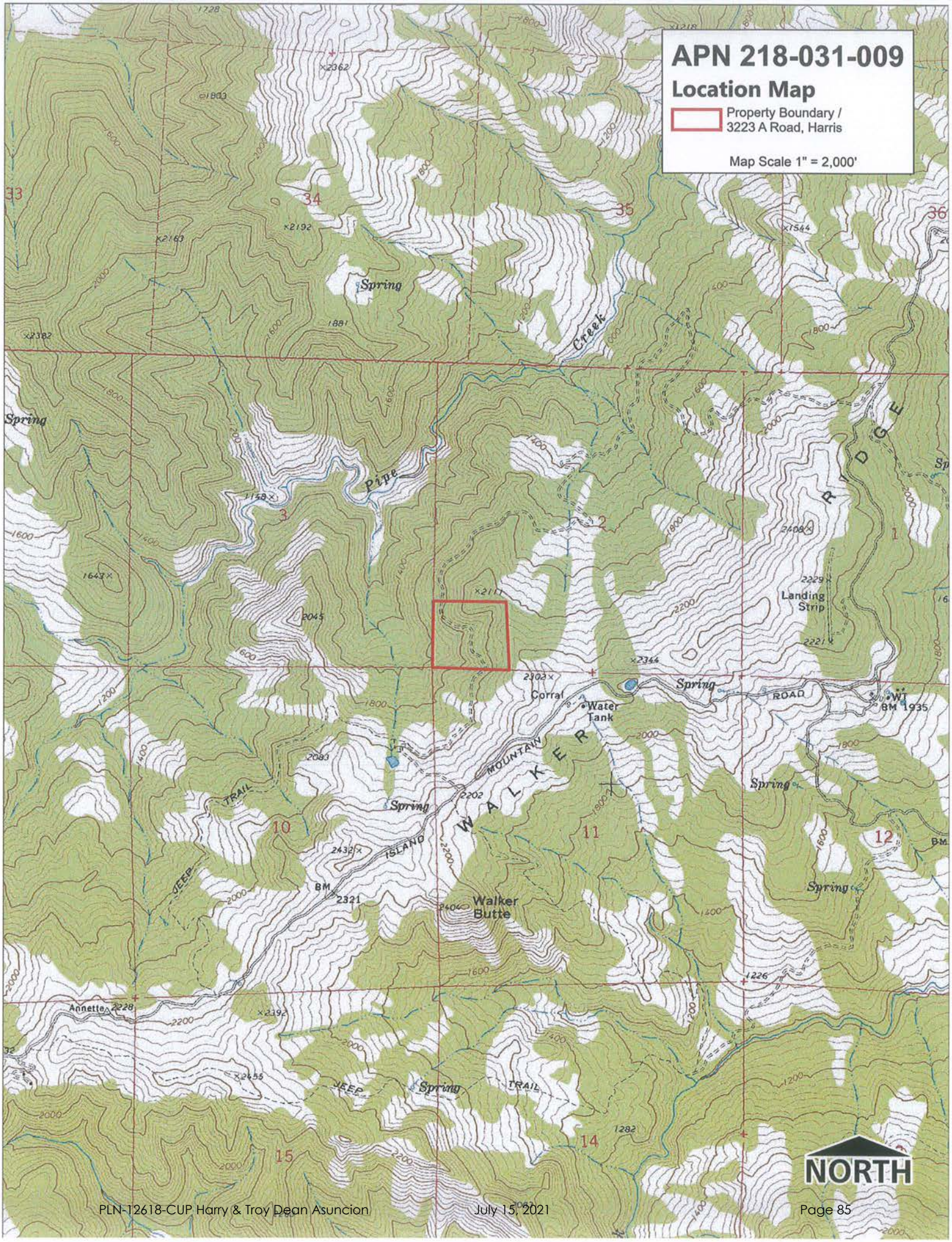
Monitoring Seedling Survival: Although a newly planted stand immediately fulfills the Forest Practice Rule's stocking standards, the timber stand must continually contain an average density of at least 300 trees per acre (or 12-foot by 12-foot spacing) in order to meet the intent of the California Forest Practice Rules (CFPRs). A ***Countable Tree*** per 14CCR 895.1 must be in place at least two growing seasons among other requirements. Seedling survival can vary widely depending on several factors including genetics, weather, herbivory, etc. Monitoring growth and success of planted seedlings is key to ensure a minimum 300-point count stocking level is maintained or achieved 2-years after planting.

Recommendation: Monitor growth and success of planted trees one year after planting. Conduct a point count stocking sampling survey (protocol described in CFPRs 14CCR 1072). If less than 55% of the planted area meets the 300-point count minimum stocking level, repeat the planting process the following winter.

Certification: Within five years of planting, but no sooner than three years, a report of stocking shall be submitted to the county by an RPF that certifies that the area meets the minimum stocking standards of 14 CCR 912.7.

Sincerely,

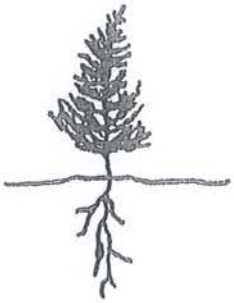
Chris Carroll, RPF# 2628
Timberland Resource Consultants


APN 218-031-009
Location Map
Property Boundary /
3223 A Road, Harris
Map Scale 1" = 2,000'
Spring
Creek
Pipe
RIDGE
Landing Strip
Corral
Water Tank
ROAD
MOUNTAIN
WALKER
TRAIL
ISLAND
JEEP
Walker Butte
BM 2321
BM 1935
Annette
NORTH


APN 218-031-009
Restocking Plan Map
Property Boundary /
3223 A Road, Harris
Lower Cultivation Site /
Tree Restocking Area
Upper Cultivation Site
2020 NAIP DOQ
Map Scale 1" = 250'
NORTH

APPENDIX A

CORRECT METHOD OF SEEDLING PLANTING

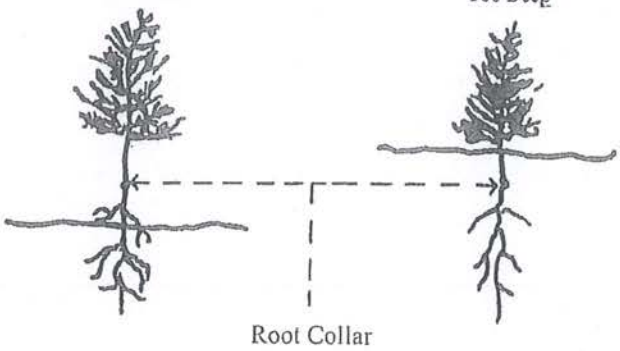


- Soil firmly packed around roots.
- No air pockets.
- Roots straight with no J or L bends.
- Root collar at or slightly below ground level.
- Root not pruned.

ERROR IN PLANTING

Too shallow

Too Deep



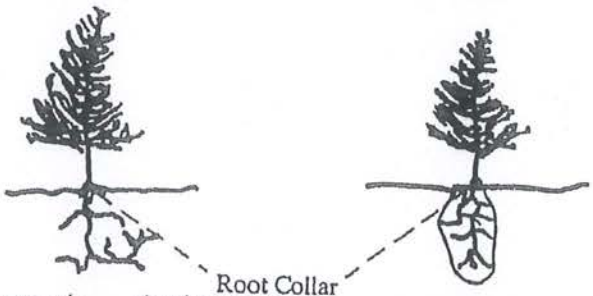
Root Collar

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

- Hole is too deep.
- Root collar buried.

J or L Roots

Air Pockets



Root Collar

Hole is not deep enough — planting in rocky soil.

Roots cannot effectively take up water.

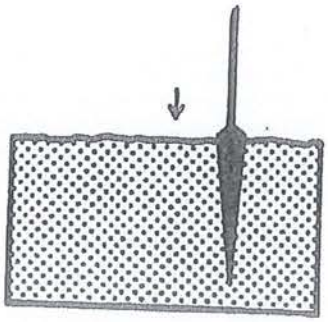
Tree not wind-firm.

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

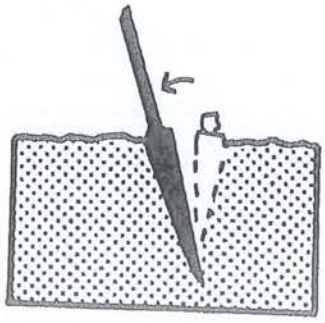
APPENDIX B

PLANTING WITH A FLAT BAR

1. Insert flat bar straight down.

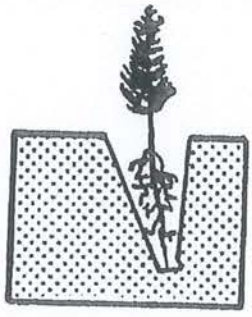


2. Pull flat bar backward to open hole.

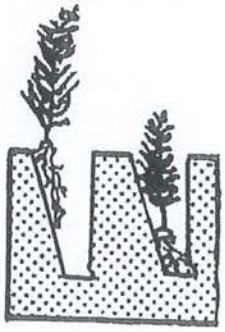


3. Remove flat bar and place seedling at correct depth with root collar at or slightly below ground level.

Correct



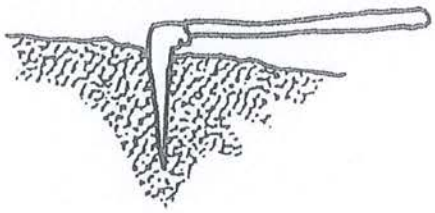
Incorrect



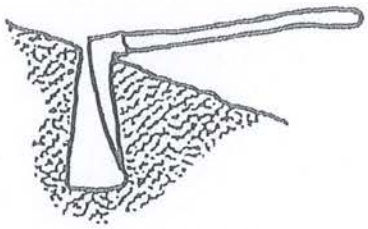
APPENDIX C

PLANTING WITH A HOE

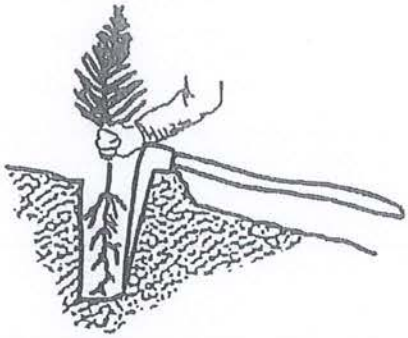
1. Swing hoe to get full penetration.



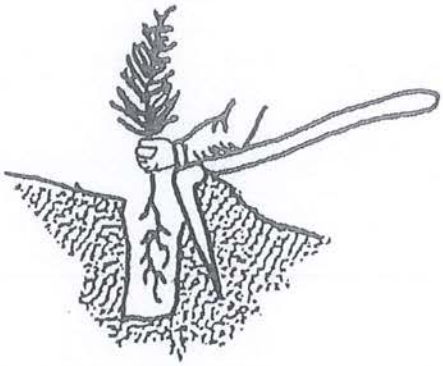
2. Lift handle and pull up to widen hole.



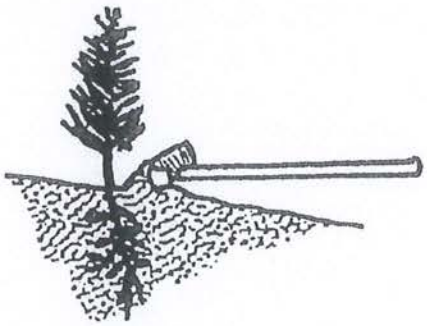
3. Place seedling while using hoe to hold back soil.



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



5. Use hoe to pack soil at top hole.

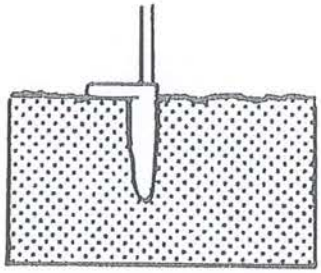


6. Firm soil around seedling with feet.

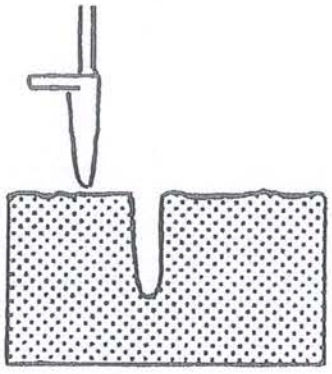
APPENDIX D

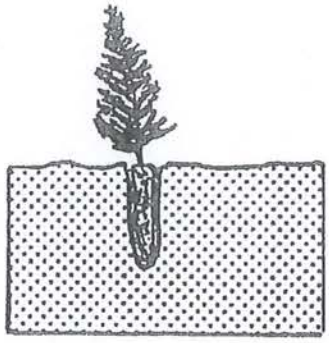
PUNTING WITH A PLUG BAR

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



2 Remove plug bar and place seedling in hole.





3. Firm soil around seeding with heel of boot.

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division		No response	On file with Planning
Division Environmental Health	✓	Conditional Approval	On file with planning
Public Works, Land Use Division	✓	Conditional Approval	**Attached**
CalFIRE	✓	Approved	On file with planning
Sheriff	✓	Approved	On file with planning
California Department of Fish & Wildlife		No response	
Northwest Information Center	✓	Conditional Approval	On file with planning
County Counsel		No response	
North Coast Regional Water Quality Control Board		No response	
State Water Resources Control Board – Division of Water Rights		No response	
District Attorney		No response	
Ag Commissioner		No response	
Southern Humboldt Joint Unified School District		No response	

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596
AVIATION 839-5401

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

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

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388
LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Keenan Hilton, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 01/07/2019

RE:

Applicant Name	**HARRY & TROY ASUNCION**
APN	**218-031-009**
APPS#	**PLN-12813-SP**

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

☒ The Department's recommended conditions of approval are attached as **Exhibit "A"**.

☐ Additional information identified on **Exhibit "B"** is required before the Department can review the project. **Please re-refer the project to the Department when all of the requested information has been provided.**

☐ Additional review is required by Planning & Building staff for the items on **Exhibit "C"**. **No re-refer is required.**

☐ *Road Evaluation Reports(s)* are required; See **Exhibit "D"**. **No re-refer is required.**

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a road evaluation report, dated 8/24/2018, with Part A –Box 2 checked, certifying that the road is equivalent to a road Category 4 standard.

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply) APPS # 12813

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

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

☐ **COUNTY ROADS- DRIVEWAY (PART 1):**
The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and or Department of Public Works policies. Notes:

☐ **COUNTY ROADS- DRIVEWAY (PART 2):**
Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches.

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

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

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

☐ **COUNTY ROADS- DRIVEWAY (PART 3):**
The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

☐ **COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**
Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

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

☒ **COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:**
All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

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

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

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

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

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

// END //