



**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: Cliff Johnson, Supervising Planner

Subject: **164 Buck, LLC, Special Permit**  
Record Number: PLN-2020-16197  
Assessor's Parcel Number (APN): 107-085-025  
40300 Mattole Road, Honeydew area

<b>Table of Contents</b>	<b>Page</b>
Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	7
Maps	
Topo Map	13
Zoning Map	14
Aerial Map	15
Site Plan	16
Attachments	
Attachment 1: Recommended Conditions of Approval	18
Attachment 2: CEQA Addendum	26
Attachment 3: Applicant's Evidence in Support of the Required Findings	31
A: Wetland and Other Waters Delineation Report	Separate
Attachment 4: Referral Agency Comments and Recommendations	96

Please contact Megan Marruffo, Planner, at 707-443-5054 or by email at [marruffom@lacoassociates.com](mailto:marruffom@lacoassociates.com), if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
July 15, 2021	Special Permit	Megan Marruffo

**Project Description:** A Special Permit for 33,560 square feet (SF) of new outdoor cannabis cultivation within 18 greenhouses using light deprivation techniques. The subject property has 30,000 SF of existing outdoor cultivation, 10,000 SF approved under PLN-13083-ZCC and 20,000 SF permitted through the Retirement, Remediation, and Relocation (RRR) program (PLN-12348-ZCC). Ancillary propagation currently occurs within two (2) existing 3,500 SF greenhouses (7,000 SF total), with two (2) additional 3,500 SF greenhouses proposed, for a total of 14,000 SF of ancillary space onsite. Irrigation water is sourced from a permitted 2,000,000-gallon rainwater catchment pond. Existing available water storage is 2,024,000 gallons in a series of hard-sided tanks and the pond. Estimated annual water usage is 1,080,200 gallons. Drying and curing will occur onsite in two drying barns (1,875 SF and 2,700 SF, approved under PLN-10383-ZCC) and all other processing will occur offsite at a licensed processing or manufacturing facility. Up to ten (10) employees may be utilized during peak operations. Power will be provided by Pacific Gas and Electric Company (PG&E), or, if unable to support the power demand of the new structures, will be provided by solar with a back-up battery system.

**Project Location:** The project is located in the Honeydew area, on the south side of Mattole Road, approximately 4,200 feet west from the intersection of Mattole Road and Lindley Road, on the property known as 40300 Mattole Road, Honeydew.

**Present Plan Land Use Designations:** Agricultural Exclusive (AE), Density: Range is 20 to 60 acres per unit; Agricultural Grazing (AG), Density: Range is 20 to 160 acres per unit; Residential Agriculture (RA), Density: 160 acres per unit; Timberland (T), Density: Range is 40 to 160 acres per unit, Slope Stability: Moderate instability (2) and High instability (3).

**Present Zoning:** Agricultural Exclusive (AE); Timberland Production (TPZ); Agricultural Exclusive with Special Building Site Combining Zone (AE-B-5(160)); Unclassified (U)

**Record Number:** PLN-2020-16197

**Assessor's Parcel Number:** 107-085-025

**Applicant**

164 Buck, LLC  
314 Pleasant Ave. #1  
New York, NY 10035

**Owner**

Guimar Lindley, Fred Liu, and 164  
Buck LLC REM LE  
314 Pleasant Ave. #1  
New York, NY 10035

**Agents**

Native Ecosystems, Inc.  
Hugh McGee  
P.O. Box 114  
Petrolia, CA 95558

SL Consulting Services, Inc.  
Steven Luu  
973 Dowler Drive  
Eureka, CA 95501

**Environmental Review:** An Addendum to a previously adopted Environmental Impact Report has been prepared for consideration per §15164 of CEQA Guidelines.

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

**Major Issues:** None.

**Recommended Zoning Administrator Action:**

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

*Find that the Zoning Administrator has considered the Addendum to the adopted Addendum to the Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance pursuant to Section 15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit based on evidence in the staff report, and adopt the Resolution approving the proposed 164 Buck, LLC, project subject to the recommended conditions.*

**Executive Summary:** 164 Buck, LLC, seeks a Special Permit to allow for cultivation of 33,560 square feet (SF) of new outdoor cannabis cultivation within 18 greenhouses using light deprivation techniques in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Cannabis Land Use Ordinance (CCLUO). The subject property has 30,000 SF of existing outdoor cultivation, 10,000 SF approved under PLN-13083-ZCC and 20,000 SF permitted through the Retirement, Remediation, and Relocation (RRR) program (PLN-12348-ZCC). The site is designated as Agricultural Exclusive (AE), Agricultural Grazing (AG), Residential Agriculture (RA), and Timberland (T) in the Humboldt County 2017 General Plan Update and zoned Agricultural Exclusive (AE), Timber Production Zone (TPZ), Agricultural Exclusive with Special Building Site Combining Zone (AE-B-5(160)), and Unclassified (U), with the proposed cultivation to occur in the portion of the site designated and zoned as AE, respectively. The subject parcel is 262.5 acres in size and the cultivation area is located on slopes less than 15% as shown on the Humboldt County WebGIS. Water for irrigation is provided by a nondiversionary water source (rainwater catchment pond) as described below. Based on the zoning, parcel size, slopes and water source, Planning staff determined new cultivation could be permitted on the subject parcel that meets the requirements of the CCLUO.

Cultivation will take place in one cultivation area and will add eighteen (18) new 1,920-square-foot (34,560 SF total) greenhouse structures utilizing light deprivation techniques. Conditions of approval require the applicant to submit a revised site plan showing no more than 33,560 square feet of cultivation area to be consistent with the cultivation area that would be authorized by this permit. Ancillary propagation currently occurs within two (2) existing 3,500 SF greenhouses (7,000 SF total), with two (2) additional 3,500 SF greenhouses proposed, for a total of 14,000 SF of ancillary space onsite. The seedlings are grown in the on-site nurseries between February and March and May and June, with the juvenile plants transferred to the on-site greenhouses in April and July, respectively. Two (2) harvests are anticipated annually for a growing season that extends from February through September. Drying and curing will occur onsite in four (4) drying bars (two drying barns previously approved under PLN-13083-ZCC, totaling 5,075 SF, and two proposed 30'x90' drying barns, totaling 5,400 SF). All other processing will occur offsite at a licensed processing or manufacturing facility. Up to ten (10) employees may be utilized during peak operations. Power will be provided by Pacific Gas and Electric Company (PG&E), or, if unable to support the power demand of the new structures, will be provided by solar with a back-up battery system. The applicant provided an energy budget stating 1686 Amps will be required to support operations (see Attachment 3). The operation will be secured behind a gated road, cultivation areas are proposed in a location not visible from the public roads, no public visitors are allowed, and the cultivation premises and any associated facilities will be locked when not staffed as part of the operations of this site.

**Water Resources**

Water for irrigation and fire suppression is provided by an existing permitted 2,000,000-gallon rainwater catchment off-channel pond (BLD-2019-48797), which is filled from rain and surface runoff, including

rainwater sourced from guttered roof catchment. Per the Cultivation and Operations Plan, the pond was designed by a licensed engineer to have a capacity to collect adequate rainfall to meet the project's irrigation demand, as well as the amount lost to evaporation, and was constructed by a licensed contractor. The project will utilize focused drip irrigation systems and/or top feed hand watering to provide direct to root irrigation with minimal to no water waste. As noted in the Cultivation and Operations Plan, the Mattole basin receives an average of 80 to 100 inches of rainfall each year. The footprint of the pond is approximately 20,000 SF, which equates to approximately 1,011,200 to 1,264,000 gallons of rainwater annually. The site will also include 17,750 SF of guttered infrastructure, which will be directed to the pond and is anticipated to capture an additional 885,000 to 1,106,000 gallons of rainwater per year. Based on the above information, Planning staff determined there is sufficient average annual rainfall and surface area to capture water required for irrigation use. Conditions of approval require the applicant to monitor water use from the pond annually to demonstrate there is sufficient water available to meet operational needs.

Existing available water storage is 24,000 gallons in eight (8) hard tanks and approximately 2,000,000 gallons within the off-stream pond, for a total of 2,024,000 gallons of onsite water storage. Estimated annual water usage is 1,080,200 gallons (17 gal/SF) with peak demand occurring in July and August at approximately 220,000 gallons per month, per the table below. The annual water usage estimate is for all cultivation on the site, both existing and proposed (63,650 SF total).

*Table 1. Estimated Annual Irrigation Water Usage (in gallons)*

Jan	Feb	Mar	Apr	May	June	Jul	Aug	Sept	Oct	Nov	Dec	Total
2,200	2,200	22,000	39,600	88,000	154,000	220,000	220,000	176,000	132,000	22,000	2,200	1,080,200

A Lake or Streamside Alteration Agreement (LSAA) application was prepared in April 2019 for proposed improvements on the subject parcel and an adjacent property (APN 107-092-001), located south of the site. Per the Draft LSAA issued by the California Department of Fish and Wildlife (CDFW) in August 2019, proposed improvements include three points of diversion, decommissioning a historic cultivation site and recontouring drainage features, replacement of two undersized culverts, decommissioning a road segment and recontouring the stream channel, and installing three rock armored fords. The project is conditioned to obtain a Final LSAA from CDFW, adhere to the Final LSAA, and comply with all applicable terms.

## **Biological Resources**

A *Biological Evaluation of Threatened and Endangered Plant Species* (Biological Report) was completed for the project by Native Ecosystems, Inc., date stamp received January 27, 2020 (Attachment 3). Per the Report, the project parcel borders the Mattole River along its far northwestern corner, and, as a result, there is potential habitat for three salmonid species, as well as Pacific lamprey. Saunders Creek, which traverses the western portion of the property, provides habitat for steelhead trout and Chinook salmon. The riparian areas of the Mattole River and Saunders Creek both provide potential suitable habitat for a variety of amphibian and bird species. An identified wetland on-site, discussed further below, may also provide habitat for the northern red-legged frog and wetland-specific plant species. Per the *Wetland and Other Waters Delineation Report*, prepared by SHN in December 2018 (Attachment 3), the wetland was identified to be a three-parameter wetland and span approximately 1,788 SF. A *Botanical Survey Results* report (Botanical Report) was prepared in June 2019 by Kyle Wear, M.A., a biological consultant, which concluded no special status plants or plant communities were identified within the project area.

As noted in the Biological Report, project elements would be setback 400 feet from Saunders Creek and 3,000 feet from the Mattole River, thereby greatly reducing any potential impacts. While the seasonal wetland located in the southeastern portion of the site would require a minimum 50-foot buffer, all project components would be setback more than 100 feet. The location of the proposed project elements does not provide habitat for any special status species and no ground-nesting birds have been identified in this location due to a history of the site being utilized for grazing.



While the Biological Report notes the pond could potentially provide a means of increased risk to special fish and amphibian species, preparation and adherence to a bullfrog management plan (included as a condition of approval) would greatly minimize any potential impacts. The Biological Report concludes the project would have no impacts on the river, creek, wetland, riparian areas, or biological resources, and that the young Douglas fir and oak trees surrounding the cultivation site are not suitable NSO or marbled murrelet habitat. Additionally, no impacts on surrounding mixed conifer-oak woodlands or grassy meadow areas are expected as a result of the project. Further, per review of CDFW's California Natural Diversity Database (CNDDDB) in May 2021, there are no mapped sensitive species onsite and the nearest Northern Spotted Owl (NSO) activity center is located approximately 1.02 miles from the proposed cultivation area. As noted in the *Biological Evaluation of Threatened or Endangered Plant Species*, there is not suitable breeding or roosting habitat in the project area and there is no likelihood of presence in the project area. The *24-hour Noise Assessment* prepared by SL Consulting Services dated May 2020 found that ambient noise levels averaged 44 decibels (see Attachment 3). There is no use of artificial lighting authorized by this permit. Conditions of approval require the applicant to make outfall improvements to the pond, ensure, fan, and dehumidifier noise is below established noise limits, refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife. As proposed and conditioned, the project is consistent with CCLUO performance standards and CDFW guidance and will not negatively impact NSO or other sensitive species. Furthermore, the conditions of approval require that the noise level from operations cannot exceed more than 3 dB over ambient noise levels identified by *24-hour Noise Assessment* prepared by SL Consulting Services dated May 2020.

As depicted on the Site Plan and on Humboldt County WebGIS, Saunders Creek, a Class II watercourse, traverses the southern portion of the site (south of Mattole Road), with the respective 100-foot Streamside Management Area (SMA) buffer. All current and proposed development including the cultivation area and associated structures are and will be located outside the required SMA buffer. A *Water Resource Protection Plan and Site Management Plan* (WRPP/SMP) was prepared by April 2019 by Stillwater Sciences (Attachment 3) that includes recommended best practices for erosion control and water quality protection consistent with the SWRCB Cannabis General Order WQ2019-0001-DWQ. The WRPP/SMP identified several features onsite requiring remediation work including decommissioning one (1) road segment, maintenance of ditch relief culverts and inboard ditches, installation of rolling dips, general road reshaping activities, and upgrading two (2) existing culverts, in addition to additional recommendations in order to minimize potential impacts associated with the project (including erosion control best management practices (BMPs); fertilizer, pesticide, herbicide, and rodenticide (best practicable treatment or control (BPTC) measures; petroleum BPTC measures; trash/refuse and domestic wastewater BPTC; and winterization BPTC measures). The project is conditioned to implement all recommendations of the WRPP/SMP upon issuance of the project permits. The Applicant is enrolled in the SWRCB General Order (WDID 1\_12CC401231) (Attachment 3).

## **Access**

Access to the site is via a driveway off Mattole Road. Mattole Road is listed as Category 4 County-maintained roadway. A Road Evaluation Report for a 0.2-mile segment of the private driveway was prepared by the agent for this project in August 2020 (Attachment 3), which indicates the entire road segment is developed to the equivalent of Category 4 road standards and includes photographic documentation. Based on referral comments received from the Department of Public Works, Land Use Division in November 2020, the project is conditioned to further improve the access road apron by paving a minimum width of 18 feet and a length of 50 feet from where the driveway intersects Mattole Road. Additionally, the project is further conditioned to relocate all fences and gates outside of the County right of way.

A *Road System Assessment* was prepared by Stillwater Sciences in February 2019, which evaluates the road system for the project parcel and an adjacent property to the south of the site. This Assessment indicates the road surface of the that serves the proposed project is in good condition, but notes there is an inboard ditch with "extensive flow and evidence of erosion." It is recommended in the Assessment

that the inboard ditch be armored with small riprap rock to reduce erosion. The project is conditioned to implement the recommendations in the Assessment pertaining to the subject parcel.

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 Environmental Impact Report that was adopted for the Commercial Cannabis Land Use Ordinance and has prepared an addendum to this document for consideration by the Zoning Administrator (See Attachment 2 for more information).

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

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

**RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT  
Resolution Number 21-  
Record Number: PLN-2020-16197  
Assessor's Parcel Number: 107-085-025**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the 164 Buck, LLC, Special Permit request.**

**WHEREAS, 164 Buck, LLC,** submitted an application and evidence in support of approving a Special Permit for 33,560 square feet (SF) of new outdoor cannabis cultivation in eighteen (18) 1,920 SF light deprivation greenhouses. Ancillary propagation currently occurs within two (2) existing 3,500 SF greenhouses (7,000 SF total), with two (2) additional 3,500 SF greenhouses proposed, for a total of 14,000 SF of ancillary space onsite. Irrigation water is sourced from a permitted 2,000,000-gallon rainwater catchment pond. Existing available water storage is 2,024,000 gallons in a series of hard-sided tanks and the pond. Estimated annual water usage is 1,080,200 gallons. Drying and curing will occur onsite in two drying barns (1,875 SF and 2,700 SF, approved under PLN-10383-ZCC) and all other processing will occur offsite at a licensed processing or manufacturing facility. Up to ten (10) employees may be utilized during peak operations. Power will be provided by Pacific Gas and Electric Company (PG&E), or, if unable to support the power demand of the new structures, will be provided by solar with a back-up battery system; and

**WHEREAS,** the County Planning Division, the lead agency, prepared an Addendum to the Final Environmental Impact Report prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project does not present substantial changes that would require major revisions to the previous Environmental Impact Report. 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 the Special Permits 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 for 33,560 square feet (SF) of new outdoor cannabis cultivation in eighteen (18) 1,920 SF light deprivation greenhouses. Ancillary propagation currently occurs within two (2) existing 3,500 SF greenhouses (7,000 SF total), with two (2) additional 3,500 SF greenhouses proposed, for a total of 14,000 SF of ancillary space onsite. Irrigation water is sourced from a permitted 2,000,000-gallon rainwater catchment pond. Existing available water storage is 2,024,000 gallons in a series of hard-sided tanks and the pond. Estimated annual water usage is 1,080,200 gallons. Drying and curing will occur onsite in two drying barns (1,875 SF and 2,700 SF, approved under PLN-10383-ZCC) and all other processing will occur offsite at a licensed processing or manufacturing facility. Up to ten (10) employees may be utilized during peak operations. Power will be provided by Pacific Gas and Electric Company (PG&E), or, if unable to support the power demand of the new structures, will be provided by solar with a back-up battery system.

**EVIDENCE:**   a) Project File: PLN-2020-16197

- 2. FINDING:**       **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has

considered the Addendum to and the Final Environmental Impact Report (FEIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018.

**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 FEIR. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.
- c) A Site Management Plan and Notice of Applicability was submitted by the applicant to show compliance with the State Water Board Cannabis General Order for Waste Discharge. 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.
- d) A *Biological Evaluation of Threatened and Endangered Plant Species* (Biological Report) was completed for the project by Native Ecosystems, Inc., date stamp received January 27, 2020, which concluded the project would have no impacts on the river, creek, wetland, riparian areas, or biological resources, and that the young Douglas fir and oak trees surrounding the cultivation site are not suitable NSO or marbled murrelet habitat. A *Botanical Survey Results* report (Botanical Report) was prepared in June 2019 by Kyle Wear, M.A., a biological consultant, and concluded no special status plants or plant communities were identified within the project area. Further, per review of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB) in May 2021, there are no mapped sensitive species onsite and the nearest NSO activity center is located approximately 1.02 miles from the proposed cultivation area. Conditions of approval will require noise to be at below 50 decibels at 100 feet which is below the guidance established by the California Department of Fish and Wildlife for protection of the species and adherence to the International Dark-Sky Association standards for lighting in zone 1 or 2. Conditions also require noise levels cannot increase more than 3 dB over ambient noise levels as required by the CCLUO.
- e) The cultivation of cannabis will not result in the net conversion of timberland. Based on review of historic aerial imagery dating back to 2004, the existing and proposed cultivation area will occur within an existing open area and it does not appear any tree removal has occurred or will be necessary to accommodate the proposed project. As a result, there will therefore be no net loss of timberland as a result of the cultivation operation.
- f) A Cultural Resources Investigation was prepared in June 2018 by James Roscoe, M.A., of Roscoe and Associates, Bayside, CA. Per the Report, two (2) prior surveys conducted within one-quarter mile of the property did not encounter any cultural resources. During the survey, no artifacts, features, or archaeological deposits which could constitute historical resources were identified within or adjacent to the project area. Although no cultural resources were discovered on-site, there is the potential for unrecorded resources to be located within the parcel boundaries. To ensure the project would not result in adverse impacts to historical resources, the Report

recommends inclusion of the Inadvertent Discoveries Protocol in the event of inadvertent discovery, which has been included as a condition of approval.

- g) A Road Evaluation Report was prepared for a 0.2-mile segment of the private driveway from Mattole Road to the site with photographic documentation by the project's agent in August 2020, which identified that the entire road segment is developed to the equivalent of Category 4 road standards and is suitable for safe access to and from the project site. The project is conditioned to further improve the access road apron where the driveway intersects Mattole Road to the satisfaction of the Department of Public Works. Additionally, the project is further conditioned to relocate all fences and gates outside of the County right of way.

Further, a *Road System Assessment* was prepared by Stillwater Sciences in February 2019, which evaluates the road system for the project parcel and an adjacent property to the south of the site. This Assessment indicates the road surface of the that serves the proposed project is in good condition, but notes there is an inboard ditch with "extensive flow and evidence of erosion." It is recommended in the Assessment that the inboard ditch be armored with small riprap rock to reduce erosion. The project is conditioned to implement the recommendations in the Assessment pertaining to the subject parcel.

#### **FINDINGS FOR SPECIAL PERMIT**

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

**EVIDENCE** a) General agriculture is a use type permitted in the Agricultural Exclusive (AE) 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 Agriculture Exclusive zone in which the site is located.

**EVIDENCE** a) The Agriculture Exclusive or AE Zone is intended to be applied to areas of the County in which agriculture is and should be the desirable predominant use.

b) All general agricultural uses, including accessory agricultural uses and structures are principally permitted in the AE zone.

c) Humboldt County Code section 314-55.4.6.1.2 b) allows cultivation of up to 43,560 square feet of outdoor cannabis in areas zoned AE, AG, FR, and U and on parcels over 10 acres subject to approval of a Special Permit. The application for 33,560 square feet of new outdoor cultivation on a 262.5-acre parcel is consistent with this code section.

- 5. FINDING** The proposed development is consistent with the requirements of the CCLUO Provisions of the Zoning Ordinance.

**EVIDENCE** a) The CCLUO allows new cannabis cultivation to be permitted in areas zoned

AE (HCC 314-55.4.6.1.1).

- b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created in its current configuration as recorded by Parcel Map 3615, Book 36 of Pages 53, 54, and 55.
- c) The project will obtain water from a non-diversionary, 2,000,000-gallon rainwater catchment pond, located on the subject parcel. As noted in the Cultivation and Operations Plan, the Mattole basin receives an average of 80 to 100 inches of rainfall each year. The footprint of the pond is approximately 20,000 SF, which equates to approximately 1,011,200 to 1,264,000 gallons of rainwater annually. The site will also include 17,750 SF of guttered infrastructure, which will be directed to the pond and is anticipated to capture an additional 885,000 to 1,106,000 gallons of rainwater per year. Based on the above information, Planning staff determined there is sufficient average annual rainfall and surface area to capture water required for irrigation use. Conditions of approval require the applicant to monitor water use annually to demonstrate there is sufficient water available to continue to meet operational needs.
- d) A Road Evaluation Report was prepared for a 0.2-mile segment of the private driveway from Mattole Road by the project's agent in August 2020, which identified that the road segment is developed to the equivalent of Category 4 road standards and would be functionally appropriate for the expected traffic. The project is conditioned to further improve the access road apron by paving a minimum width of 18 feet and a length of 50 feet from where the driveway intersects Mattole Road as required by the Department of Public Works. Additionally, the project is further conditioned to relocate all fences and gates outside of the County right of way.

Further, a *Road System Assessment* was prepared by Stillwater Sciences in February 2019, which evaluates the road system for the project parcel and an adjacent property to the south of the site. This Assessment indicates the road surface of the that serves the proposed project is in good condition, but notes there is an inboard ditch with "extensive flow and evidence of erosion." It is recommended in the Assessment that the inboard ditch be armored with small riprap rock to reduce erosion. The project is conditioned to implement the recommendations in the Assessment pertaining to the subject parcel.

- e) Per the applicant's Cultivation and Operations Plan, the slope of the land where cannabis will be cultivated is less than 5%.
- f) The cultivation of cannabis will not result in the net conversion of timberland. Based on review of historic aerial imagery dating back to 2004, the existing and proposed cultivation area will occur within an existing open area and it does not appear any tree removal has occurred or will be necessary to accommodate the proposed project. As a result, there will therefore be no net loss of timberland as a result of the cultivation operation.
- g) Power for the proposed project is provided by PG&E. The applicant provided an energy budget stating 1686 Amps will be required to support operations. Conditions of approval require the applicant to submit proof, such as receipts, at the time of annual inspection of enrollment into a renewable energy program, such as the REPower+, to demonstrate energy used for the proposed project is 100% renewable as required by the CCLUO.
- h) The 24-hour Noise Assessment prepared by SL Consulting Services dated

May 2020 found that ambient noise levels averaged 44 decibels. conditions of approval require that the noise level from operations cannot exceed more than 3 dB over ambient noise levels identified by 24-hour Noise Assessment prepared by SL Consulting Services dated May 2020.

- i) The location of the cultivation complies with all setbacks required in Section 314-55.4.6.4.4. It is more than 30 from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, church, public park or Tribal Cultural Resource.

**6. FINDING**

The cultivation of 33,560 square feet of cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

**EVIDENCE**

- a) The site is located on road that has been identified as developed to the equivalent of Category 4 road standards and will safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
- d) Irrigation water will come from a 2,000,000-gallon rainwater catchment pond, located on the subject parcel. As noted in the Cultivation and Operations Plan, the Mattole basin receives an average of 80 to 100 inches of rainfall each year. The footprint of the pond is approximately 20,000 SF, which equates to approximately 1,011,200 to 1,264,000 gallons of rainwater annually. The site will also include 17,750 SF of guttered infrastructure, which will be directed to the pond and is anticipated to capture an additional 885,000 to 1,106,000 gallons of rainwater per year. Based on the above information, Planning staff determined there is sufficient average annual rainfall and surface area to capture water required for irrigation use. Conditions of approval require the applicant to monitor water use annually to demonstrate there is sufficient water available to continue to meet operational needs.
- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

**7. FINDING**

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

**EVIDENCE**

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

## DECISION

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

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special Permits for 164 Buck, LLC, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

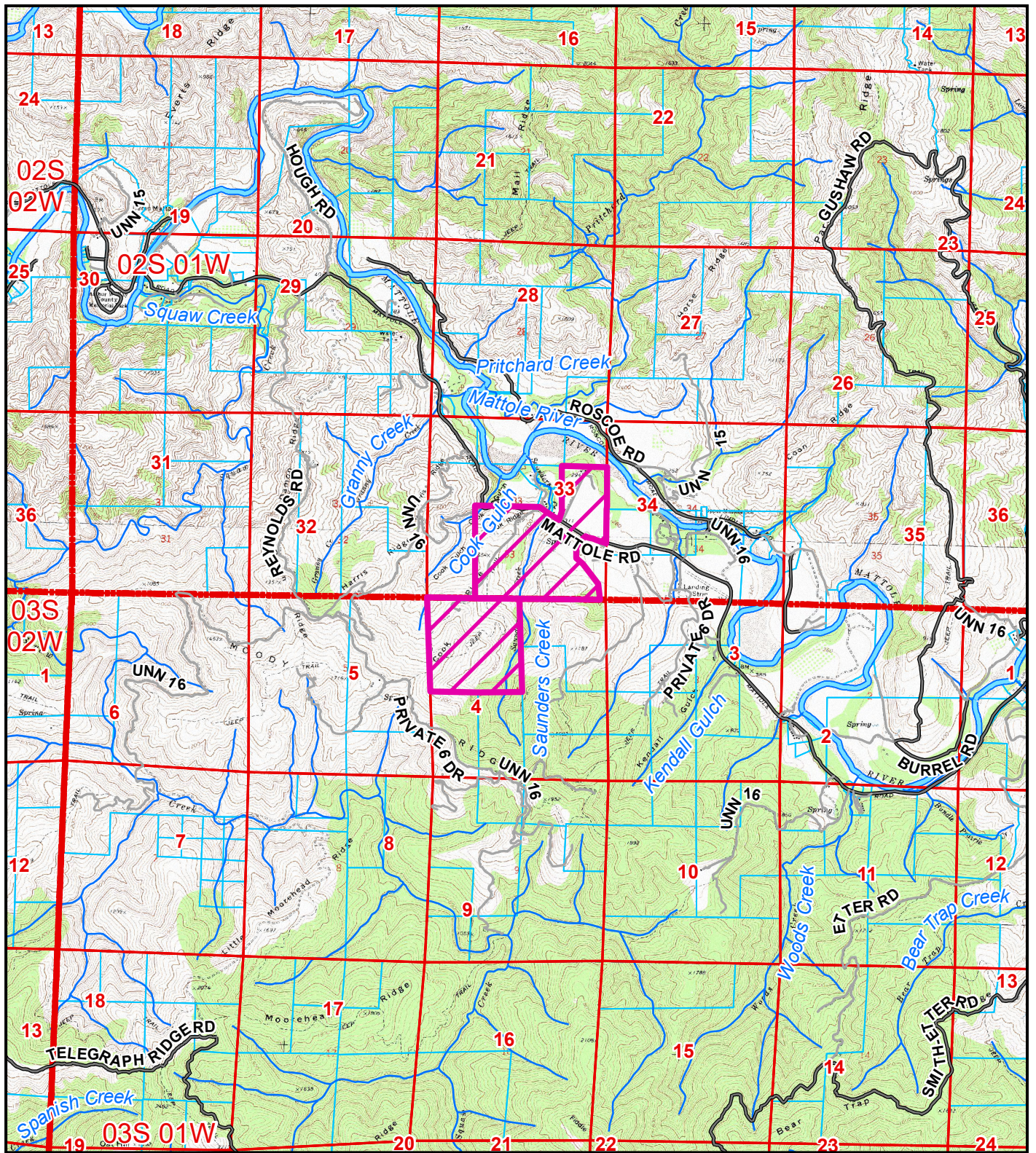
Adopted after review and consideration of all the evidence on July 15, 2021.

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





Project Area = 

**TOPO MAP**  
**PROPOSED 164 BUCK LLC**  
**HONEYDEW AREA**  
**PLN-2020-16197**

**APN: 107-085-025; ET AL.**

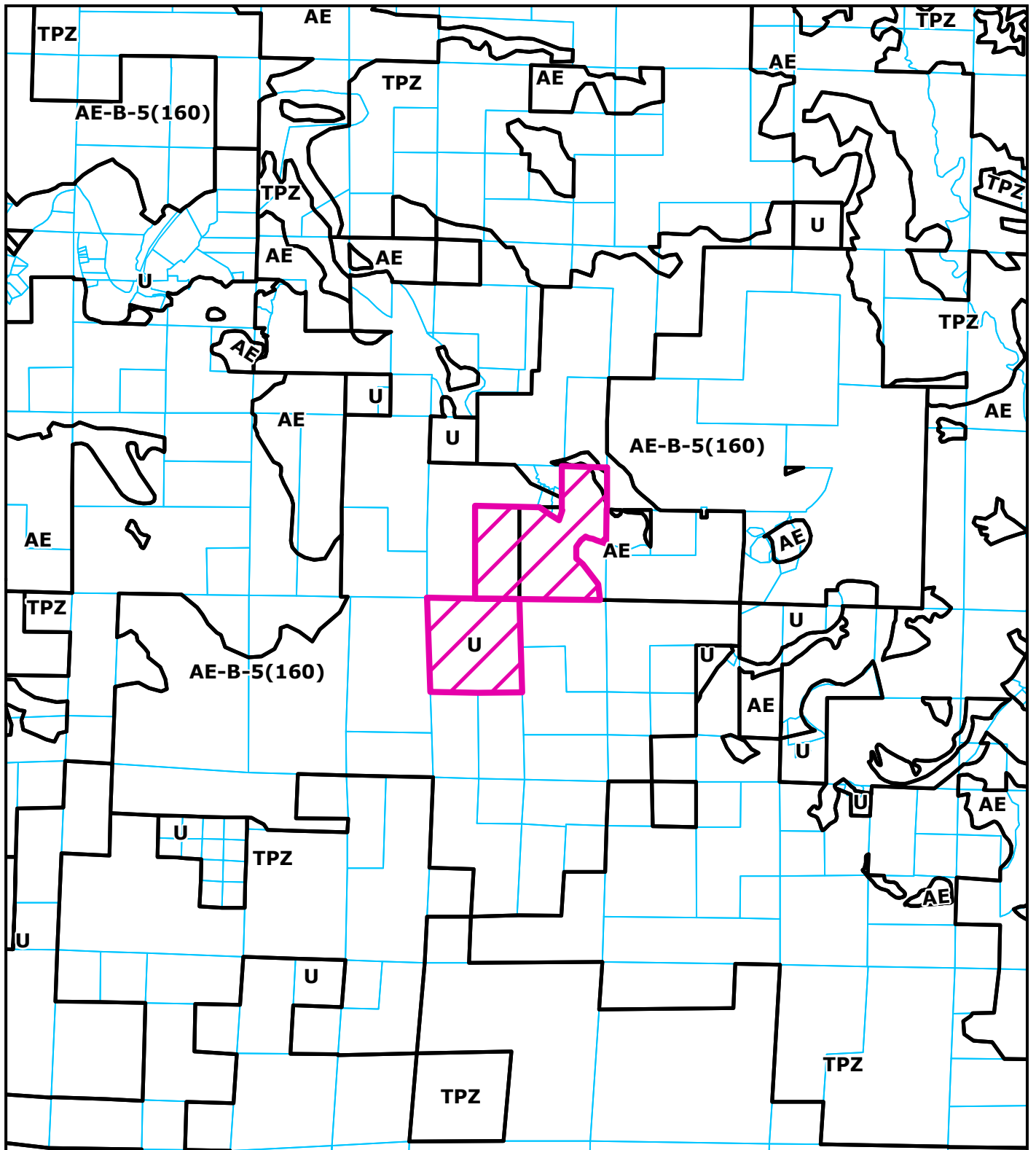
**T02S R01W S33; T03S R01W S4 HB&M (BUCKEYE MTN)**

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

0 0.425 0.85 1.7 Miles







Project Area = 

**ZONING MAP  
PROPOSED 164 BUCK LLC  
HONEYDEW AREA  
PLN-2020-16197**

**APN: 107-085-025; ET AL.**

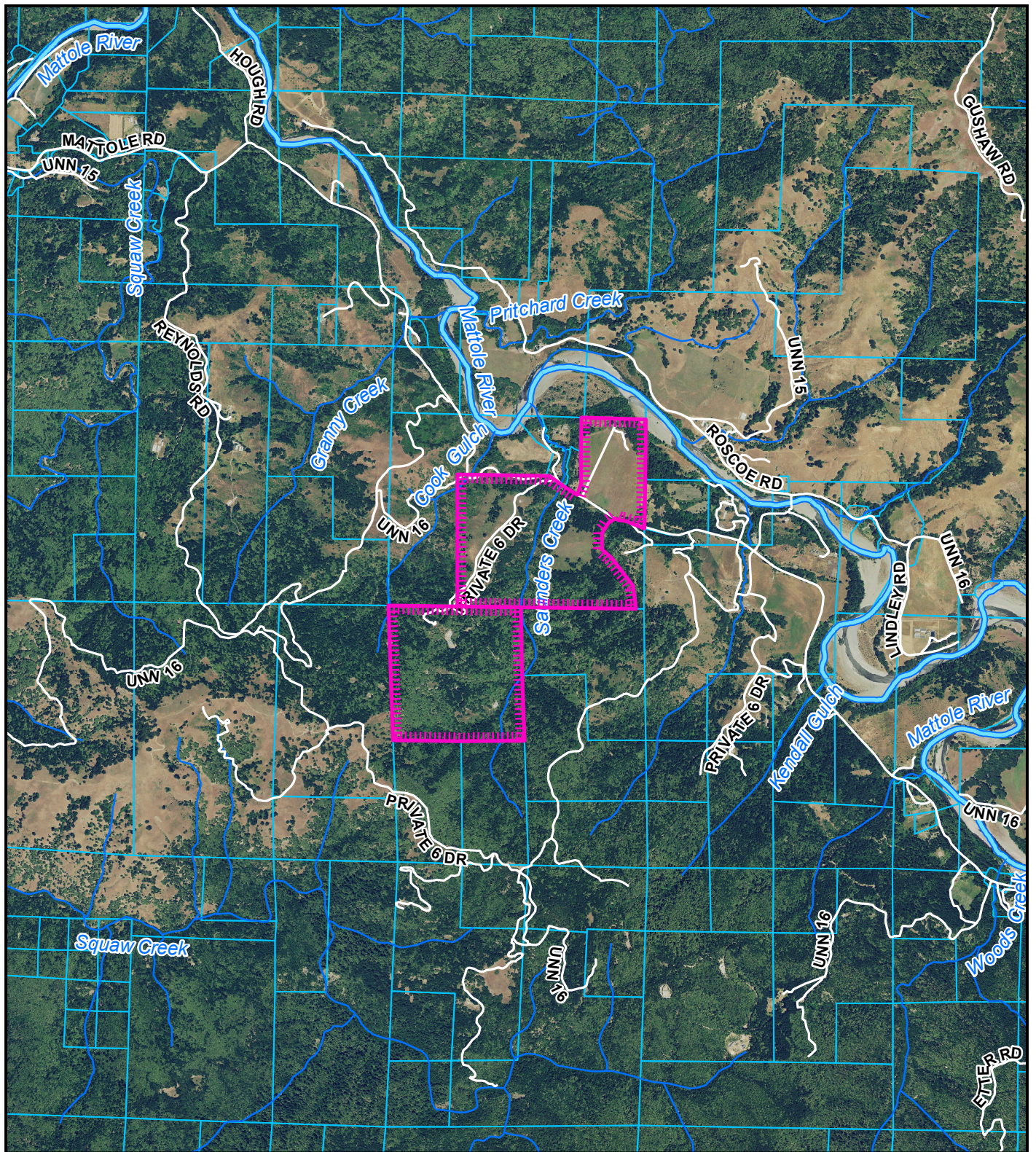
**T02S R01W S33; T03S R01W S4 HB&M (BUCKEYE MTN)**

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

0 0.425 0.85 1.7 Miles





**AERIAL MAP  
PROPOSED 164 BUCK LLC  
HONEYDEW AREA  
PLN-2020-16197**

**APN: 107-085-025; ET AL.**

**T02S R01W S33; T03S R01W S4 HB&M (BUCKEYE MTN)**

**Project Area =** 

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

0 0.3 0.6 1.2 Miles





**DIRECTIONS TO SITE:**

FROM EUREKA, CA

-SOUTHBOUND ON US-101

-TAKE EXIT 692 AND TURN RIGHT ONTO SINGLEY ROAD

-TURN RIGHT ONTO CA-211 S

-TURN RIGHT ONTO BLUFF ST/OCEAN AVE

-TURN LEFT ON IO WILDCAT AVE  
CONTINUE ON MATTOLE ROAD S

-CONTINUE ON MA10LE ROAD 28.1 MILES  
CONTINUE ON ITO FRONT STREET

-CONTINUE ON TO FRONT SIREEL  
TIDN DICIIT ONTO MATTOI E DO

-TURN RIGHT ON IOWA ROAD (10 MILES)  
DRIVEWAY ON LEFT

**PROJECT DESCRIPTION:**

164. BUICK, LLC IS PROPOSING TO PERMIT PROPOSED CANNABIS CULTIVATION ACTIVITIES IN ACCORDANCE WITH THE COUNTY OF HUMBOLDT (COUNTY) COMMERCIAL CANNABIS LAND USE ORDINANCE (COULO). THE EXISTING APPROVED OPERATION INCLUDES 10,000 SQUARE FEET OF OUTDOOR CANNABIS CULTIVATION WHICH WILL BE EXPANDED TO 43,560 SQUARE FEET. THE SITE ALSO CURRENTLY HOSTS A 20,000 SQUARE FOOT OUTDOOR RR LICENSE. THE PROJECT PROPOSAL INCLUDES THE DEVELOPMENT OF FACILITIES APPURTENANT TO THE CULTIVATION, INCLUDING GREENHOUSES, FACILITIES FOR DRYING, CURING, GRADING OF CANNABIS, IRRIGATION WATER BY THE EXISTING RAINWATER CATCHMENT POND..

GENERAL NOTES:

1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA. SL CONSULTING SERVICES INC. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
3. THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE PROPOSED CULTIVATION AREA.
4. THERE ARE NO RESIDENCES ON ADJOINING PARCELS WITHIN 300 FEET OF THE PROPOSED CULTIVATION AREAS.
5. ANY EXISTING DEVELOPMENT CONSTRUCTED WITHOUT THE BENEFIT OF COUNTY REVIEW WILL BE SUBJECT TO THE HUMBOLDT COUNTY BUILDING DEPARTMENT UPON APPROVAL OF THE ZONING CLEARANCE CERTIFICATE.

### PROJECT INFORMATION:

APPLICANT:

164 BUCK, LLC  
314 PLEASANT AVENUE #1  
NEW YORK NY 10035

PROPERTY OWNER:

**FRED LIU, GUIMAR LINDLEY & 164 BUCK, LLC**  
**314 PLEASANT AVENUE #1**  
**NEW YORK NY 10035**

OWNERS AGENT:

SL CONSULTING SERVICES INC  
973 DOWLER DR  
EUREKA, CA 95501  
(707) 440-9033

SITE ADDRESS:

APN: 107-085-025  
40300 MATTOLE ROAD  
PETROLIA, CA 95558

TREES TO BE REMOVED = NONE

EXISTING APPROVED CULTIVATION = 30,000 SQ FT

**PROPOSED CULTIVATION AREA EXPANSION = 33,560 SQ. FT.**

TOTAL CULTIVATION AREA = 63,560 SQ FT

EARTHWORK QUANTITIES = TBD

WATER = PUBLIC

100

GENERAL PLAN DESIGNATION = AE,AG,RA160,T

MAX. BLDG. HT. = NONE SPECIFIED

SRA AREA: = YES

IN 100 YR FLOOD ZONE: = NO

**164 BUCK, LLC**  
**SPECIAL PERMIT**  
**107-085-025-000**

[illegible]

164 BUCK LLC APN: 107-085-025-000
40300 MATTOLE ROAD PETROLIA CA 95558
PLOT PLAN, VICINITY MAP AND PROJECT NOTES





PLOT PLAN  
22x34 SHEET: 1"=80'  
11x17 SHEET: 1"=160'  
0 1/2" 1"  
NORTH

DATE	REVISIONS	DRAWN BY
5-27-21	REVISED GH LAYOUT, ADD TANKS AND SOLAR	

164 BUCK LLC APN: 107-085-025-000	
40300 MATTOLE ROAD PETROLIA CA 95558	
PLOT PLAN INSET	
TOTAL SHEET: 22	SL
TOTAL INSET: 11	SL
DRAWN BY: SL	SL
DATE: 5-11-20	SL
SCALE: AS SHOWN	SL
SHEET C1	

## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

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

##### A. General Conditions

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval or issuance of a building permit, whichever comes first, the applicant shall submit a revised Plot Plan showing the following, in addition to what is shown:
  - a. A reduction in the proposed total greenhouse square footage, from 34,560 SF to 33,560 SF, in compliance with the square footage permissible under the CCLUO.
6. Within 60 days of the effective date of permit approval or issuance of a building permit, whichever comes first, the applicant shall submit a revised Cultivation and Operations Plan detailing the following, in addition to what is currently described:
  - a. A maximum proposed total greenhouse square footage and proposed canopy of 33,560 SF, in compliance with the square footage permissible under the CCLUO.
  - b. Remove the groundwater well from the water source description.
  - c. Clarify if the proposed water use is supporting all cultivation on-site.
7. The applicant shall secure permits for all structures and grading related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons existing, graded flats, 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.

8. The applicant shall submit a copy of the Final Streambed Alteration Agreement (Final SAA) issued by CDFW for all development within the CDFW jurisdiction as related to the cannabis cultivation project, including, but not limited to off-stream pond improvements and/or maintenance of culverts and stream crossings. Reporting requirements shall be submitted to the Planning Department and the California Department of Fish and Wildlife at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year. The applicant shall adhere to the Final Streambed Alteration Agreement issued by the California Department of Fish and Wildlife (CDFW) and comply with all applicable terms.
9. The project is conditioned to implement all recommendations of the Water Resource Protection Plan and Site Management Plan (WRPP/SMP) prepared by April 2019 by Stillwater Sciences.
10. The applicant is to 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 (SWRCB). 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.
11. Seasonal cultivation without processing may utilize portable toilet and handwashing facilities to serve the operation, and shall meet all required setbacks. The applicant shall furnish receipts or other documentation to the DEH for the continual use of portable toilets for employees until a permanent septic system is installed to their satisfaction. A letter or similar communication from DEH verifying that all their requirements have been met will satisfy this condition.
12. Noise associated with the operations shall not increase more than 3 dB over ambient noise levels as indicated by the 24-Hour Noise Assessment prepared by SL Consulting Services dated May 2020. The applicant shall maintain operational noise (e.g., fans and dehumidifiers) at or below 50 decibels at the edge of the clearing or 100 feet, whichever distance is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled murrelet.
13. At the of each annual inspection, the applicant shall provide proof of use a renewable energy source, such as PG&E RePower+, to demonstrate that energy used to support the project is consistent with CCLUO requirements. A sign-off from the Planning Department will satisfy this condition.
14. The applicant shall improve the driveway where it intersects the County road (Mattole Road) to the satisfaction of the Department of Public Works. 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. A letter or similar communication from the Department of Public works indicating this requirement has been met shall satisfy this condition.
15. 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. Further, 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. A letter or similar communication from the Department of Public works indicating this requirement has been met shall satisfy this condition.

16. The applicant shall implement the recommendations in the Road System Assessment prepared by Stillwater Sciences in February 2019 pertaining to the subject parcel. The applicant shall obtain the required permits (e.g. Department of Public Works and California Department of Fish and Wildlife) prior to commencing any improvements. The applicant shall submit copies of the permits to the Planning Department within 5 business days of receipt. The applicant shall also submit a letter or similar communication from the agencies that issued permit that the improvements were completed to the agency's satisfaction. A sign-off from the Planning Department will satisfy this condition.
17. Due to the onsite pond, the applicant shall coordinate with CDFW to determine if a bullfrog management plan is required for management of bullfrogs for the off-stream pond and if not already in place, the applicant shall install an overflow spillway to the off-stream pond that will withstand a 100-year flood event, exit ramps to the off-stream pond to prevent wildlife entrapment. Exit ramps shall be installed no grater that 2:1 slope, secured at the upslope end, and made of solid material (e.g., wood). As applicable, the applicant shall obtain an addendum to the Final Streambed Alteration Agreement from CDFW for these items or obtain an additional Final Streambed Alteration Agreement from CDFW, whichever is required. Reporting requirements shall be submitted to the Planning Department and the California Department of Fish and Wildlife at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year. The applicant shall adhere to the Final Streambed Alteration Agreement issued by the California Department of Fish and Wildlife (CDFW) and comply with all applicable terms. Alternatively, a letter or similar communication from CDFW stating an addendum or second agreement is not required shall satisfy this condition.
18. The applicant shall install and utilize a water meter to demonstrate that there is sufficient water supply to meet the demands of the project from the rain catchment pond. The water use for cultivation is limited to the use of the onsite pond and amount of water available in storage tanks and shall be provided annually prior to or during the annual inspection.
19. 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.
20. 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.
21. The applicant shall not use any erosion control measures that contain synthetic (e.g. plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting, on a regular and on-going basis. 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 weaves.
22. All refuse shall be contained in wildlife proof containers, at all times, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
23. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying



CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.

2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
4. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
9. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the

issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.

12. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
13. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
14. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
15. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
17. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
18. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
19. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
20. Pay all applicable application, review for conformance with conditions and annual inspection fees.
21. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
24. All tree removal and ground disturbing activities shall occur during the non-nesting season of September 1-January 21. Should such activities be required between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nesting raptors within 500 feet of the proposed development area. Trees shall not be removed during the breeding season for nesting raptors unless a survey by a qualified biologist verifies there is not an active nest in the tree(s). Removal of old growth habitat is prohibited.

25. The burning of excess plant material associated with the cultivation and processing of commercial cannabis is prohibited.
26. Heavy equipment and other machinery shall be inspected for the presence of invasive species prior to onsite use, and shall be cleaned prior to entering the site, to reduce the risk of introducing invasive plant species.
27. All outdoor construction activity and use of heavy equipment outdoors shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m. on Saturday and Sunday.

#### Performance Standards for Cultivation and Processing Operations

28. 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."
29. 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).
30. 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.
31. 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.
32. 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
33. 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.
34. 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.
35. 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.
36. 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.
37. 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.

38. 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.

**ATTACHMENT 2**

**CEQA ADDENDUM TO THE  
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE COMMERCIAL CANNABIS LAND USE ORDINANCE**

**Commercial Cannabis Land Use Ordinance Final Environmental Impact Report (EIR) (State  
Clearinghouse # 2017042022), January 2018**

**APN 107-085-025; 40300 Mattole Road, Honeydew  
County of Humboldt**

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

**June 2021**

## Background

**Modified Project Description and Project History** – The Commercial Cannabis Land Use Ordinance (CCLUO) updated the County's existing Commercial Medical Marijuana Land Use Ordinance (Section 313-55.4 and 314-55.4 of Chapter 3 of Division 1 of Title III of the County Code) as well as repeal of the Medical Cannabis Testing and Research Laboratories provisions and on-site consumption prohibition found in Sections 313-55.3.15, 314-55.3.15, 313-55.3.11.7, and 314-55.3.11.7 of Division 1 of Title III of the County Code, respectively. These regulations establish land use regulations for the commercial cultivation, processing, manufacturing, distribution, testing, and sale of cannabis within Humboldt County. These regulations were developed in concert with the Final Environmental Impact Report (EIR) that was adopted for the ordinance in order to implement the mitigation measures of the EIR. The EIR addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The EIR specified that the regulations established in the CCLUO 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. The EIR prepared for the CCLUO also established local land use regulations to allow for continued commercial cannabis operations in the unincorporated area of the County that ensure the health and safety of residents, employees, County visitors, neighboring property owners and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all mitigation measures of the EIR. Commercial cannabis cultivation in existence as of December 31, 2015, was included in the environmental baseline for the EIR. The current project was contemplated by the EIR and compliance with the provisions of the CCLUO will fully mitigate all environmental impacts of the project to a less than significant level.

The modified project involves a Special Permit for 33,560 square feet (SF) of new outdoor cannabis cultivation in eighteen (18) 1,920 SF greenhouses utilizing light deprivation techniques. Ancillary propagation currently occurs within two (2) existing 3,500 SF greenhouses (7,000 SF total), with two (2) additional 3,500 SF greenhouses proposed, for a total of 14,000 SF of ancillary space onsite. Irrigation water is sourced from a permitted 2,000,000-gallon rainwater catchment pond. Existing available water storage is 2,024,000 gallons in a series of hard-sided tanks and the pond. Estimated annual water usage is 1,080,200 gallons (17 gal/SF). Drying and curing will occur onsite in two drying barns (1,875 SF and 2,700 SF, approved under PLN-10383-ZCC) and all other processing will occur offsite at a licensed processing or manufacturing facility. Up to ten (10) employees may be utilized during peak operations. Power will be provided by Pacific Gas and Electric Company (PG&E), or, if unable to support the power demand of the new structures, will be provided by solar with a back-up battery system.

A Cultural Resources Investigation was prepared in June 2018 by James Roscoe, M.A., of Roscoe and Associates, Bayside, CA. Per the Report, two (2) prior surveys conducted within one-quarter mile of the property did not encounter any cultural resources. During the survey, no artifacts, features, or archaeological deposits which could constitute historical resources were identified within or adjacent to the project area. Although no cultural resources were discovered on-site, there is the potential for unrecorded resources to be located within the parcel boundaries. To ensure the project would not result in adverse impacts to historical resources, the Report recommends inclusion of the Inadvertent Discoveries Protocol in the event of inadvertent discovery, which has been included as a condition of approval. In a referral response received from the Bear River Band of the Rohnerville Rancheria in November 2020, inclusion of the Inadvertent Discoveries Protocol was requested due to the negative results from the survey efforts conducted in June 2018.

As depicted on the Site Plan and on Humboldt County WebGIS, Saunders Creek, a Class II watercourse, traverses the southern portion of the site (south of Mattole Road), with the respective 100-foot Streamside Management Area (SMA) buffer. All approved cannabis cultivation activities would occur outside of required SMA setbacks and on slopes less than 5%. A *Biological Evaluation of Threatened and Endangered Plant Species* (Biological Report) was completed for the project by Native Ecosystems, Inc., date stamp received January 27, 2020 (Attachment 3). Per the Biological Report prepared for the subject property, project elements would be setback 400 feet from Saunders Creek and 3,000 feet from

the Mattole River, thereby greatly reducing any potential impacts. While the seasonal wetland located in the southeastern portion of the site would require a minimum 50-foot buffer, all project components would be setback more than 100 feet. The location of the proposed project elements does not provide habitat for any special status species and no ground-nesting birds have been identified in this location due to a history of the site being utilized for grazing.

While the Biological Report notes the pond could potentially provide a means of increased risk to special fish and amphibian species, adherence to a Bullfrog Management Plan (to be prepared, submitted, and adhered to as a condition of approval) would greatly minimize any potential impacts. The Biological Report concludes the project would have no impacts on the river, creek, wetland, riparian areas, or biological resources, and that the young Douglas fir and oak trees surrounding the cultivation site are not suitable NSO or marbled murrelet habitat. Additionally, no impacts on surrounding mixed conifer-oak woodlands or grassy meadow areas are expected as a result of the project.

Per review of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB) in May 2021, there are no mapped sensitive species onsite and the nearest NSO activity center is located approximately 1.02 miles from the proposed cultivation area. As noted in the *Biological Evaluation of Threatened or Endangered Plant Species*, there is not suitable breeding or roosting habitat in the project area and there is no likelihood of presence in the project area. There is no use of artificial lighting authorized by this permit. Conditions of approval require the applicant to use noise attenuation for any generators utilized onsite and ensure generator, fan, and dehumidifier noise is below established noise limits, refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife. As proposed and conditioned, the project is consistent with CCLUO performance standards and CDFW guidance and will not negatively impact NSO or other sensitive species. The applicant has enrolled with the State Water Resources Control Board Cannabis Cultivation Policy.

The modified project is consistent with the adopted EIR for the CCLUO because it complies with all standards of the CCLUO which were intended to mitigate for impacts of new cannabis operations. These include complying with County Fire Safe regulations, noise and light attenuation measures to limit disturbance to wildlife, supplying irrigation water from a non-diversionary source, and electricity from PG&E.

**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 EIR 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 EIR 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 Final EIR was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous Final EIR; B) significant effects previously examined will be substantially more severe than shown in the Final EIR; 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 Final EIR 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 Final EIR recommended mitigations. The proposal to authorize 33,560 square feet (sf) of new outdoor cannabis cultivation and to construct minor improvements necessary to bring the operation into compliance with the CCLUO is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

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

- Plot Plan prepared by SL Consulting Services, Inc., received 6/9/21.
- Cultivation and Operations Plan prepared by Native Ecosystems, Inc., dated 12/4/19 and edited by SL Consulting Services, Inc. on 6/9/21.
- Road Evaluation Report for Private Driveway prepared by the applicant's agent, dated 8/24/20.
- Road System Assessment for APNs 107-085-025 and 107-092-001 prepared by Stillwater Sciences, dated 2/26/19.
- Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits.
- Biological Evaluation of Threatened and Endangered Plant Species for Cannabis Cultivation on Humboldt County Parcel 107-085-025, prepared by Native Ecosystems, Inc. in consultation with Stillwater Sciences, received 1/27/20.
- Botanical Survey Results, 164 Buck LLC, APN: 107-085-025, Humboldt County, CA, prepared by Kyle Wear, Botanical Consultant, dated June 2019.
- Wetlands and Other Waters Delineation Report, Assessor's Parcel Number 107-082-025, Humboldt County, California, prepared by SHN, dated December 2018.
- A Cultural Resources Investigation Report for a Commercial Cultivation Permit for APN 107-085-025, Near Honeydew, Humboldt County, California, prepared by James Roscoe, M.A., Roscoe and Associates, Bayside, CA, prepared June 2018.
- Water Resource Protection Plan & Site Management Plan for 164 Buck, LLC; APNs 107-092-001 & 107-085-025, prepared by Stillwater Sciences, dated April 2019.
- OWTS Design Report, APN: 107-085-025, 40300 Mattole Road, Honeydew, prepared by Lindberg Geologic Consulting, dated 5/20/20.
- 24 Hour Noise Assessment, APN: 107-085-025-000, prepared by SL Consulting Service, Inc., received 8/24/20.

### **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 EIR was adopted. Based upon this review, the following findings are supported:

## **FINDINGS**

1. The proposed project will permit a new 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 EIR was adopted as complete.

## **CONCLUSION**

Based on these findings it is concluded that an Addendum to the previous Final EIR 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 EIR, remain in full force and effect on the original project.

### ATTACHMENT 3

#### Applicant's Evidence in Support of the Required Findings

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

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Plot Plan prepared by SL Consulting Services, Inc., received 8/24/20 – **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 Native Ecosystems, Inc., dated 12/4/19 and edited by SL Consulting Services, Inc., on 6/9/21 - **Attached**)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Not Applicable)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Condition of Approval – Submit documentation submitted to SWRCB and maintain enrollment).
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (LSAA Application and Attachments received 1/27/20 and Draft LSAA (On file - Notification No. 1600-2019-0288-R1) dated 8/14/20; Condition of Approval - Final LSAA)
9. If the source of water is a well, a copy of the County well permit, if available. (Well Completion Report, Permit No. 15/16-0466, date stamped 4/25/16 - **Attached**)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or

timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Not applicable)

11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
14. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
15. A Cultural Resources Investigation Report for a Commercial Cultivation Permit for APN 107-085-025, Near Honeydew, Humboldt County, California, prepared by James Roscoe, M.A., Roscoe and Associates, Bayside, CA, prepared June 2018. (On-file and confidential)
16. Road Evaluation Report for Private Driveway prepared by the applicant's agent, dated 8/24/20. **(Attached)**
17. Road System Assessment for APNs 107-085-025 and 107-092-001 prepared by Stillwater Sciences, dated 2/26/19. **(Attached)**
18. Biological Evaluation of Threatened and Endangered Plant Species for Cannabis Cultivation on Humboldt County Parcel 107-085-025, prepared by Native Ecosystems, Inc. in consultation with Stillwater Sciences, received 1/27/20. **(Attached)**
19. Botanical Survey Results, 164 Buck LLC, APN: 107-085-025, Humboldt County, CA, prepared by Kyle Wear, Botanical Consultant, dated June 2019. **(Attached)**
20. Wetlands and Other Waters Delineation Report, Assessor's Parcel Number 107-082-025, Humboldt County, California, prepared by SHN, dated December 2018. **(Attached)**

## A. Project Description

### 1.0 Introduction

#### 1.1 Purpose and Scope

164 Buck LLC ("Applicant") submits this application requesting approval of a Conditional Use Permit for new outdoor and mixed light commercial cannabis cultivation (the "Project") in the County of Humboldt ("County"). This application has been prepared in accordance with Humboldt County Commercial Cannabis Land Use Ordinance, No. 2599 ("CCLUO 2.0") and California Business and Professions Code § 26000 - 26250.

The Applicant owns APN 107-085-025 (252 acres) and an adjacent parcel, APN 107-092-001 (160 acres). Held in common, these parcels (the Project Site) total 412 acres. This Application proposes to expand the existing 30,000 square feet of cultivation by 33,560 square feet of outdoor open air cultivation in greenhouses. See FIGURE 1 for a summary of the existing and proposed cultivation footprints.

The Applicant has 30,000 square feet of existing permitted cultivation at 40,300 Mattole Road, Honeydew CA, 95545 (APN 107-085-025), comprised of 10,000 square feet of cultivation permitted through CMMLUO Application No. 13083 (ZCC PLN-13083-ZCC) and 20,000 square feet of cultivation permitted through the Retirement, Remediation, and Relocation Program CMMLUO Application No. 12348 (PLN-12348-ZCC).

<b>164 Buck LLC Cultivation Footprint</b>			
<b>Type</b>	<b>Permit</b>	<b>Total Sq.Ft.</b>	<b>Total Acres</b>
Existing Outdoor Greenhouses (1.0)	PLN-13083-ZCC	10,000	0.23
Existing Outdoor Greenhouses (1.0/RRR)	PLN-12348-ZCC	20,000	0.46
Proposed Outdoor Greenhouses (2.0)	2020-16197	33,560	0.77
<b>Totals</b>			<b>1.46</b>

Figure 1. Existing and Proposed cultivation at Project Site

#### 1.2 Applicant Information

##### a. Applicant

164 Buck LLC  
314 Pleasant Avenue #1  
New York, NY 10035  
(914) 980-0778

164 Buck LLC 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.

The above statement fulfills requirements of California BPC §26051.5(a)(8). 164 Buck LLC is registered with the California Employment Development Department (EDD) as an agricultural employer and shall abide by all Federal and State laws to which such employers are subject (CCLUO §55.4.12.2.7).

**b. Applicant's Agent**

Contact: Hugh McGee  
Native Ecosystems, Inc.  
457 Conklin Creek Road  
Po Box 114  
Petrolia, CA 95558  
406-546-2053  
hugh@nat-eco.net

**1.3 Site Description**

**a. Project Location (Project Site)**

**i. Address**

40300 Mattole Road  
Honeydew, CA 95545

**ii. APN - 107-085-025**

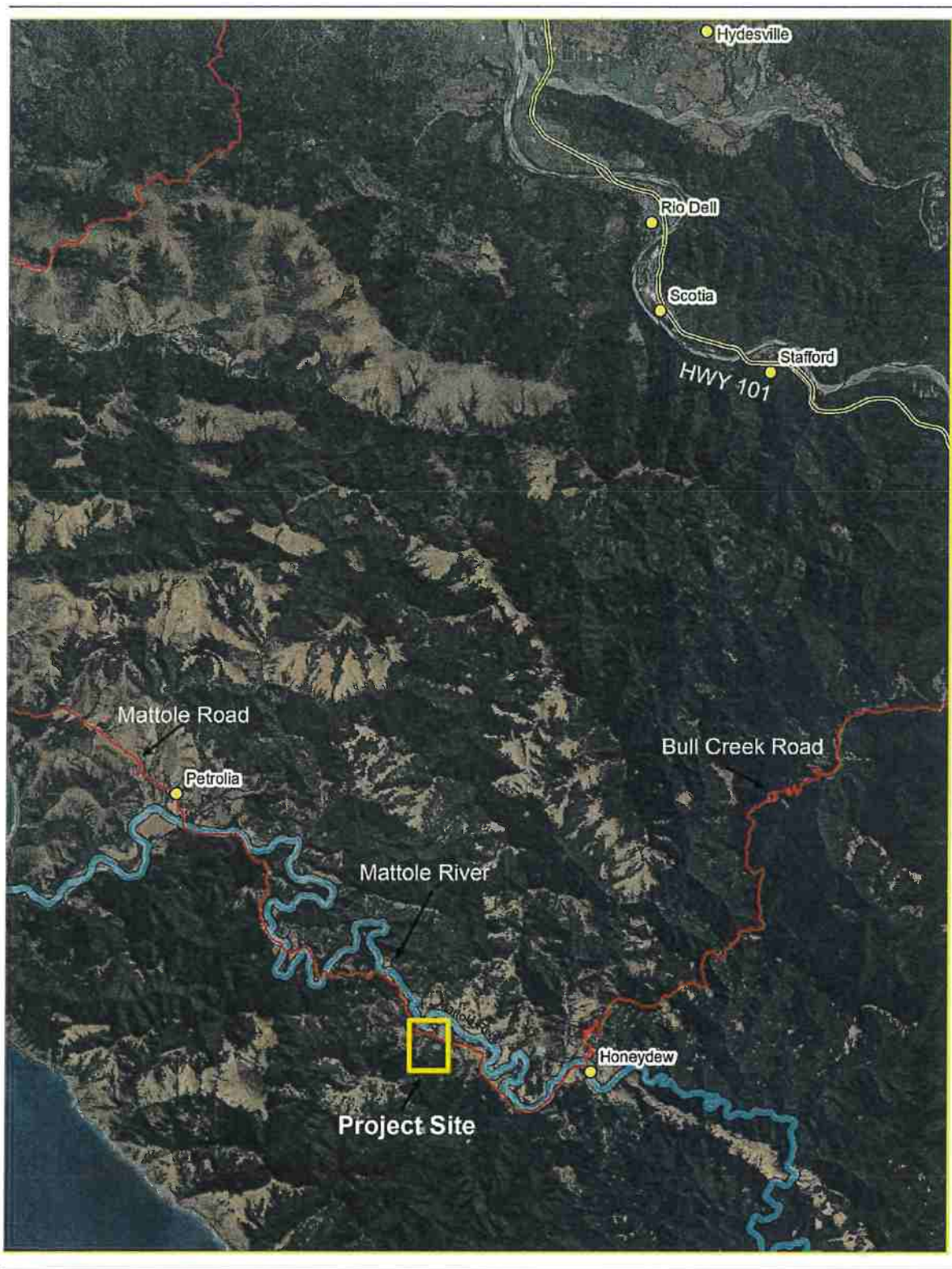
**iii. Vicinity**

Located in the inland zone between the communities of Petrolia and Honeydew, the Project Site is in an area of rural residential and agricultural uses and is shown on the **Vicinity Map - Figure 2**. Honeydew is located approximately 4.5 miles east of the Project Site. Petrolia is approximately 10 miles northwest of the Project Site. Petrolia and Honeydew each contain a general store, post office, elementary school and a small number of rural residences. The nearest urban developments to the Project Site are located approximately 40 miles north and east along Highway 101.

**iv. Watershed**

The Project Site is located within the *Cape Mendocino* Planning Watershed (USGS HUC-8 *Mattole*) and the *Lower Mattole River* USGS HUC-12 sub-watershed. The *Lower Mattole River* USGS HUC-12 sub-watershed is not listed as an "impacted" and/or "refuge" HUC-12 sub-watershed in the County Board of Supervisors Resolution 18-43 (adopted 05/08/18).





**Figure 2.**  
**Vicinity Map**

- b. **Access to Project Sites.** Access to the Property is from Mattole Road, which runs through the middle portion of the Project Site. Access to all the cultivation site is from Mattole Road via private driveways. A 120' by 30' parking area will be located at Project Site A. A turnaround for emergency vehicles meeting State Responsibility Area fire safe regulations will be installed at Site A.

- c. **Property Description.** The Property is comprised of two parcels, approximately 252.27 acres identified by APN 107-085-025 and 160 acres identified by APN 107-092-001. These two parcels are held in common and total 412 acres. The County Road known as Mattole Road cuts through APN 107-085-025. The acreage includes flat Prime Agricultural pastures on both the south and north sides of Mattole Road, historic grasslands and historic oak woodlands.

d. **Land Use.**

Current uses on the Property at **APN 107-085-025** include a single residence located on the east side of Mattole Road. The primary land use at this APN is agricultural, which includes cattle grazing, fruit and vegetable cultivation, commercial cannabis cultivation, and grassland and oak woodland restoration. The proposed Project would occur in a flat prime agricultural pasture on the south side of Mattole Road. A portion of the proposed cultivation area on the south side of the road is located within historic grassland/oak woodland that is in the planning phase of restoration. The applicant is currently working with Stillwater Sciences, the Mattole Restoration Council, and Native Ecosystems to develop plans to implement restoration projects throughout both parcels

Commercial cannabis cultivation permitted by Humboldt County on this parcel in July 2019, as described below:

- CMMLUO Application No. 13083: 10,000 ft<sup>2</sup> new open air cultivation
- CMMLUO Application No. 12348: 20,000 ft<sup>2</sup> relocated RRR cultivation area

The primary land use at **APN 107-092-001** is to perform ecological restoration projects throughout the parcel. This includes restoration of historical cannabis cultivation sites, decommissioning of roads related cannabis cultivation, forest thinning for fuels reduction, and restoration of grassland, oak woodland, and riparian habitats. To date the applicant has performed cleanup of cannabis activities from the former landowners on over 1 acre of project sites. This included removal and disposal of 20 greenhouses, cultivation materials, and garbage. In the summer of 2019 the applicant began implementing road restoration, road decommissioning, re-grading and native plant restoration projects throughout the property.

Surrounding Land Uses. The Property is located in an area of rural residential and agricultural uses, including extensive cannabis cultivation activities that have occurred since the passage of California Proposition 215 in 1996.

- e. **General Plan Designation and Zoning.** The Project site is designated AL 160 (Agricultural Lands) in the County's General Plan. This designation applies to agricultural lands that are remote and provide for resource production allowing intensive management opportunities, recreational uses, and single-family residences. The AL



designation applies to all areas of the Project site where cannabis cultivation and supporting activities would occur.

The Project site is zone AE (Agriculture Exclusive). According to the County's Zoning Regulations, the AE zone applies to

"fertile areas in which agriculture is and should be the desirable predominant use and in which the protection of this use from encroachment from incompatible uses is essential to the general welfare." (County Code § 314-7.1)

Principal permitted uses in the AE zone include single family residential, general agriculture, and timber production. (County Code § 313-163.1.9.9.)

The Project site is not a timberland property that is subject to special additional restrictions under the CCLUO.

- f. Applicable CCLUO Eligibility Requirement.** § 55.4.6.1.2(b) allows for approval of new outdoor and mixed light commercial cannabis cultivation on the Project site as follows:

On parcels 10 acres or larger in size: 1) up to 10,000 sq. ft. of Cultivation Area with a Zoning Clearance Certificate;  
2) up to 43,560 sq. ft. of Cultivation Area with a Special Permit.

The proposed Project meets the above requirements as follows:

- 43,560 square feet total of on-site cultivation with a special permit.
- 20,000 square feet RRR license to remain
- Total cultivation proposed is 63,560 square feet

- g. Archeological & Historical Resources.** A Cultural Resource Investigation was performed by Jaimie Roscoe in May of 2018. No tribal cultural resources or historical resources are located within 600 feet of the project site. If in the course of normal site operations archaeological and paleontological resources are discovered, all activities shall comply with CCLUO §55.4.12.1.15. The Cultural Resources Report can be found in **Section E.1**

- h. Biological Assessment.** A biological assessment was performed by Stillwater Sciences in accordance with CCLUO §55.4.12.1.10.

Other biological Assessments include a wetland survey and inventory performed by SHN Engineering, and a rare plant survey performed by Kyle Wear.

As the project parcel borders the Mattole River along its far northeastern corner, potential habitat exists for three salmonid species, as well as Pacific lamprey. The riparian areas of the Mattole River and Saunders Creek provide potential suitable habitat for a variety of amphibian and bird species. Due to the distance of the actual

project site from both of these areas, no impacts on the river, creek, or biological resources therein are to be expected.

The proposed cultivation site is in existing and historic grassland that is seasonally grazed and does not contain ground nesting bird habitat. The surrounding habitat is not suitable for either the Northern Spotted Owl or the marbled murrelet, although suitable habitats for other bird species are present on the property. A Biological Assessment Report and Wetland Delineation Report can be found in **Section E.2**.

- i. **Hazardous Materials.** A site record search of the Envirostor database was conducted for the proposed premises. This was done to satisfy requirements of CCR Title 3, Div. 8, Chpt. 1, §8102 and CCLUO §55.4.12.1.11. No hazardous materials have been documented at the site. The Envirostar Report can be found in **Section E.3**.
- j. **Water Resources.** This project has multiple water resources and sources on the project site including a permitted well (well completion report can be found in **Section E.4**), a permitted 2-million gallon rainwater catchment pond (grading plans and permit can be found in **Section E.5**) Saunders Creek, and perennial springs. The SWRCB General Order enrollment, SWRCB Site management Plan, RWQCB WRPP, and CDFW LSAA can be found in **Section E.6**
- k. **Soils.** DBA Soil Analytics assessed the cultivation site and property for Prime Agricultural Soils and found that the entire cultivation site is located on Prime Agricultural Soils. Total Prime Agricultural Soils area on the property is approximately 81.9 acres. The Project will occupy 1.46 acres, which is 1.78% of the total Prime Agricultural Soils acreage, thus meeting the requirements of §55.4.6.4.3. The Prime Agricultural Soils Report can be found in **Section E.7**.
- l. **Site Topography.** The Project site is generally level and disturbed from past agricultural activities, primarily grazing. Slopes in the area to be developed for the proposed use are less than five percent (5%). Please see the accompanying map in **Section E.8**, *107-085-025 Slope Evidence* for confirmation. This map was created using the County GIS system with a NAIP 2014 layer. This map may also be used as evidence to satisfy the requirements of §55.4.6.4.2, showing the cultivation site will be located in a non-forested area in existence prior to January 01, 2016.

## 2.0 Project Description

### 2.1 Proposed Uses and Activities

The Applicant seeks a Use Permit pursuant to CCLUO §55.4.6.1(c) to authorize the following principle uses and activities on the Project site:

- Cultivate an additional 33,560 square feet of cannabis using outdoor and mixed light cultivation methods
- Ancillary nursery and operations facilities

## 2.2 Facility Description

Cultivation will occur in areas totaling 33,560 square feet as described below:

### Previously Approved Infrastructure Under 1.0 Planning Application

- Two 35'x100' nursery greenhouses (7,000 Square Feet)
- Two 30'x100' Drying Barns (Reduced to one 30'x90' and one 40'x80' totaling 5,900 SF guttered, See 2.0 siteplan)
- Ten 30'x100' Flowering Greenhouses (As-built - Fifteen 20'x96' greenhouses, Totaling 28,800 SF)

### Proposed Infrastructure Under 2.0 Application

- Eighteen 20'x96' greenhouses (totaling 34,560 sf canopy)
  - Two 35'x100 nursery greenhouses (7,000 sf total)
  - ~~• Two 30'x90' drying barn (5,400 sf total, guttered)~~
  - ~~• Two 30'x50' harvest storage barns (3,000 sf total, guttered)~~
  - ~~• One 40'x60' office, break area, rest facility building (2,400 sf, guttered)~~
  - One 12'x30' carport for equipments storage = 360 SF
  - One 25'x40' harvest storage barn (2,000 sf, guttered)
  - Two 8'x40' shipping containers for ag-chemical and equipment storage (640 sf total)
  - One 10'x20' fuel storage area=200 SF
- one 25'x75' harvest storage barn  
1,875 SF, guttered
- 1000 sf, guttered

Total flowering canopy is 28,880 + 34,560 = 63,360 SF

Total nursery structure canopy is 14,000 square feet

Total accessory structure canopy is ~~5,075+5,400+3,000+2,400+364+2000+640 = 18,899 SF~~  
5,900+1,875+360+1000+640+200 = 9,775 SF

Cultivation will occur within raised or defined beds with drip irrigation. Drying of harvested cannabis will take place in on-site drying buildings. Further processing will take place off-site.

8,575 of the 9,775 sf of accessory structure (87.7 %) will be guttered and plumbed into the rain catchment pond to mitigate stormwater runoff during the wet season.

The 63,560 square feet of flowering greenhouse canopies will be removed for the wet-season. Raised beds will be cover cropped with nitrogen fixing plants. This will greatly reduce stormwater discharge from the site along with building soil fertility.

## 2.3 Water Source (§55.4.6.3.2)

The Project will have water supplies: 1) stored water and 2) a permitted well, both from non-diversionary sources. The main supply of water for the project will be provided by an existing permitted 2-million-gallon rainwater catchment pond and guttered roof catchment area located at APN 107-085-025. The secondary water supply will be an existing permitted on-site well that is non-hydrologically connected. Please see the Operations Plan for further details regarding water sources and how they meet applicable Performance Standards.

## 2.4 Road Systems (§55.4.6.3.3)

Access to the parcel is from Mattole Road, a paved county-maintained road with a centerline stripe that exceeds Category 4 standards. The project site is located approximately 0.1 miles from Mattole Road via a driveway access. Please also see the section entitled *Road Systems* in



the accompanying Cultivation & Operations Plan for further details of how the Project meets Performance Standards for road systems.

#### *2.5 Energy Source (§55.4.6.3.1)*

All electricity for the Project and ancillary activities will be provided by solar power, grid power, and temporary generator power. Please see the Operations Plan for further details of how the Project will meet the Performance Standard for Energy Use.

#### *2.4 Site Topography (§55.4.6.4.1)*

The Project site is generally level and disturbed from past agricultural activities, primarily grazing. Slopes in the area to be developed for the proposed use are less than five percent (5%). Please see the accompanying map in Section E.8, *107-085-025 Slope Evidence* for confirmation. This map was created using the County GIS system with a NAIP 2014 layer. This map may also be used as evidence to satisfy the requirements of §55.4.6.4.2, showing the cultivation site will be located in a non-forested area in existence prior to January 01, 2016.

#### *2.5 Soils (§55.4.6.4.3)*

DBA Soil Analytics assessed the cultivation site for Prime Agricultural Soils and found that the entire cultivation site is located on Prime Agricultural Soils. The Prime Agricultural Soils Report can be found in Section E.7. Total Prime Agricultural Soils area on the property is approximately 81.9 acres. The Project will occupy 4 acres, which is 4.88% of the total Prime Agricultural Soils acreage, thus meeting the requirements of §55.4.6.4.3.

#### *2.6 Setbacks (§55.4.6.4.4)*

Please see the accompanying Project Site Plan in Section B for details.

- The cultivation area is located 300 ft from the nearest property line, thus meeting the general requirements for property line setbacks (30') and setbacks from residences (300') and undeveloped parcels (270'). Distances to the next closest property line is over 1,000 ft.
- There is one residence located approximately 750 feet east of the Project, one residence located approximately 1,500 feet north of the Project, and one residence located approximately 3,000 feet southwest of the Project.
- There are no Sensitive Receptors, such as schools, school bus stops currently in use, parks, churches or other places of religious worship, public parks, or Tribal Cultural Resources within 600 feet of the Project. There are no Tribal Ceremonial Sites within 1,000 feet of the Project.
- Setbacks from the Mattole River and Saunders Creek SMAs are approximately 3,000 ft and 400 ft, respectively. The setback from the cultivation area from the delineated wetland area on the property is at least 50 ft (please see the *Wetland and Other Waters Delineation Report* in **Section E.2**). All of these setbacks meet County Code § 314-61.1 requirements for Perennial (100') and intermittent or wetland (50'). These setbacks also satisfy the requirements of State Water Resources Control Board (SWRCB) Order No. 2017-0023-DWQ, which list setbacks at 100' for perennial streams and 50' for ephemeral watercourses, including wetlands.

#### *2.7 Overlap Between Restoration Projects and Proposed Cultivation*

The applicant has been working with Native Ecosystems and Mattole Restoration Council to implement a 40 acre Grassland and Oak Woodland Restoration project on both APN's. These areas were historically open meadows and White and Black Oak Savannas. Since the late 1970's they have been encroached upon by Douglas-fir due to lack of natural fires and fire suppression.

The project includes the removal of encroaching Douglas-fir and planting of native oak and native grass species. This project is being submitted to federal agencies in January of 2020 for funding with matching contributions from the landowner. Implementation is anticipated in the fall of 2020. The Oak Woodland Restoration Plan for this project will be submitted to the county in January of 2020.

Approximately 1 acre of the proposed cultivation area and 1 acre of proposed facilities area falls within the 40 acre restoration area. CCLUO §55.4.6.4.2 states that *"Conversion of Timberland is Prohibited, Cultivation Site(s) may only be located within a Non-Forested area that was in existence prior to January 1, 2016."*

CCLUO Section §55.4.4 – Defines Timberland as:

*"“Timberland” means land, which is growing or available for and capable of growing a crop of trees of any commercial species used to produce lumber and other forest products, as defined under section 4526 of the Public Resources Code”.*

The proposed cultivation and facilities sites within the 40 acre restoration area would require the removal of two (2) acres of Douglas-fir that is not commercially marketable and was historic Non-Forested grassland prior to 2016. Trees within the proposed cultivation and facilities areas would be removed at the expense of the Applicant and donated to local non-profit restoration groups for use at in-stream salmonid habitat restoration sites within the Mattole River Watershed.

## **B. Site Plan**

---



## **C. Cultivation & Operations Plan**

---

**Applicant: 164 Buck LLC APN: 107-085-025**

### **Submitted to:**

---

County of Humboldt  
Planning and Building Department  
3015 H Street  
Eureka, California 95501-4484  
Tel: (707) 445-7541

### **Prepared by:**

---

Native Ecosystems, Inc.  
457 Conklin Creek Road  
Po Box 114  
Petrolia, CA 95558  
Contact: Hugh McGee  
[hugh@nat-eco.net](mailto:hugh@nat-eco.net)  
406-546-2053

## **1. Introduction**

CCLUO Application – 164 Buck LLC

Native Ecosystems Inc. December 4, 2019 / Edited by SL Consulting Services August 10, 2020

PLN-2020-16197 164 Buck

July 15, 2021

Page 43

This Cultivation and Operations Plan is intended for APN 107-085-025. It is structured to address Performance Standards set forth in CCLUO 2.0 §55.4.12, as well as other requirements set for the by the Department. The specific Performance Standard that is addressed by each section is listed in the section title.

## 1.2 Background

164 Buck LLC ("Applicant") submits this application requesting approval of a Special Permit for outdoor commercial cannabis cultivation (the "Project") in the County of Humboldt ("County"). This application has been prepared in accordance with Humboldt County's Commercial Cannabis Land Use Ordinance, No. 2599 ("CCLUO 2.0") and California Business and Professions Code § 26000 - 26250.

The applicant currently has a total of 30,000 square feet of existing permitted cultivation at 40300 Mattole Road, Honeydew CA, 95545 (APN 107-085-025). 10,000 square feet of cultivation was permitted through CMMLUO Application No. 13083 (ZCC PLN-13083-ZCC) and an additional 20,000 square feet of cultivation was permitted through the Retirement, Remediation, and Relocation Program, CMMLUO Application No. 12348 (PLN-12348-ZCC).

The Applicant is proposing an additional 33,460 square feet of outdoor new cultivation on APN 107-085-025 under the provisions of CCLUO 2.0 § 55.4.6.1.2(b). The applicant owns both APN 107-085-025 (252 acres) and the adjacent parcel APN 107-092-001 (160 acres). These properties are held in common and bring the cumulative property size to 412 acres.

## 1.3 Summary of Activities

All cultivation will be outdoor and/or mixed light, with the use of hoop-houses. A total of 174,240 ft<sup>2</sup> (4.0 acres) of cultivation will occur at this site, and is presented in Table 1.

APN 107-085-025 Cultivation Footprint			
Type	Permit	Total Sq.Ft.	Total Acres
Existing Outdoor (1.0)	PLN-13083-ZCC	10,000	0.23
Existing Outdoor (1.0/RRR)	PLN-12348-ZCC	20,000	0.46
Proposed Outdoor Greenhouses (2.0)	2020-16197	33,560	0.77
Totals			1.46

Table 1. Existing and proposed cultivation at Project Site

## 1.4 Compliance & inspections (§55.4.12.1.1-7, §55.4.12.2.1-4,7)

The Applicant will comply with all environmental protections and standards, performance standards, and associated reporting, payment of fees, inspections, licenses in conjunction with the following regulations and/or agencies, as applicable:

- Humboldt County CCLUO 2.0
- California Department of Food and Agriculture (CCR Title 3, Div.8, Cpt.1 §8000-8607)



- SWRCB Order No. 2017-0023-DWQ
- CCR Title 14 § 722 (CDFW General LSAA for Cannabis Cultivation)
- CDPR
- Humboldt County Treasurer-Tax Collector
- Humboldt County Agricultural Commissioner
- California DIR, USDOL, Cal-OSHA, any other employment regulations and agencies

The Applicant consents to inspections and terms thereof outlined in CCLUO 2.0 as well as other inspections as described in various documents put forth by the agencies listed above.

## 2. Site Information

### 2.1 Road Systems and Parking Plan (§55.4.12.1.8)

Mattole Road provides access to the parcel and is located in the middle of the parcel. Two private driveways provide access from Mattole Road to the cultivation sites. Traffic will moderately increase along Mattole Road during planting and harvesting events as material is transported from a licensed nursery and to a licensed processing location, respectively.

The Applicant shall maintain the driveways from Mattole Road to the cultivation sites in accordance to the recommendations and guidelines outlined in the road evaluation report, prepared by a licensed engineer (please see the accompanying *Road Evaluation Report* in Section E.11) and applicable Humboldt County Code. These recommendations and guidelines are consistent with the Five Counties Salmonid Conservations Roads Maintenance Manual.

Parking will be provided for all employees and visitors. A 60' long by 60' wide parking lot will be located at the end of each access road and will include twelve (12) 10' wide by 20' long parking spaces, with 6 parking spaces located on each side of the access road. The parking lot will be constructed with 6 inches of ¾" crushed gravel. A turnaround for fire and rescue vehicles as well as transport trucks will be located adjacent to the parking lot. This turnaround meets State Responsibility Area fire safe regulations.

The intersection of the private driveway with Mattole Road currently meets the site visibility standards set forth in HCC 341-1. No construction or new buildings are proposed within the visibility triangle. If any fencing is installed it shall be of a nature and type that does not obstruct vision, and all brush and vegetation shall be kept mowed at this intersection. The Road System Assessment can be found in **Section E.9**.

A new encroachment to the west driveway is proposed for the summer of 2020. This will allow for safer entry to cultivation areas and exit off of Mattole Road. Grading plans for this project were prepared by Stillwater Sciences. Grading Plans for this project can be found in **Section E.9**.

### 2.2 Stormwater Management Plan (§55.4.12.1.12)

#### a. Site drainage & runoff

The Project site consists of vegetated areas and flat agricultural areas predominated by deep rooted natural grasses and access road. Saunders Creek and the Mattole River facilitate overall parcel drainage during the wet season. The Project will not divert water from the Mattole River or Saunders Creek, and will not require significant grading work. All marijuana cultivation will occur in the proposed outdoor cultivation area in level (unsloped) areas within raised or defined beds with a drip irrigation system. The cultivation area is located approximately 300 feet from the Saunders Creek River Streamside Management Area (SMA), and approximately 3,000 feet from the Mattole River SMA.

As the slope of the cultivation site is 5% or less, surface water is naturally absorbed and recharged back into the existing landscape without channelization. The Project will not result in discharges or that could affect surface water or groundwater quality. Irrigation water will be applied at agronomic rates via timed drip irrigation (i.e. there will be no runoff from irrigation) so as to minimize runoff. Any detected leaks in the irrigation system/s shall be fixed immediately so as to reduce runoff from such incidents.

Pond overflow is consistent with engineering professional standards and relevant local and state guidelines. The pond shall be constructed so that overflow recharges an engineered bioswale constructed for this specific purpose. The pond will be engineered and constructed by an appropriate licensed engineer and contractor, respectively, in accordance with Humboldt County Planning & Building codes and regulations. Please see accompanying engineered designs in **Section E.8.**

All runoff from soil and garden wastes shall be minimized by storing such wastes on low-gradient slopes in distinct compost bins and/or areas. Straw and/or mycoremediated straw baffles shall surround compost bins, areas, and piles, as may be deemed necessary. Drainage and potential runoff associated with fertilizer, amendment, and fuel storage shall be minimized through proper covered, off-the ground storage and secondary containment systems, if applicable.

Drainage from the driveway will be facilitated by those improvements outlined in the *Road Evaluation Report* in Section E.3. All drainage features shall be inspected on a weekly basis during the wet season and after all significant storm events.

The Applicant has enrolled in the State Water Resources Control Board Order No. 2017-0023-DWQ and a Site Management Plan (SMP) is being developed accordance with the General Order. The SMP includes erosion and sediment control BMPs designed to prevent, contain, and reduce sources of sediment.

**b. Erosion control measures**

Topsoil preservation measures include planting cover crop (clover and other species) during the fallow season, minimal tilling on calm days during planting, and mulching or utilizing weed mats where appropriate.

For minimizing erosion relating to roads and driveways, road conditions shall be inspected on a weekly basis during the year, and after major storm events during the wet season. All culvert

road improvements in the future shall utilize angular rock, outsloping, rolling dips, and water bars, as appropriate.

Any site grading or ground disturbance that may take place (e.g. during pond construction) will be mulched with native grass straw/hay, which shall not only reduce erosion, but also provide a mechanism for reseeding during the following wet season.

### 2.3 Water source

Beginning in the spring of 2020, irrigation water will primarily be supplied by an existing permitted 2-million-gallon rainwater pond and on-site water storage tanks. Rainwater and surface run-off will be collected in the pond via passive collection methods during rain events in the winter months.

The Mattole basin receives 80 – 100 inches of rainfall each year, on average.<sup>1</sup> The footprint of the proposed pond is 20,000 ft<sup>2</sup>. This translates to 1,011,200 – 1,264,000 gallons of harvested rainwater. The 17,750 square feet of guttered infrastructure will capture 885,000 to 1,106,000 gallons of rainwater. ~~In the case of severe drought, the non-hydrologically connected well will be utilized to top off the pond.~~

The pond has filled to full even in the 2020/2021 winter drought. No use of the well is anticipated even in a drought year. The pond will supply water throughout the year with continual filling from rain, surface runoff, and the well. The pond will continue to be filled with water from the well throughout the cultivation season. The well is not hydrologically connected and CDFW has claimed no jurisdiction over the well (See Final LSAA-1600-2019-0288-R1 in **Section E.6**). Irrigation from well-sourced water may also occur during the cultivation season. Well withdrawals will follow guidelines set forth by the SWCQB Order No. WQ 2017-0023-DWQ.

Trucked water may only be used for emergency situations, as defined by CCLUO §55.4.12.2.5.

## 3. Operations

### 3.1. Water storage (§55.4.12.7.1.c, §55.4.12.8)

Beginning in 2019, irrigation water will be stored on-site in an off-channel 2-million- gallon pond . The pond has been designed with a capacity to collect adequate rainfall to meet irrigation demand (see below), as well as amount lost to evaporation. The pond was designed by a licensed engineer and built by a licensed contractor. The pond will allow for overflow into a bioswale and will also include a ladder or other features so as to allow escapement by wildlife. The pond was designed so that it may be drained in the event of occupation by non-native species.

### 3.2 Water use (§55.4.12.7)

Water will be used onsite for crop irrigation and ancillary uses. Throughout their life-cycle, Individual plants will be watered only by focused drip irrigation system or top-feed hand watering methods. Both methods will ensure that maximal water use efficiency and that no runoff is created.

---

<sup>1</sup> Source: [https://www.wrh.noaa.gov/eka/climate/annual\\_rain.gif](https://www.wrh.noaa.gov/eka/climate/annual_rain.gif)

### 3.3 Irrigation Plan (§55.4.12.7.1.a,b,c)

Cultivation activities for two rounds per year (please see section 4 below for a more detailed account of cultivation activities).

The Project will utilize focused drip irrigation systems and/or top feed hand watering to provide direct to-root irrigation with minimal or no water waste. Water shall be applied at agronomic rates.

A total of 1,080,200 gallons of water will be used for irrigation. The table below outlines the estimated water usage for the proposed outdoor cultivation activity:

Estimated Annual Irrigation Water Usage (gallons)												
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2,200	2,200	22,000	39,600	88,000	154,000	220,000	220,000	176,000	132,000	22,000	2,200	1,080,200

### 3.4 Water conservation measures (§55.4.12.7.1.d)

On-site water management and conservation activities include:

- Timed drip irrigation applied at agronomic rates
- Water primarily sourced from rainwater catchment
- Regularly check for leaks at designated intervals

### 3.5 Measurement & recordkeeping (§55.4.12.7.5,6,7)

Water meters will be installed at the well and at all exit points from storage facilities (i.e. the pond), to account for and report actual water used, which will be recorded weekly and reported in accordance to local and state guidelines. The water level in all storage facilities will be monitored once per week and at least 2 times per month during other times; it shall be recorded at least once per month. Safety valves (volume or time oriented) shall exist at pond exit points so that in the event of a leak, only a limited amount of water can be lost.

### 3.6 Materials Management Plan - Agricultural chemicals & storage

BMPs will be employed when storing, handling, mixing, applying and disposing of all fertilizers, pesticides and fungicides. All nutrients, fertilizers and amendments will be located in an existing locked storage shed, and contained within water tight, labeled containers in accordance with manufacturer instructions. Pesticides will be stored in a separate locked shed compartment from the fertilizers and amendments. All pesticides will be stored in their original labeled containers in secondary containment. Application rates and times for all pesticides will be tracked and reported on the as required by CDPR and the County Agricultural Commissioner. Application rates for fertilizer will be tracked monthly in accordance with SWRCB requirements. Designated employees will be trained to handle, mix, apply and dispose of pesticides/fungicides with proper hand, eye body and respiratory protection in accordance with the manufacturer recommendations and CDPR requirements. Employees will also be trained in spill prevention, countermeasures, and cleanup protocols should emergency arise. Spill kits will be available in the storage shed. All chemical will have a Materials Safety Data Sheet available for reference in their associated storage location.



The Applicant anticipates using the following fertilizers/nutrients for the proposed cultivation operation:

- Liquid fertilizer, such as liquid fish emulsion and liquid bone meal
- Organic pesticide/fungicide
- Cow manure
- Dolomite
- Azomite

### 3.7 Soils Management Plan

Cultivation of mature plants will occur in raised beds utilizing native soils and imported amendments. Any soil that is disposed of will be transported to an authorized waste facility off-site.

### 3.8 Waste Management Plan (§55.4.12.1.13)

#### a. Cultivation waste

Cultivation vegetative matter such as root balls, branches, and leaves will be composted on-site in the designated compost area (see Site Plan).

No materials associated with the cultivation and processing of cannabis will be burned (CCLUO §55.4.12.1.9).

#### b. Solid waste

All other wastes, including cultivation-related (non-plant material) and household refuse & recycling, plastics, packaging, irrigation, pots, lighting, pond liners, electrical fixtures, wiring, and fencing shall be collected in designated trash and recycling containers which will be located onsite on a concrete pad and covered to prevent storm water contamination and leachate from entering or percolating to receiving waters. The containers will also be restricted from animal access. Solid waste and recycling will be hauled off-site by a commercial waste hauler at least once per week, or as necessary. Please see the attached Site Plan for container location.

#### c. Hazardous waste

Although their production is not anticipated, any hazardous wastes, such as fuels or solvents, shall be taken to a county-approved hazardous materials collection facility, as appropriate.

#### d. Wastewater

Since irrigation shall be applied at agronomic rates, no effluent (cultivation wastewater) is anticipated at the site. A septic system and associated toilet facilities are located onsite for employee use. The Applicant will work with the County to ensure all necessary permits are on-file for these facilities. Please see the Site Plan for leach field location.

#### e. Sewage Disposal Plan

Sewage will be disposed of through a permitted below ground septic system

### 3.9 Light Pollution Control Plan (§55.4.12.4)

CCLUO Application – 164 Buck LLC

Native Ecosystems Inc. December 4, 2019 / Edited by SL Consulting Services August 10, 2020

All lighting associated with nursery activities shall be shielded by use of tarps or other covers so that no light escapes from sunset to sunrise.

### *3.10 Noise Pollution Control Plan (§55.4.12.6)*

All cultivation-related activities shall not increase ambient noise levels by more than 3 decibels as measured at each property line. Current ambient noise levels range from 30 dBA to 58 dBA (wind speed 8 m/s). As the cultivation site is surrounded by mature trees, any noise generated from cultivation activities will be naturally buffered by this vegetation, prior to reaching the property lines. Noise levels shall be measured periodically throughout the cultivation season. No sensitive receptors are located within 1,000 ft of the project site

**See ambient noise assessment.**

Any construction activities associated with Project implementation shall be limited to daylight hours as specified in CCLUO 2.0 §55.4.12.2.8.

### *3.11 Watershed and habitat protection and restoration*

The Applicant has completed a Watershed Resource Protection Plan and a Site Management Plan (SMP) in accordance with enrollment in SWRCB Order No. 2017-0023-DWQ. Adherence to the SMP will ensure that the watershed and surrounding habitat are protected. Site development and maintenance activities will utilize BMPs in accordance with the SWRCB recommendations. Grading and earthwork activities, if any, will be conducted by a licensed contractor in accordance with approved grading permits and the SMP. All bare soils from grading activities will be immediately re-vegetated using native plants and mulched. As discussed above, careful irrigation practices prevent any discharge of water; in conjunction with greenhouses, the Project will result in no discharge of agricultural water to any of the water features on or near the Project site.

The Applicant shall work to limit and control any invasive species on the parcel via methods appropriate and effective to the species. A Bullfrog Management Plan, developed by CDFW, shall be implemented for the pond feature.

There are ongoing ecological restoration projects throughout both parcels that include grasslands, riparian and oak woodland restoration as well as fuels reduction and forest thinning. A portion of the proposed open air cultivation area is located within an active grasslands restoration area that was non-forested prior to 2016.

### *3.12 Energy Plan (§55.4.12.5)*

Power will be provided using solar arrays. A 75'x75' area has been dedicated to develop the power system needed for day to day power needs for the 2.0 accessory structures and greenhouses. This will be sufficient for "Phase 1" implementation where the accessory barns will be suitable for equipment and harvest storage.

A "Phase 2" implementation is required to develop the 2.0 barns for drying. PGE is not currently able to supply additional power to this area of the County for several years. While it is proposed that PGE grid service with 80% renewable energy be the final power source - this is a peak intensity usage and will require the use of a much larger solar array or a combination of the Phase 1 array and supplemental generators for up to 8 weeks during the year (4 weeks for the first harvest and 4 weeks for the second harvest).

<sup>2</sup> [https://www.pge.com/en\\_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page](https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page)

Generator use shall be limited to “emergency” use only, as defined in CCR Title 17, Division 3, Chapter 1, Subchapter 7.5, §93116.2(a)(12), or the “emergency use” definition for stationary engines in Title 17, Division 3, Chapter 1, Subchapter 7.5, § 93115.4(a)(30). The energy budget for the project can be found in **Section E.10**.

### *3.13 Security Plan*

Access to the cultivation and processing facilities will be secured and restricted. The cultivation premises and any associated facilities shall be locked when not staffed. Only employees or contractors of the Applicant and designated county and state officials shall be allowed to enter the garden sites, or any other associated cultivation facilities. All employees and contractors of the Applicant shall be at least 21 years of age.

The site is not visible from high-traffic public roads, and no high-density residential, commercial, school, or other uses are located near the Project site. The Property is enclosed with 8-foot tall fencing and a locked gate.

To ensure against diversion to illegal marketplaces, the Applicant will be a participant in a “Track & Trace Program” under guidelines and regulations set forth by Humboldt County and the State of California. The Applicant will also delineate specified areas for materials holding and/or destruction, as may be deemed necessary according to state regulations. The Applicant shall also comply with any safety and security regulations that may be specified by the county or state. All appropriate and pertinent paperwork permits, and licenses shall be on-hand at the garden site, pursuant to Humboldt County and state regulations.

### *3.14 Public Accommodations Plan*

Restroom facilities and parking will be provided for any visitors to the farm. There will not be any food or lodging accommodations at the farm.

### *3.15 Adaptive Site Re-use Plan*

In the event that cannabis cultivation activities are ceased on the property, the following tasks will be completed to prepare for site re-use as agricultural grazing lands:

- Removal and disposal of greenhouses, soil, irrigation and all items associated with cannabis cultivation
- Grading of cultivation areas as needed
- Installation of native grass seed at a rate of 50 lbs./acre

## **4. Cultivation**

### *4.1 Propagation activities*

All plants will be cultivated in on-site nurseries. Seedlings will be grown at on-site nurseries until they are ready to be transplanted to cultivation areas. No flowering plants will exist within nursery greenhouses. Please see the *Schedule of Activities* below for more details regarding timing.

#### 4.2 Cultivation activities

The Project proposes to cultivate cannabis in greenhouse outdoor cultivation areas using light deprivation techniques to achieve two harvest per year. Please see the *Schedule of activities* below for more details regarding timing.

All activities will be entered in the California State Track & Trace systems as required.

#### 4.3 Processing Plan

Upon maturation, trained employees will remove and place plant material in bins, which will then be weighed in compliance with Track & Trace requirements. Bins are taken to the drying buildings on the Property where the cannabis is hung to dry and cure. The buildings will be equipped with air conditioning and dehumidification for proper curing and elimination of conditions that promote mold. Barns will also be locked when immediate access is not required.

After drying, all other processing activities will occur off-site at a permitted and licensed facility. All work surfaces and equipment used for drying are maintained in a clean and sanitary condition. Temporary storage (i.e. "harvest storage") of dried cannabis material will also occur in the drying barns; this is for material that is dry but not yet sent out to the off-site processing facility.

#### 4.4 Schedule of Activities

Schedule of Activities for Outdoor Cultivation Areas												
Task	1st Round				2nd Round							
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Propagate plants at on-site nursery												
Transplant juvenile plants to greenhouses												
Apply soil amendments												
Plant health activities; IPM												
Vegetative growth												
Flowering												
Harvest and Drying												
Sanitation of cultivation space												
Send dried material to processing facility												



## **5. Employees**

The Project, as noted, proposes to cultivate commercial cannabis in an open-air cultivation area. Up to ten (10) employees, both full-time and part-time, will oversee the cultivation and drying operations. Employees will be local residents and do not require on-site housing.

### *5.1 Employee Safety Practices*

Cultivation, harvesting, and processing will be performed by employees trained in each activity, including techniques and use of pruning tools and proper application and storage of pesticides and fertilizers. All employees will be provided with proper hand, eye, body and respiratory Personal Protective Equipment (PPE). All PPE will be stored in a separate location from the locked agricultural chemical storage shed. At the beginning of each day, there will be a safety meeting and employees will sign a Job Hazard Analysis for.

All employees are trained in proper safety procedures including fire safety, use of rubber gloves and respirators, proper hand washing guidelines, and emergency protocols. Contact information for the local fire department, CAL FIRE, Humboldt County Sheriff and Poison Control will be posted at the employee restroom. Each employee will be provided with a written copy of emergency procedures and contact information. The material safety data sheets (MSDS) will be kept on site and accessible to employees. All work performed will be in compliance with Cal-OSHA standard practices.

### *5.2 Employee Sanitation and Hydration*

Restroom and hand washing facilities will be provided by a permitted permanent bathroom. It is estimated that an extra 10 gallons per day will be generated from these uses during the cultivation season. The current septic system can accommodate this amount. Drinking water is provided from a water cooler using filtered bulk water.

### *5.3 On-Site Housing*

The Project does not include any on-site housing. All employees will live off-site and commute daily to the Project site. No new residential structures are proposed as part of this Project.

## **D. General Application Forms**

---

The following application forms are attached below:

1. Planning and Building Application Form
2. Copy of Current Grant Deed
3. Copy of Ownership Instrument, showing all owner names/ Limited Liability Corporation information
4. Indemnification and Hold Harmless Agreement Form

## **E. Other Required and Supplemental Documents**

---

1. Cultural Resources Report
2. Biological Assessment Reports – Biological, Wetland Delineation, Rare Plants
3. Hazardous Materials Report
4. Well Completion Report
5. Grading Permit for Rainwater Pond
6. SWRCB General Order Enrollment and Site Management Plan; NCRWQCB Notice of Applicability and WRPP; CDFW/LSAA Application and Final
7. Prime Agricultural Soils Report
8. Slope Evidence Report
9. Road System Assessment, Draft List of Improvements, Road Grading Plans
10. Energy Budget

21. Water Resource Protection Plan & Site Management Plan for 164 Buck, LLC; APNs 107-092-001 & 107-085-025, prepared by Stillwater Sciences, dated April 2019. (**Attached**)
22. OWTS Design Report, APN: 107-085-025, 40300 Mattole Road, Honeydew, prepared by Lindberg Geologic Consulting, dated 5/20/20. (Attached)
23. 24 Hour Noise Assessment, APN: 107-085-025-000, prepared by SL Consulting Service, Inc., received 8/24/20. (**Attached**)
24. Energy Budget prepared by Brant Electrical. (**Attached**)

State of California  
**Completion Report**  
*Refer to Instruction Pamphlet*

Permit Number 15/16-0466 Permit Date 2/25/16

DWR Use Only - Do Not Fill In	
State Well Number/Site Number	
N	W
Latitude	Longitude
APN/TRS/Other	

[illegible]

RECEIVED  
APR 25 2016  
HUMBOLDT CO. DIVISION  
OF ENVIRONMENTAL HEALTH

Well Owner


Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City Forestville State \_\_\_\_\_ Zip \_\_\_\_\_

Well Location

Address \_\_\_\_\_

City Honeydew County Humboldt 

Latitude \_\_\_\_\_ N Longitude \_\_\_\_\_ W

Dec. Min. Sec. Dec. Min. Sec.

Datum \_\_\_\_\_ Dec. Lat. \_\_\_\_\_ Dec. Long. \_\_\_\_\_

APN Book 107 Page 092 Parcel 001

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_

Location Sketch		Activity
(Sketch must be drawn by hand after form is printed.)		<input checked="" type="radio"/> New Well <input type="radio"/> Modification/Repair <input type="radio"/> Deepen <input type="radio"/> Other _____ <input type="radio"/> Destroy Describe procedures and materials under "GEOLOGIC LOG"
North 		<b>Planned Uses</b> <input checked="" type="radio"/> Water Supply <input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Public <input type="checkbox"/> Irrigation <input type="checkbox"/> Industrial <input type="radio"/> Cathodic Protection <input type="radio"/> Dewatering <input type="radio"/> Heat Exchange <input type="radio"/> Injection <input type="radio"/> Monitoring <input type="radio"/> Remediation <input type="radio"/> Sparging <input type="radio"/> Test Well <input type="radio"/> Vapor Extraction <input type="radio"/> Other _____
Illustrate or describe distance of well from roads, buildings, fences, rivers, etc. and attach a map. Use additional paper if necessary. Please be accurate and complete.		

**Water Level and Yield of Completed Well**

Depth to first water	<u>12</u>	(Feet below surface)
Depth to Static		
Water Level	<u>12</u>	(Feet) Date Measured <u>04/19/2016</u>
Estimated Yield *	<u>5</u>	(GPM) Test Type <u>Constant Rate</u> <input checked="" type="checkbox"/>
Test Length	<u>4.0</u>	(Hours) Total Drawdown <u>151</u> (Feet)

\*May not be representative of a well's long term yield.

[illegible]

Attachments		Certification Statement			
<input type="checkbox"/> Geologic Log <input type="checkbox"/> Well Construction Diagram <input type="checkbox"/> Geophysical Log(s) <input type="checkbox"/> Soil/Water Chemical Analyses <input type="checkbox"/> Other	I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief. Name <u>Mitchell Drilling Environmental Corp.</u> Person, Firm or Corporation <u>7900 Myrtle Ave.</u> <u>Eureka</u> <u>CA</u> <u>95503</u> Address City State Zip Signed <u><i>Edward M. Mitchell</i></u> <u>4/22/2016</u> C-57 Licensed Water Well Contractor Date Signed C-57 License Number <u>180</u>				

**HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT**

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

Applicant Name: 164 Buck, LLC

APN: 107-085-025-000

Planning & Building Department Case/File No.: 16197

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

From Road (Cross street): Mattole Road

To Road (Cross street): Site

Length of road segment: 0.2 miles Date Inspected: 8/21/20

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

Check one of the following:

- Box 1** ☐ The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.
- Box 2** ☒ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

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

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

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

Steve Luu

Signature

8-24-20

Date

Steve Luu

Name Printed

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







PHOTO 1 - MATTOLE  
ROAD

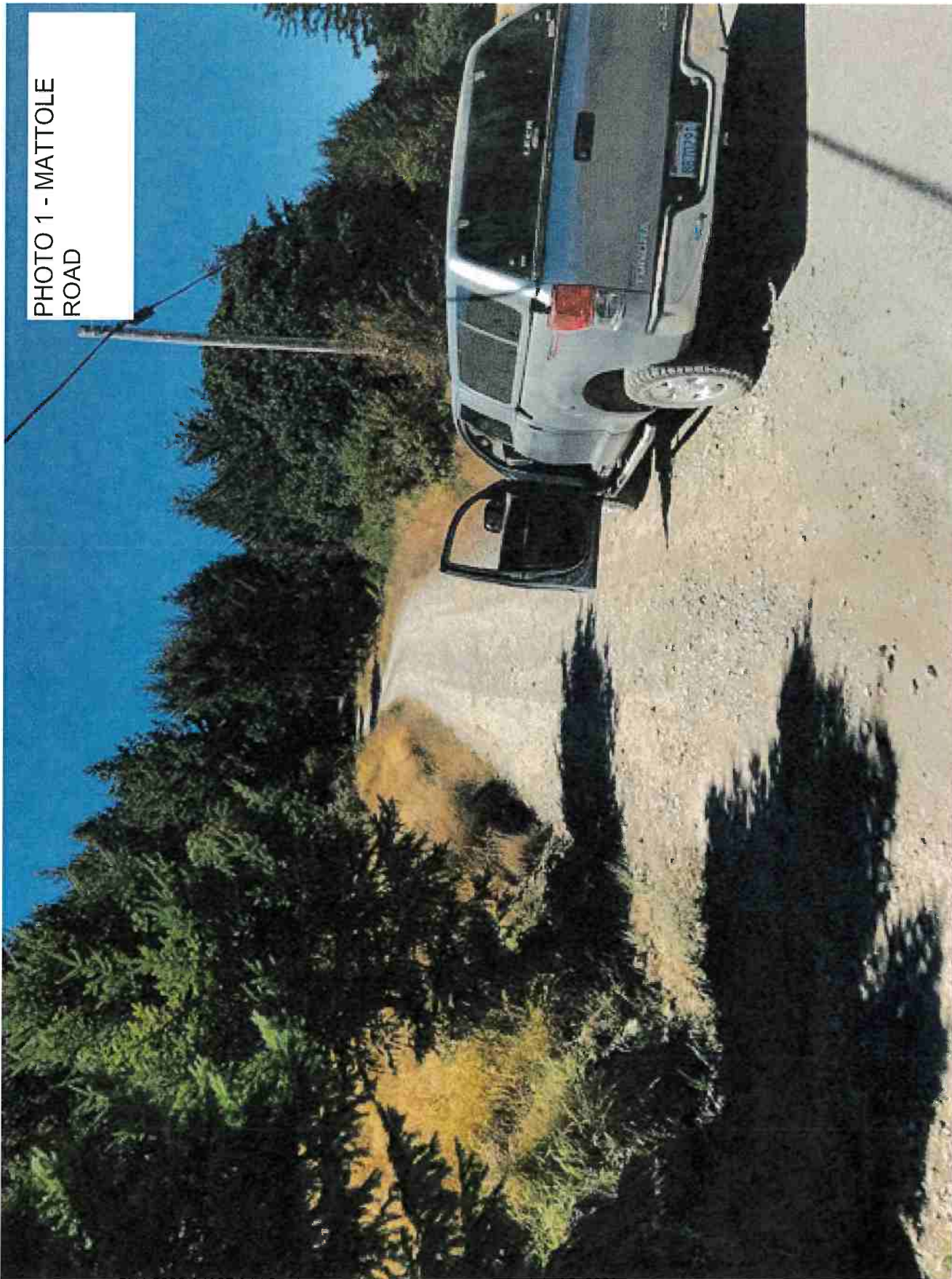




PHOTO 2 - GATE

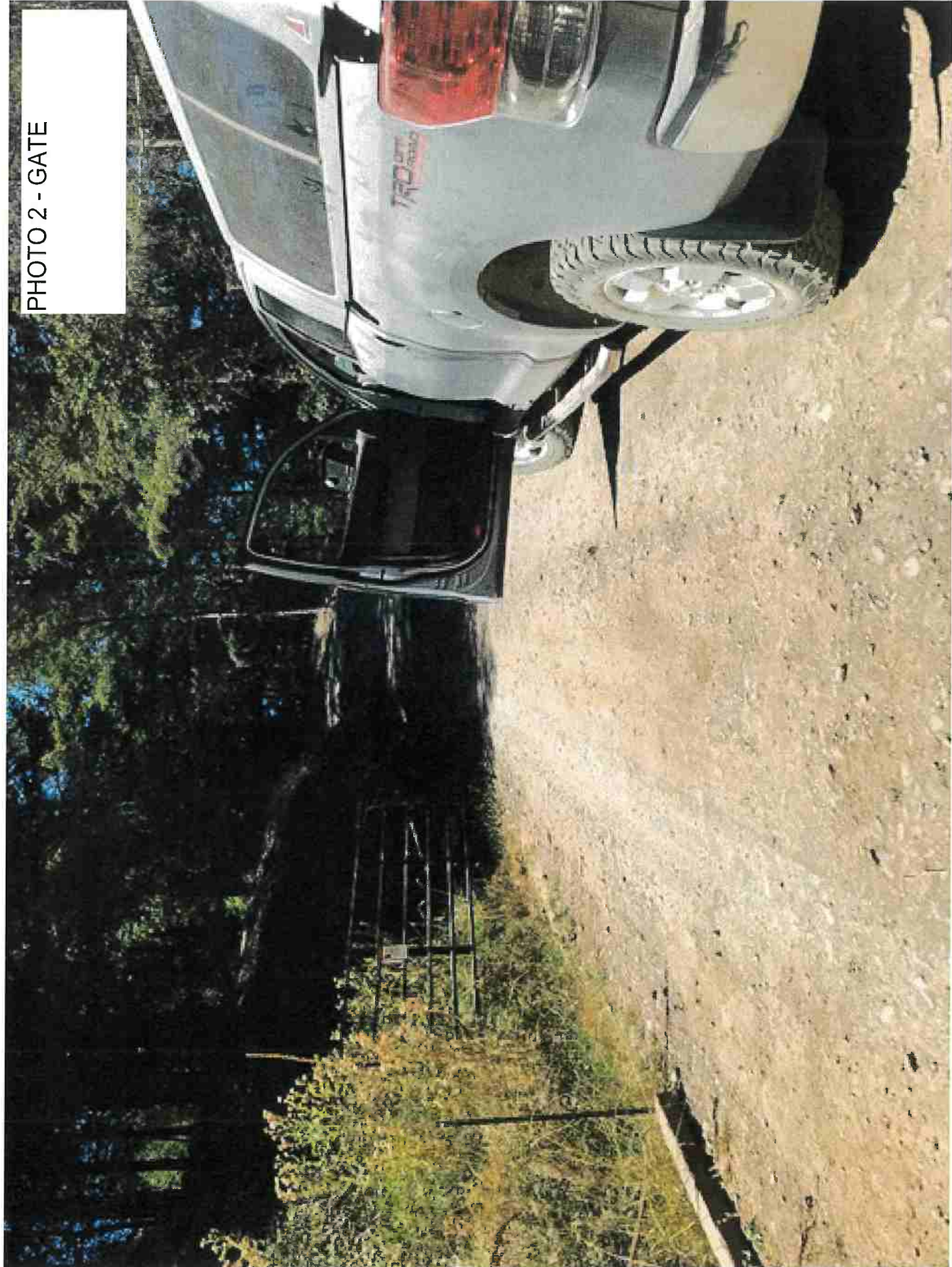
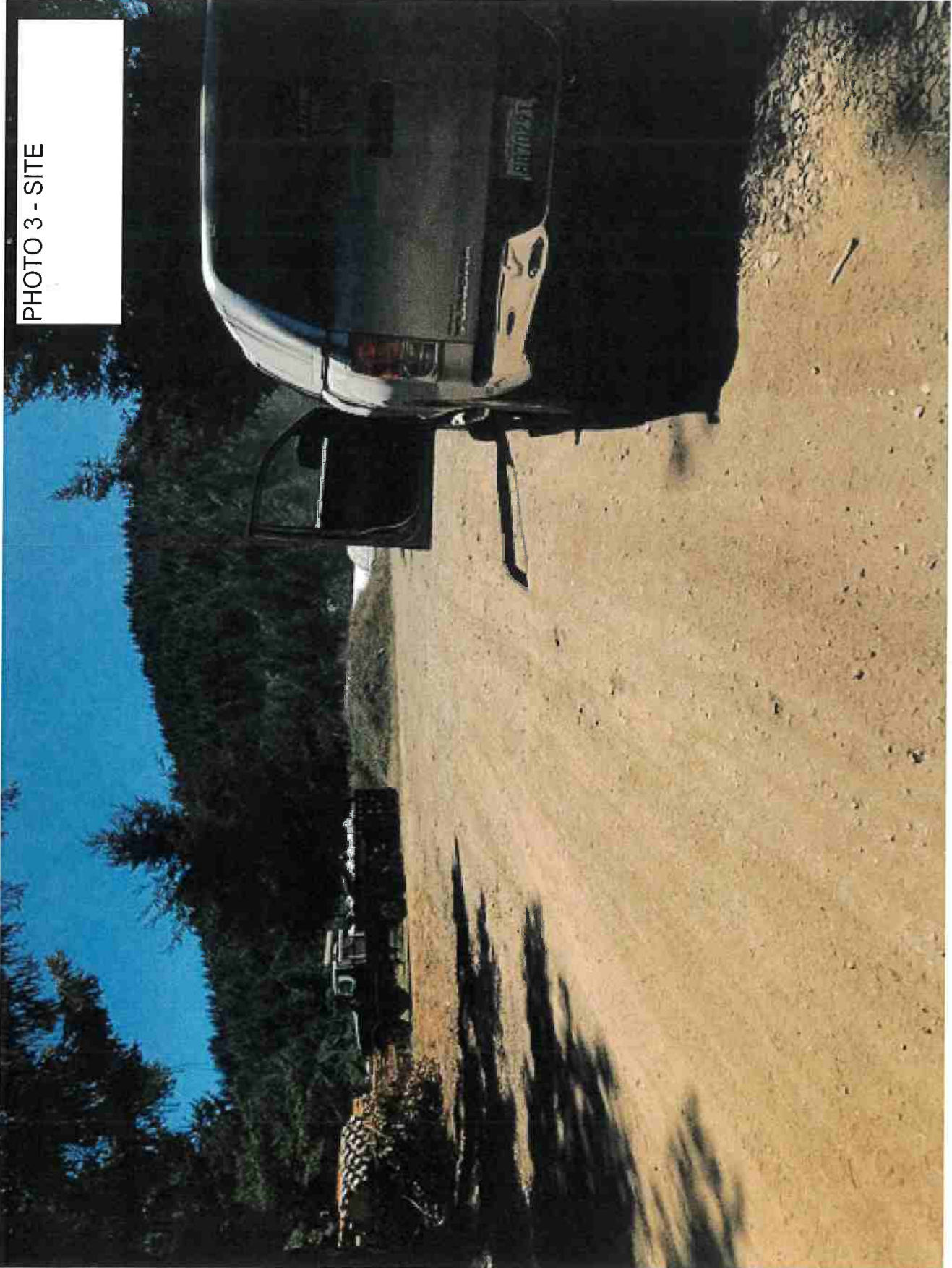


PHOTO 3 - SITE







Stillwater Sciences

850 G Street, Suite K, Arcata, CA 95521  
phone 707.822.9607



February 26, 2019

Humboldt County Planning Department  
3015 H Street  
Eureka, CA 95501

**RE: Road System Assessment for APNs 107-085-025 and 107-092-001.**

Dear Humboldt County Planning Department Staff:

I am the consultant for the landowner of APNs 107-085-025 and 107-092-001. I have assessed the road system on the two parcels and reviewed past recommendations prepared by Pacific Watershed Associates (PWA) for a portion of the property. Below are the results from my assessment. Note that more detailed recommendations will be forthcoming and submitted to CDFW in March 2019 with an LSAA application for the property.

An annotated map of the property is attached. Below is a summary of each of the features described on the map:

**Access Rd #1:** This road is nearly flat and accesses the primary residence on APN 107-085-025. The road is in good condition. There are no recommended improvements.

**Access Rd #2:** This road accesses the proposed cultivation area on APN 107-085-025. The road surface is in good condition, but there is an inboard ditch with extensive flow and evidence of erosion. The inboard ditch should be armored with small riprap rock to reduce erosion. Also, it is likely that extensive work will be needed where this driveway meets Mattole Rd to facilitate a County-approved intersection. The landowner anticipates needing an encroachment and grading permit for this work.

**Access Rd #3:** This road is the primary access to the residence on APN 107-092-001. The road is generally in good condition although some minor improvements could be made including adding gravel to the road surface and reshaping to reduce runoff concentration.

**Seasonal Access Road:** This road makes a loop around the property and is generally in decent condition. Some reshaping should be conducted to reduce runoff concentration including installation of rolling dips and outslipping.

2855 Telegraph Avenue  
Suite 400  
Berkeley, CA 94705  
510.848.8098

279 Cousteau Place  
Suite 400  
Davis, CA 95618  
530.756.7550

850 G Street  
Suite K  
Arcata, CA 95521  
707.822.9607

895 Napa Avenue  
Suite B-4  
Morro Bay, CA 93442  
805.570.7499

555 W. 5th Street  
35th Floor  
Los Angeles, CA 90013  
424.302.3910

108 NW Ninth Avenue  
Suite 202  
Portland, OR 97209  
503.267.9006

---

**Existing 18" diameter culvert:** This culvert should be replaced with a 24" diameter culvert per the specifications described in the attached PWA report.

**Remediation Areas Described in PWA Report:** The most significant need for road-related remediation work on the property is described in the attached PWA report. Recommendations for these areas include replacement of one culvert, decommissioning of one road segment and small road/stream crossing, and other specific road re-shaping treatments.

Please feel free to contact me with any additional questions.

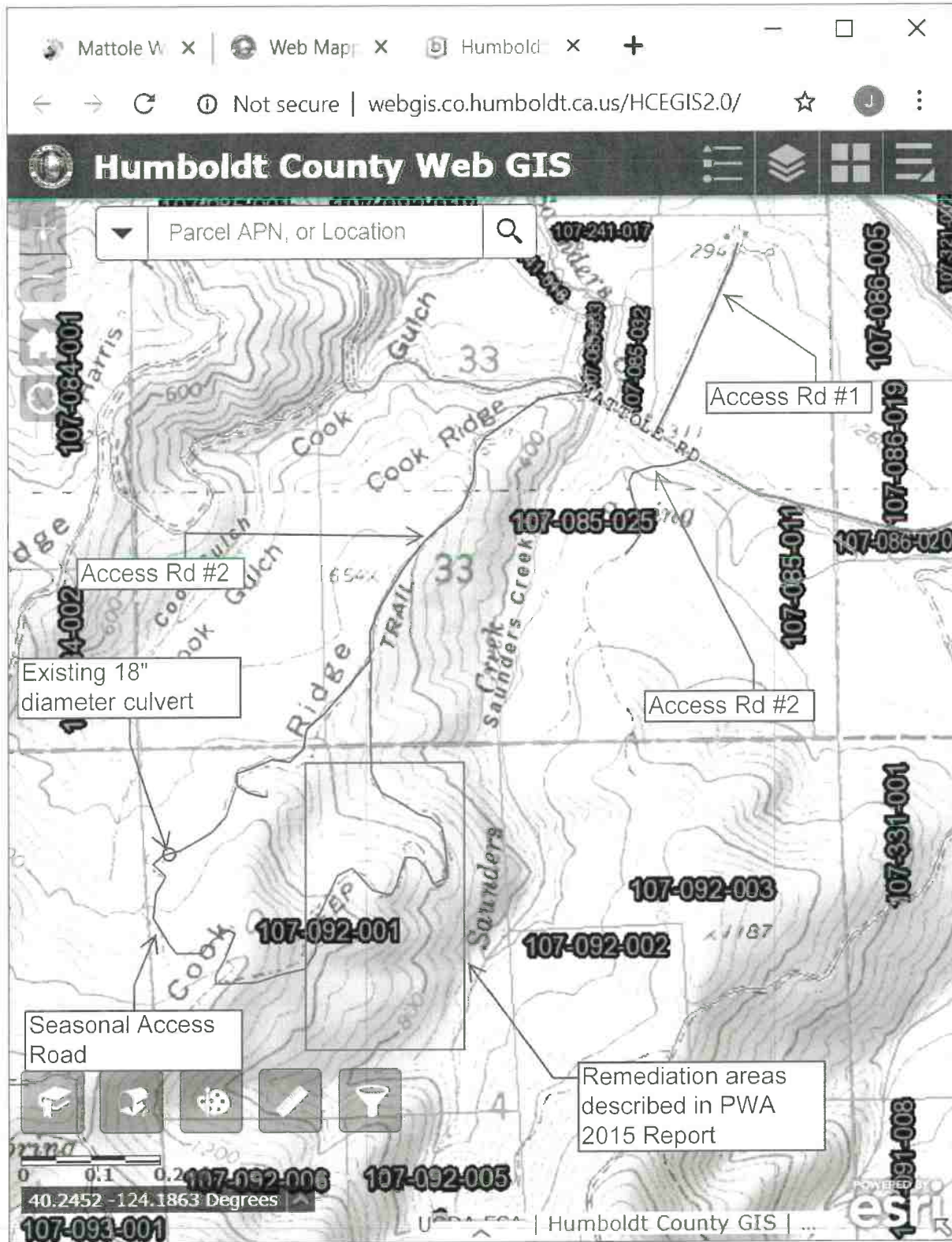
Sincerely,



Joel Monschke PE  
(707) 496-7075  
jmonschke@stillwatersci.com









**Biological Evaluation  
of Threatened and Endangered Plant Species**

**for**

**Cannabis Cultivation on Humboldt County Parcel 107-085-025**

**Prepared For:**

164 Buck LLC  
PO Box 833  
Point Lookout, NY 11569  
(914) 980-0778

**Prepared By:**

**Native Ecosystems, Inc.**  
**PO BOX 114**  
**Petrolia, CA 95558**  
**[hugh@nat-eco.net](mailto:hugh@nat-eco.net)**

**In consultation with:**

Dennis Halligan  
Senior Fisheries Biologist  
direct 7078229607  
ext 205 cell 7074077287  
[dennis@stillwatersci.com](mailto:dennis@stillwatersci.com)  
Stillwater Sciences  
850 G St., Suite K, Arcata, CA 95521  
tel 7078229607  
fax 8887665110  
[www.stillwatersci.com](http://www.stillwatersci.com)

## I. Introduction

- A. Purpose of Document. The purpose of this biological assessment is to analyze and evaluate the potential effects of proposed actions on the threatened, endangered or proposed (TEP) plant and animal species that may occur within the proposed 4.0-acre cannabis cultivation and ancillary facilities project area.
- B. Proposed Action. The Proposed Action is to cultivate 4 acres of commercial cannabis using outdoor and mixed light cultivation methods; to construct and operate ancillary nursery and drying facilities; and to install a 2-million-gallon rainwater catchment pond and associated bioswale.
- C. Applicant.

164 Buck LLC  
PO Box 833  
Point Lookout, NY 11569  
(914) 980-0778

## II. Project Description

- A. Cultivation. Cultivation will occur in open-air gardens totaling 4 acres as described below:
- 22,000 ft<sup>2</sup> mixed light cultivation with artificial
  - 154,240 ft<sup>2</sup> outdoor cultivation occurring in hoop-houses without the use of artificial light

Cultivation will occur within raised or defined beds in native soil with drip irrigation. The siting for the cultivation area is on relatively level ground (slope < 5%) in open grassland that has been seasonally grazed. Please refer to the Site Plan for specific location. Drying of harvested cannabis will take place in on-site drying buildings. Further processing will take place off-site. Cultivation will occur primarily May through October on an annual basis, although some garden maintenance activities may occur year-round. Cultivation will be done by the applicant or a designated representative or contractor.

- B. Building Construction. An ancillary nursery facility and drying building/s will be constructed during dry months (July – September) in 2019. Building maintenance activities may occur year-round. Little to no grading will be needed for the drying building/s and nursery facility, and most construction will be done with hand tools. Please see the Site Plan for specific location.

- C. Pond Installation. The main supply of water for the project will be provided by a rainwater catchment pond. The siting areas for the pond and bioswale are on stable, relatively level ground (slope < 5%) in open grassland that has been seasonally grazed. Please see the Site Plan for specific location. The pond shall be designed so that it may be completely drained each year to avoid becoming colonized by bullfrogs. If bullfrog presence is previously detected through surveys during the breeding season (please see the Project's *Bullfrog Management Plan*), eradication measures can and should be implemented prior to any drainage of the pond. The pond and bioswale installation will require an excavator and/or other similar heavy equipment. All equipment work will be implemented by a licensed contractor in accordance with applicable County and State regulations. All bare soils from grading activities will be immediately re-vegetated using native plants and mulched. Construction will occur during dry season months in 2019.
- D. Conservation Measures. Conservation measures are aimed to avoid, reduce, or eliminate adverse effects or that would benefit any protected species or critical habitat within or nearby the Project Area. Conservation measures that are incorporated into project design are listed below.
- i. Setbacks from the Mattole River and Saunders Creek riparian corridors (Streamside Management Areas) are approximately 3,000 ft and 400 ft, respectively. The setback from the cultivation area from the delineated wetland area on the property is at least 50 ft.
  - ii. All irrigation water will be sourced from non-diversionary sources. In 2019, a well will be utilized. This well will be designed and installed so as to not be hydrologically connected to Saunders Creek or the Mattole River. In 2020 and beyond, irrigation water will primarily be sourced from the rainwater catchment pond with supplemental water being supplied by the well during the wet season (November – March).
  - iii. The project incorporates water conservation standards and practices that include drip irrigation applied at agronomic rates that prevent discharge of water. The Project will result in no discharge of agricultural water to any of the water features on or near the Project site.
  - iv. The Applicant is developing a Site Management Plan (SMP) in accordance with enrollment in SWRCB Order No. 2017-0023-DWQ. Adherence to the SMP will ensure that the watershed and surrounding habitat are protected. Site development and maintenance activities will utilize BMPs in accordance with the SWRCB recommendations.
  - v. The Applicant shall work to limit and control any invasive species on the parcel via methods appropriate and effective to the species. A Bullfrog

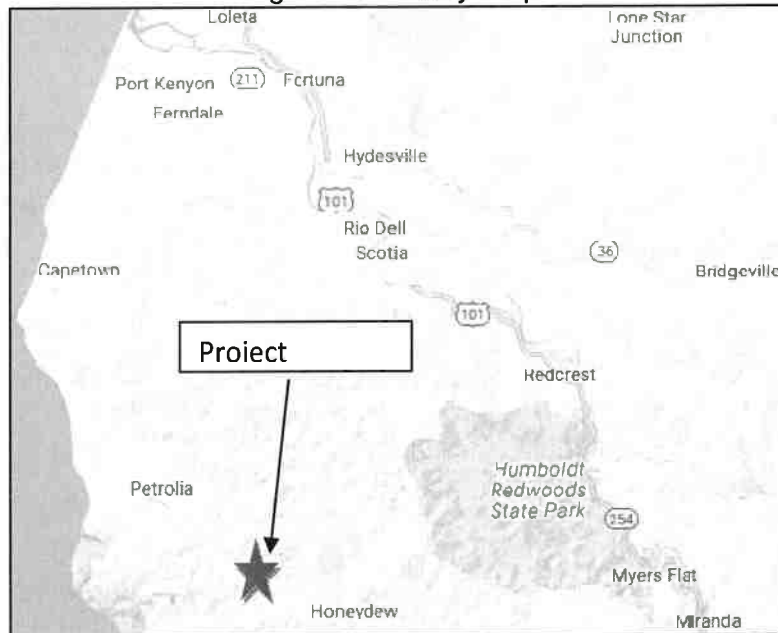


Management Plan, developed by CDFW, shall be implemented for the pond feature (see accompanying document).

### III. Action Area

- A. Project Location. The Project is located at 40300 Mattole Road, Honeydew, CA 95545 in Southern Humboldt County. The Project is located in the inland zone between the communities of Petrolia and Honeydew, as shown on **Figure 1 – Vicinity Map**. The Honeydew community is located approximately 4.5 miles east of the Project and the Petrolia is approximately 10 miles northwest of the Project. Each town contains a general store, post office, elementary school and a small number of rural residences. The nearest urban developments are located approximately 40 miles north and east along Highway 101.

Figure 1. Vicinity Map



- B. Watershed. The property is entirely located within the *Cape Mendocino* Planning Watershed (USGS HUC-8 *Mattole*) and the *Lower Mattole River* USGS HUC-12 subwatershed, which is not listed as an “impacted” and/or “refuge” HUC-12 subwatershed.
- C. Legal Site Description. The Property comprises approximately 252.27 acres identified by Humboldt County APN 107-085-025 and an adjacent property consisting of 160 acres identified by APN 107-092-001 that will be held in

common with APN 107-085-025 to bring the total property size to approximately 412 acres.

- D. Topographic Description. The Project site is generally level and disturbed from past agricultural activities, primarily grazing. Slopes in the area to be developed for the proposed Project are less than five percent (5%). Moderate hill slopes surround the Project site. Saunders Creek flows through the property and the Mattole River abuts the far northeastern corner of the property.
- E. Ecological Description. The proposed Project site is in a grassland that is seasonally grazed and does not contain groundnesting bird habitat. However, birds may nest in shrubs or young Douglas fir and oak trees surrounding the grassland. The young Douglas fir and oaks surrounding the cultivation site are not NSO or marbled murrelet habitat. There is a small wetland in the southeast corner of the proposed cultivation area. Surrounding areas consist of moderate hill slopes of mixed stands of Douglas fir and oak species. Saunders Creek and the Mattole River have associated riparian habitat consisting of alder, willow (spp.), California bay, and Douglas fir. Neotropical migrant birds and willow flycatchers could utilize the habitat along the Mattole River. The Mattole River provides suitable habitat for anadromous salmonids, lamprey, foothill yellowlegged frogs, and western pond turtle. Saunders Creek provides habitat for anadromous salmonids and foothill yellowlegged frogs.
- F. Land Use. The Project is located in an area of rural residential and agricultural uses, including grazing and extensive cannabis cultivation activities that have occurred since the passage of California Proposition 215 in 1996.

#### **IV. Species/Critical Habitat Considered**

- A. Please see the tables below for special status (TEP) species that may be present, as well as other species and critical habitat areas (if any) in or near the Project Area.

i. Animals

Table 1.

Scientific name (common name)	Status <sup>1</sup> (Federal/ State)	Distribution and habitat associations	Location of suitable habitat	Likelihood of occurrence in the Survey Area
<b>Fish</b>				
<i>Eucyclogobius newberryi</i> (Tidewater Goby)	FE/SSC	Tillas Slough (mouth of the Smith River, Del Norte County) to Agua Hedionda Lagoon (northern San Diego County). Coastal lagoons and the uppermost zone of brackish large estuaries; prefer sandy substrate for spawning, but can be found on silt and rocky mud substrates; can occur in water up to 4 m (15 ft) in lagoons and within a wide range of salinity (0–42 parts per thousand).	Nearest suitable habitat and detections are in the Eel River estuary.	<b>None:</b> Habitat not suitable
<i>Entosphenus tridentatus</i> (Pacific lamprey)	None/SSC	Coastal streams primarily north of San Luis Obispo	Gravel-bottomed streams at the upstream end of riffle habitat. Suitable habitat is present in the Mattole River.	<b>High:</b> Present in the Mattole River at far north-eastern corner of property.
<i>Oncorhynchus kisutch</i> (coho salmon – southern Oregon / northern California ESU)	FT, CH/ST	Oregon border to Punta Gorda, California. Spawn in coastal streams and large mainstem rivers in riffles and pool tails- outs and rear in pools >1 m (3 ft) deep with overhead cover with high levels oxygen and temperatures of 10–15°C (50–59°F).	Suitable habitat is present in the Mattole River.	<b>Moderate:</b> May be occasionally present in the Mattole River at far north- eastern corner of property.

Scientific name (common name)	Status <sup>1</sup> (Federal/ State)	Distribution and habitat associations	Location of suitable habitat	Likelihood of occurrence in the Survey Area
<i>Oncorhynchus mykiss</i> (steelhead trout – Northern California DPS)	FT, CH/None	Inhabits small coastal streams to large mainstem rivers with gravel-bottomed, fast-flowing habitat for spawning. However, habitat criteria for different life stages (spawning, fry rearing, juvenile rearing) are can vary significantly.	Suitable habitat is present in the Mattole River.	<b>High:</b> Present in the Mattole River at far north-eastern corner of property & present in Saunders Creek which runs through the property.
<i>Oncorhynchus tshawytscha</i> (Chinook salmon – California Coastal ESU)	FT, CH/None	Wild coastal, spring, and fall-run Chinook found in streams and rivers between Redwood Creek, Humboldt County to the north and the Russian River, Sonoma County to the south.	Suitable habitat occurs in the Mattole River.	<b>High:</b> Present in the Mattole River at far north-eastern corner of property and present in the lower portion of Saunders Creek, north of Mattole Road (not in survey area).



Scientific name (common name)	Status <sup>1</sup> (Federal/ State)	Distribution and habitat associations	Location of suitable habitat	Likelihood of occurrence in the Survey Area
<b>Amphibians</b>				
<i>Ascaphus truei</i> (Pacific tailed frog)	None/SSC	Associated with high-gradient, perennial and montane streams in hardwood conifer, redwood, Douglas-fir, and ponderosa pine habitats. Tadpoles require water temperatures below 15°C (59°F).	Suitable habitat may occur in high gradient perennial watercourses outside of the Survey Area.	<b>Moderate:</b> May occur in upper portions of Saunders Creek.
<i>Rana aurora</i> (northern red-legged frog)	None/SSC	Humid forests, woodlands, grasslands, and streamside usually near dense cover. Generally near permanent water but can be found far from water in damp woods and meadows during non- breeding season.	Suitable habitat is present in habitat types associated with water, nearby uplands, and existing ponds.	<b>High:</b> May be seasonally present in the seasonal wetland portion in the Survey Area.
<i>Rana draytonii</i> (California red-legged frog)	FT, CH/SSC	Largely restricted to coastal drainages on the central coast from Mendocino County to Baja California; in the Sierra foothills south to Tulare and possibly Kern counties	Breeds in still or slow-moving water with emergent and overhanging vegetation, including wetlands, wet meadows, ponds, lakes, and low- gradient, slow moving stream reaches with permanent pools; uses adjacent uplands for dispersal and summer retreat	<b>None:</b> Outside current distribution
<i>Rana boylei</i> (foothill yellow-legged frog)	None/ SSC, SCT	Associated with partially shaded, shallow streams, and riffles with rocky substrate. Some cobble-sized substrate required for egg laying.	Suitable habitat occurs in the Mattole River.	<b>High:</b> Present in the Mattole River at far north-eastern corner of property & present in Saunders Creek which runs through the property.

Scientific name (common name)	Status <sup>1</sup> (Federal/ State)	Distribution and habitat associations	Location of suitable habitat	Likelihood of occurrence in the Survey Area
<i>Rhyacotriton variegatus</i> (southern torrent salamander)	None/SSC	Coastal redwood, Douglas-fir, mixed conifer, montane riparian and montane hardwood-conifer habitats. Seeps and small streams in coastal redwood, Douglas-fir, mixed conifer, montane riparian, and montane hardwood-conifer habitats. Seeps and springs need to be relatively unembedded with fine sediment.	Suitable habitat occurs in high-gradient gravely seeps and springs within redwood and montane riparian habitat types on the steep slopes outside of the Survey Area.	<b>None:</b> High-gradient seeps are not present in the Survey Area
<i>Taricha rivularis</i> (red- bellied newt)	None/SSC	Ranges from southern Humboldt to Sonoma counties. Found in streams during breeding season. Moist habitats under woody debris, rocks, and animal burrows.	Suitable habitat occurs in the Mattole River and larger tributaries. Documented to occur in the Mattole River downstream of the Upper North Fork.	<b>High:</b> Habitat present in the Mattole River at far north- eastern corner of property.
<b>Birds</b>				
<i>Brachyramphus</i> <i>marmoratus</i> (marbled murrelet)	FT, CH/SE	Associated with mature conifers (i.e., redwood and Douglas-fir) for nesting. During the breeding season, may be present 4–5 km (6–8 mi) inland.	No suitable habitat within or adjacent to the Survey Area. The nearest suitable habitat may be in Bull Creek, Humboldt Redwoods State Park.	<b>None:</b> No suitable habitat
<i>Charadrius 9ennant9ines</i> <i>nivosus</i> (Western snowy plover)	FT/None	Nests on barren to sparsely vegetated dune-backed beaches, barrier beaches, and salt-evaporation ponds, infrequently on bluff-backed beaches.	No ocean beaches or open large gravel bars are located within or adjacent to the Survey Area	<b>None:</b> No suitable habitat

Scientific name (common name)	Status <sup>1</sup> (Federal/ State)	Distribution and habitat associations	Location of suitable habitat	Likelihood of occurrence in the Survey Area
<i>Empidonax traillii brewsteri</i> (Little willow flycatcher)	None/SE	Typically breeds in wet meadows and montane riparian habitats (with a significant shrub component within or near a taller overstory) from 600 to 2,440 m (2,000-8,000 ft) in elevation from Tulare County north, along the western side of the Sierra Nevada and Cascades. Common spring (mid-May to early June) and particularly fall (mid-August to early September) migrant in riparian habitats at lower elevations, including the north coast of California. Occupy a wide variety of forested habitats in California, including mixed conifer, Douglas-fir, redwood, and montane hardwood-conifer forests with open canopies, near forest edges or forest openings (e.g., meadows, rivers, harvest units).	The nearest recorded sighting of this species was along the South Fork Eel River near Miranda in June 2000. Multi-storied riparian forest or woodland (e.g., alder, cottonwood, willow) habitat is not present in the Survey Area.	<b>Low:</b> Suitable habitat not in Survey Area, but may be present in significant willow patches in the lower Mattole river.
<i>Contopus cooperi</i> (Olive-sided flycatcher)	None/SSC		Suitable habitat occurs in the Survey Area. The nearest sighting was approximately 6 km (3.75 mi) downstream of the Survey Area.	<b>High:</b> Suitable habitat occurs in Survey Area.
<i>Dendroica petechia</i> (Yellow warbler)	None/SSC	Throughout California. Preferred habitat includes open-canopy, deciduous riparian vegetation in close proximity to water, often along streams or wet meadows.	Suitable habitat occurs in the Survey Area. The nearest sighting was at A.W. Way County park downstream of the Survey Area.	<b>High:</b> Habitat present in the Survey Area.
<i>Icteria virens</i> (Yellow-breasted chat)	None/SSC	Found in dense thickets of willows or other brushy areas of riparian woodlands throughout California. Prefers areas with an open-canopy and close proximity to water along streams or wet meadows; however, the preferred understory for nesting sites is thick and often includes a tangle of blackberry and wild grape.	Habitat is present in the Survey Area. The nearest sighting of this species occurred at the mouth of the Upper North Fork Mattole River.	<b>High:</b> Habitat present in the Survey Area.

Scientific name (common name)	Status <sup>1</sup> (Federal/ State)	Distribution and habitat associations	Location of suitable habitat	Likelihood of occurrence in the Survey Area
<i>Passerculus sandwichensis alaudinus</i> (Bryant's savannah sparrow)	None/SSC	North coastal California and the San Francisco Bay Area, from Humboldt County to northern Monterey County. This species resides in the narrow coastal fogbelt, its range extending approximately 15 km (9 mi) inland. Low tidal marshlands and adjacent ruderal communities, and, within the fog belt, in mesic grasslands. Short herbaceous vegetation communities that lack woody plant cover; in all habitats bare ground is an important component	Habitat is present in the Survey Area. The nearest sighting of this species occurred at the mouth of the Upper North Fork Mattole River.	<b>High:</b> Habitat present in the Survey Area.
<i>Ammodramus savannarum</i> (Grasshop per sparrow)	None/SSC	Coastal California and sporadically through most of the Central Valley, as well as Siskiyou County and at the base of the Sierra Nevada in Kern County. In the northern California coast, despite the apparent lack of suitable habitat, breeding pairs are found in the patchwork of grasslands that occur in the matrix of coniferous forest.	Habitat is present in the Survey Area. One individual was heard vocalizing at the Petrolia cemetery in 2017.	<b>High:</b> Habitat present in the Survey Area.
<i>Phoebastria (Diomedea) albatrus</i> (Short-tailed Albatross)	FE/None	Pacific Ocean (nests in Japan)	Feeds in north Pacific Ocean.	<b>None:</b> Habitat not suitable
<i>Strix occidentalis caurina</i> (Northern Spotted Owl)	FE/ST	Typically found in large, contiguous stands of mature and old-growth coniferous forest with dense multi-layered structure.	Suitable breeding and roosting habitat is not present within the Survey Area. The closest critical habitat is approximately 2.9 km (1.8 mi) to north & 2.0 km (1.25 mi) to southwest of Project Site.	<b>None:</b> Habitat not suitable



Scientific name (common name)	Status <sup>1</sup> (Federal/ State)	Distribution and habitat associations	Location of suitable habitat	Likelihood of occurrence in the Survey Area
<i>Coccyzus americanus</i> (Western yellow-billed cuckoo)	FT/SE	Breeds in limited portions of the Sacramento River and the South Fork Kern River; small populations may nest in Butte, Yuba, Sutter, San Bernardino, Riverside, Inyo, Los Angeles, and Imperial counties	Summer resident of valley foothill and desert riparian habitats; nests in open woodland with clearings and low, dense, scrubby vegetation. The nearest recorded sighting of this species was in the Eel River delta area.	<b>None:</b> Habitat not suitable
<b>Mammals</b>				
<i>Antrozous pallidus</i> (Pallid bat)	None/SSC	Found throughout California. Roosts in rock crevices, outcrops, cliffs, mines, and caves; trees (underneath exfoliating bark of pine and oak) and in basal hollows; and a variety of vacant and occupied structures (e.g., bridges) or buildings. Roost individually or in small to large colonies (hundreds of individuals). Feeds low to or on the ground in a variety of open habitats, primarily on ground-dwelling arthropods. Forages most frequently in riparian zone, in open oak savannah, and open mixed deciduous forest. Drinks at stream pools.	Suitable foraging habitat throughout most of the Survey Area, however barns, old building, and bridges are not present within the Survey Area.	<b>Moderate:</b> May be present in some of the older structures adjacent to the Survey Area
<i>Corynorhinus townsendii</i> (Townsend's big-eared bat)	None/ SSC, SCT	Documented throughout California in a wide variety of habitats. Most common in mesic sites. Roosts in the open, hanging from walls and ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.	Suitable foraging habitat throughout most of the Survey Area, however barns, old building, and bridges are not present within the Survey Area.	<b>Moderate:</b> May be present in some of the older structures adjacent to the Survey Area

Scientific name (common name)	Status <sup>1</sup> (Federal/ State)	Distribution and habitat associations	Location of suitable habitat	Likelihood of occurrence in the Survey Area
<i>Lasiurus blossevillii</i> (Western red bat)	–/SSC	Near the Pacific Coast, Central Valley, and the Sierra Nevada	Riparian forests, woodlands near streams, fields and orchards	<b>Moderate:</b> May be present in some of the woodlands within and adjacent to the Survey Area
<i>Arborimus pomo</i> (Sonoma tree vole)	None/SSC	Associated nearly exclusively with Douglas-fir trees and occasionally grand fir trees within the North Coast fog belt between the northern Oregon border and Sonoma County. Eats Douglas-fir needles exclusively.	Mixed stands of Douglas-fir and oak spp. Are present on the hillslopes and riparian corridors in the Survey Area.	<b>Low:</b> Only isolated Douglas- fir are in the Project Area. No fir needle resin ducts observed around Douglas- firs during field review.
<i>Pekania 13ennant</i> (Pacific fisher – West Coast DPS)	FCT/SSC	Associated with dense advanced- successional conifer forests, with complex forest structure and high percent canopy closure; den in hollow trees and snags.	Habitat in the Survey Area does not correspond to the dense advanced- successional forest this species prefers.	<b>None:</b> No suitable habitat
<i>Martes americana</i> <i>humboldtensis</i> (Humboldt marten)	None/SE	Historical range included coastal redwood zone from the Oregon border south to Fort Ross, Sonoma County. Currently known only from southern Del Norte County and northern Humboldt County.	Mid- to advanced-successional stands of conifers with complex structure near the ground and dense canopy closure	<b>None:</b> No suitable habitat
<b>Reptiles</b>				
<i>Dermochelys coriacea</i> (Leatherback sea turtle)	FE/None	Oceanic/pelagic, though also forages near coastal waters	Pacific Ocean	<b>None:</b> No suitable habitat
<i>Chelonia mydas</i> (Green Sea Turtle)	FT/none	Oceanic/pelagic, though also forages near coastal waters	Pacific Ocean	<b>None:</b> No suitable habitat

Scientific name (common name)	Status <sup>1</sup> (Federal/ State)	Distribution and habitat associations	Location of suitable habitat	Likelihood of occurrence in the Survey Area
<i>Emys marmorata</i> (Western pond turtle)	None/SSC	Ponds, marshes, rivers, streams, and irrigation ditches with abundant vegetation, and either rocky or muddy bottoms, in woodland forest and grasslands. Below 1,829 m (6,000 ft) elevation. Basking sites are required. Egg-laying sites are located on suitable upland habitats (grassy open fields) up to 500 m (1,640 ft) from water.	Suitable habitat occurs in the middle and lower Mattole River. Present in stock ponds in the Mattole watershed.	<b>High:</b> Habitat present in the Mattole River at far north-eastern corner of property.

ii. Plants

Table 2

Plants Observed at Study Site December 4, 2018 164 Bucks Honeydew, California		
Scientific Name	Common Name	Indicator 2016 <sup>1</sup>
Agrocybe pediades	hemispheric agrocybe	NL
Agrostis stolonifera	creeping bent grass	FAC
Anthoxanthum odoratum	sweet vernal grass	FACU
Arbutus menziesii	madrone	NL
Armillaria mellea	honey mushroom	NL
Avena barbata	slim oat	NL
Bellis perennis	English lawn daisy	NL
Brassica rapa	common mustard	FACU
Bromus hordeaceus	soft chess	FACU
Bromus tectorum	cheat grass	NL
Callitriche heterophylla var. heterophylla	greater water-starwort	OBL
Callitriche palustris	vernal water-starwort	OBL
Cynosurus echinatus	dogtail grass	NL
Dactylis glomerata	Orchard grass	FACU
Elymus glaucus	blue wild rye	FACU
Epilobium ciliatum	fringed willow herb	FACW
Erodium botrys	long beaked filaree	FACU
Eschscholzia californica	California poppy	NL
Festuca arundinacea	tall fescue	FAC
Festuca perennis	Italian rye grass	FAC
Geranium dissectum	cut leaf geranium	NL
Hypochaeris radicata	hairy cat's ear	FACU
Iris douglasiana	Douglas iris	NL
Isolepis cernua	low bulrush	OBL
Juncus effusus ssp. pacificus	Pacific lamp rush	FACW
Juncus occidentalis	western rush	FACW
Juncus patens	gray rush	FACW
Lactuca serriola	prickly lettuce	FACU
Lobaria pulmonaria	tree lungwort	NL
Lotus corniculatus	bird's foot trefoil	FAC
Medicago lupulina	black medic	FACU
Mentha pulegium	pennyroyal	OBL
Panaeolina foeniculii	lawnmower mushroom	NL

\\eureka\projects\2018\018212-164-Bucks\PUBS\Rpts\20181220-WetDelRpt.doc





**Plants Observed at Study Site December 4, 2018**  
**164 Bucks**  
**Honeydew, California**

Scientific Name	Common Name	Indicator 2016 <sup>1</sup>
<i>Persicaria lapathifolia</i>	common knotweed	FACW
<i>Picea sitchensis</i>	Sitka spruce	FAC
<i>Plagiobothrys tenellus</i>	popcorn flower	FAC
<i>Plantago lanceolata</i>	ribwort	FACU
<i>Plantago major</i>	English plantain	FAC
<i>Poa annua</i>	annual blue grass	FAC
<i>Poa pratensis</i>	Kentucky blue grass	FAC
<i>Poa trivialis</i>	rough blue grass	FAC
<i>Pseudotsuga menziesii</i>	Douglas fir	FACU
<i>Pteridium aquilinum</i> var. <i>pubescens</i>	hairy bracken fern	NL
<i>Quercus garryana</i>	Oregon white oak	FACU
<i>Ranunculus repens</i>	creeping buttercup	FAC
<i>Raphanus sativus</i>	wild radish	NL
<i>Rosa californica</i>	California wild rose	FAC
<i>Rumex acetosella</i>	sheep sorrell	FACU
<i>Rumex crispus</i>	curly dock	FAC
<i>Siliva sessilis</i>	lawn burrweed	FAC
<i>Sonchus oleraceus</i>	sowthistle	UPL
<i>Taraxacum officinale</i>	red-seeded dandelion	FACU
<i>Trifolium dubium</i>	lesser trefoil	FACU
<i>Trifolium repens</i>	white clover	FAC
<i>Trifolium subterraneum</i>	subterranean clover	NL
<i>Veronica persica</i>	birdeye speedwell	NL

1. Indicators are abbreviated as follows:

OBL: Obligate

FACW: Facultative wet

FAC: Facultative

FACU: Facultative upland

UPL: Upland

NL: Not listed

## B. Identification of Resources.

- i. Animal species that may be present and critical habitats were identified in consult with Dennis Halligan, Senior Fisheries Biologist of Stillwater Sciences in Arcata, CA. Additional queries were run in CDFW's BIOS database to verify this information and search for other potential species and closest habitats for Northern Spotted Owl. A search of USFWS ECOS-IPaC system was conducted that verified information from Mr. Halligan, as well as confirmed that "No Critical Habitats" were listed in the Survey Area.
- ii. Plant species that are present in or near the Project Site, specifically the wetland area, were identified by field surveys conducted by SHN of Arcata, CA during the development of the *Wetland and Other Waters Delineation Report* prepared for James Greenfield (164 Buck LLC owner) on Humboldt County APN 107-085-025 in December 2018. This species list was then cross referenced with CDFW's *Special Vascular Plants, Bryophytes, and Lichens List* as well as CDFW's *State and Federally Listed Endangered, Threatened, and Rare Plants of California* list.

## V. **Effects Analysis**

- A. Species and Habitat Exposure to Project Elements. As the project parcel borders the Mattole River along its far northeastern corner, potential habitat exists for three salmonid species, as well as Pacific lamprey. Additionally, Saunders Creek provides habitat for steelhead trout and Chinook salmon, especially in the lower portions (north of Mattole Road). The riparian areas of the Mattole River and Saunders Creek provide potential suitable habitat for a variety of amphibian and bird species. The wetland on the property may provide habitat for the northern red-legged frog, as well as wetland-specific plant species.

Due to the Project Site setback from for all project elements (cultivation, buildings, pond) of 400 ft to Saunders Creek and 3,000 ft to the Mattole River, the species and habitat exposure to project elements will be extremely little to none. With at least a 50 ft setback, the wetland area may have increased risk of exposure than the other water features, although the 50 ft buffer has been previously established by both Humboldt County Code and SWRCB to be effective for avoidance of disturbance to this type of surface water from development activities.

The pond element could potential provide a means of increased risk to special fish and amphibian species. Bullfrogs prey on native species and are a threat to special status amphibians, including foothill yellowlegged and northern redlegged frogs. With strict adherence to the *Bullfrog Management Plan*, and ability for

complete pond drainage, exposure of fish and amphibians species to risks posed by this Project element (pond) will be minimal.

Nearby mixed woodland and Saunders Creek riparian habitats may be temporary affected by a slight increase in noise levels (no more than 3 decibels) during construction activities, especially those utilizing heavy equipment. The duration of these activities is expected to be brief, however, thus limiting species exposure to this project element.

The actual ground on which cultivation and building and pond construction will occur does not provide habitat for the animal species listed in Table 1. Additionally no ground-nesting birds have been identified in this location due to a land use history of grazing.

- B. Anticipated Response to Exposure. No responses with regard to foraging success, fecundity, habitat abandonment, and survivability are anticipated from any of the species listed in Tables 1 and 2 in regard to Project implantation.
- C. Cumulative Effects. No cumulative effects are expected from activities in the Action Area (Project Site) or other areas in the Survey Area.

## **VI. Conclusion**

The Applicant will adhere to strict environmental standards established by SWRCB General Order No. 2017-0023-DWQ and Cannabis Cultivation Policy, Humboldt County's CCLUO 2.0, and any additional applicable CDFW recommendations. Due to the standards and best practical treatment and control (BPTC) measures already set forth in the aforementioned documents, the Project will inherently limit exposure of species that may be present to Project elements.

No impacts on the river, creek, wetland, riparian areas, or biological resources therein are to be expected. No impacts on surrounding mixed conifer-oak woodlands or grassy meadow areas are to be expected.

## VII. References

California Department of Fish and Wildlife, Natural Diversity Database. November 2018. Special Vascular Plants, Bryophytes, and Lichens List. Quarterly publication. 140 pp.

California Department of Fish and Wildlife, Natural Diversity Database. August 2018. State and Federally Listed Endangered, Threatened, and Rare Plants of California. 10 pp.

Mattole Salmon Group. 2015. Mattole Coho Recovery Strategy. 136 pp.

SHN. December 2018. Wetland and Other Waters Delineation Report. Prepared for: James Greenfield. 48 pp.

US Fish and Wildlife Service. ECOS: Information for Planning and Consultation system. January 2019. <https://ecos.fws.gov/ipac/location/index>



---

## Botanical Survey Results

164 BUCK LLC  
APN: 107-085-025

HUMBOLDT COUNTY, CA

---

### Prepared by:

Kyle Wear  
Botanical Consultant  
kyle\_wear@suddenlink.net



### Prepared for:

Native Ecosystems, Inc  
457 Conklin Creek Road  
Petrolia, CA 95558

### Date:

June 2019

## 1. INTRODUCTION

This report presents the results of a botanical survey conducted on APN: 107-085-025 near Honeydew. The purpose of the survey was to identify special status plants and plant communities that could be impacted by commercial cannabis cultivation.

## 2. DEFINITIONS

### Special Status Plants

Special status plants include taxa that are listed under the Endangered Species Act (ESA) and/or the California Endangered Species Act (CESA), in addition to plants that meet the definition of rare or endangered under the California Environmental Quality Act (CEQA). This includes plants with California Rare Plant Ranks (CRPR) of 1A, 1B, 2A, or 2B or other species that warrant consideration based on local or biological significance.

### Special Status Plant Communities

Special status plant communities are communities with limited distribution that may be vulnerable to environmental impacts. Natural Communities recognized as sensitive are provided on the CDFW Sensitive *Natural Communities List* (CDFW 2018). The list is based on the vegetation classification in *A Manual of California Vegetation, 2<sup>nd</sup> Edition* (Sawyer et al. 2009). Natural communities with G or S ranks of 3 or lower are considered sensitive. However, they may not warrant protected under CEQA unless they are considered high quality. Human disturbance, invasive species, logging, and grazing are common factors considered when judging whether the stand is high quality and warrants protection.

## 3. ENVIRONMENTAL SETTING

### Project Location

The project area is located on the Shubrick Peak and Buckeye Mountain USGS quadrangles (Section 33, T2S, R1W) off Mattole Road, near Honeydew.

### Soil, Topography, and Hydrology

The soil in the majority of the project area is mapped as Garberville-Parkland complex and Parkland-Garberville complex, which are derived from alluvium from mixed sedimentary sources (USDA, NRCS 2019). The project area includes two relatively flat terraces. The lower terraces above the Mattole River ranges from approximately 250-260 feet above sea level. The upper terrace south of Mattole Road is at approximately 480 feet above sea level. The project area includes several small watercourses, drainage ditches, and wetlands that drain into Saunders Creek, a tributary of the Mattole River.

## 4. METHODS

### Scoping

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

consulting the *California Natural Diversity Database* (CDFW 2019) and the *CNPS Inventory of Rare and Endangered Plants* (CNPS 2019). The scoping list includes special status plants with documented occurrences on the Shubrick Peak and Buckeye Mountain USGS quadrangles or adjacent quadrangles; the list may include other taxa known to occur in habitat similar to the project area in Humboldt County (Table 1).

### Survey

The botanical survey was conducted by Kyle Wear, M.A. Mr. Wear has over 20 years of experience conducting floristic surveys and other botanical work in northern California.

The survey was floristic in nature and followed methods outlined in *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018). The project area including the graded cultivation site (Site A) and nearby stream crossing was surveyed on May 14, 2019. The A survey coverage map is provided in Figure 1. Plant taxonomy generally follows *The Jepson Manual Vascular Plants of California, Second Edition* (Baldwin et al. 2012), however the plant list may include more recent name changes. Plant communities were classified according to *A Manual of California Vegetation, 2<sup>nd</sup> Edition* (Sawyer et al. 2009).

## 5. RESULTS AND DISCUSSION

### Special Status Plants

No special status plants were encountered on the survey. A list of all plants observed in the project area is provided in Table 2.

### Special Status Plant Communities

There are no special status plant communities in the project area. Most of the area is grassland dominated by non-native grasses. Common species include wild oat (*Avena barbatata*), soft chess (*Bromus hordeaceus*), and sweet vernal grass (*Anthoxanthum odoratum*). There are occasional stands of California oatgrass (*Danthonia californica*). However, the cover is far below the minimum 50% relative cover to meet the membership rule for California oatgrass prairie (*Danthonia californica* Herbaceous Alliance). The fields often include stands of bracken fern (*Pteridium aquilinum* var. *pubescens*) and miniature lupine (*Lupinus bicolor*). There are several wetlands within the grasslands with rushes (*Juncus* spp.) and pennyroyal (*Mentha pulegium*). The adjacent forests are dominated by Douglas-fir (*Pseudotsuga menziesii*) and oaks (*Quercus* spp.).

## 6. REFERENCES

Baldwin, B. C., D. H. Goldman, D. J. Keil, R. Patterson, and T.J. Roasatti. Eds. 2012. *The Jepson Manual, Vascular Plants of California, Second Edition*. University of California Press. Berkeley, CA.

California Department of Fish and Wildlife (CDFW). 2019. *California Natural Diversity Database* (CNDDB). <https://www.wildlife.ca.gov/Data/CNDDB>

CDFW. 2018. *California Sensitive Natural Communities List*.  
<https://www.wildlife.ca.gov/Data/VegCAMP/Natural-Communities>

CDFW. 2018. *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities*.  
<https://www.wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>

California Native Plant Society (CNPS). 2019. *Inventory of Rare and Endangered Plants*.  
<http://www.rareplants.cnps.org>

Sawyer, J.O., T. Keeler-Wolf and J.M Evans. 2009. *A Manual of California Vegetation, 2<sup>nd</sup> Edition*. California Native Plant Society. Sacramento, CA.

United States Department of Agriculture, Natural Resource Conservation Service (USDA, NRCS). 2019. *Web Soil Survey*. <https://websoilsurvey.sc.egov.usda.gov>



Table 1. Special Status Plant Scoping List.

Scientific Name	Common Name	Listing Status	Blooming Period	Habitat	Potential to Occur in Project Area
<i>Astragalus agnicidus</i>	Humboldt County milk-vetch	1B.1, CE	Apr-Sept	Broadleafed upland forest, North Coast coniferous forest, openings, disturbed areas, roadsides	Moderate. Does no show up on 9-quad. searches. Site is near, but west of known distribution. Some potential along roads.
<i>Astragalus pycnostachyus</i> var. <i>pycnostachyus</i>	coastal marsh milk-vetch	1B.2	(Apr)Jun-Oct	Coastal dunes (mesic), Coastal scrub, Marshes and swamps (coastal salt, streamsides)	None. Occurs in coastal habitat not present in project area.
<i>Castilleja litoralis</i>	Oregon coast paintbrush	2B.2	Jun-Jul	Coastal bluff scrub, Coastal dunes, Coastal scrub, sandy	None. Occurs in coastal habitat not present in project area.
<i>Clarkia amoena</i> ssp. <i>whitneyi</i>	Whitney's farewell-to-spring	1B.1	Jun-Aug	Coastal bluff scrub, Coastal scrub	None. Occurs in coastal habitat not present in project area.
<i>Erysimum concinnum</i>	bluff wallflower	1B.2	Feb-Jul	Coastal bluff scrub, Coastal dunes, Coastal prairie	None. Occurs in coastal habitat not present in project area.
<i>Erythronium oregonum</i>	giant fawn lily	2B.2	Mar-Jun(Jul)	Cismontane woodland, Meadows and seeps, sometimes serpentinite, rocky, openings	Unlikely. Project area is grassland that is not habitat. Potential in adjacent forests and streams.
<i>Erythronium revolutum</i>	coast fawn lily	2B.2	Mar-Jul(Aug)	Bogs and fens, Broadleafed upland forest, North Coast coniferous forest, Mesic, streambanks	Unlikely. Project area is grassland that is not habitat. Potential in adjacent forests and streams.
<i>Gilia capitata</i> ssp. <i>pacifica</i>	Pacific gilia	1B.2	Apr-Aug	Coastal bluff scrub, Chaparral (openings), Coastal prairie, Valley and foothill grassland	Moderate. Potential in grasslands.

Table 1 (Cont.). Special Status Plant Scoping List.

Scientific Name	Common Name	Listing Status	Blooming Period	Habitat	Potential to Occur in Project Area
<i>Gilia millefoliata</i>	dark-eyed gilia	1B.2	Apr-Jul	Coastal dunes	None. Occurs in coastal habitat not present in project area.
<i>Hesperivax sparsiflora</i> var. <i>brevifolia</i>	short-leaved evax	1B.2	Mar-Jun	Coastal bluff scrub (sandy), Coastal dunes, Coastal prairie	None. Occurs in coastal habitat not present in project area.
<i>Lasthenia californica</i> ssp. <i>macrantha</i>	perennial goldfields	1B.2	Jan-Nov	Coastal bluff scrub, Coastal dunes, Coastal scrub	None. Occurs in coastal habitat not present in project area.
<i>Lathyrus palustris</i>	marsh pea	2B.2	Mar-Aug	Bogs and fens, Coastal prairie, Coastal scrub, Lower montane coniferous forest, Marshes and swamps, North Coast coniferous forest, mesic	Moderate. Some potential in wetlands in grasslands.
<i>Layia carnosa</i>	beach layia	1B.1, CE, FE	Mar-Jul	Coastal dunes, Coastal scrub (sandy)	None. Occurs in coastal habitat not present in project area.
<i>Montia howellii</i>	Howell's montia	2B.2	(Jan-Feb)Mar-May	Meadows and seeps, North Coast coniferous forest, Vernal pools, vernal mesic, sometimes roadsides	Unlikely. Roads are rocky and too dry.
<i>Oenothera wolfii</i>	Wolf's evening-primrose	1B.1	May-Oct	Coastal bluff scrub, Coastal dunes, Coastal prairie, Lower montane coniferous forest, sandy, usually mesic	Unlikely. Marginal habitat in grasslands.
<i>Packera bolanderi</i> var. <i>bolanderi</i>	seacoast ragwort	2B.2	(Jan-Apr)May-Jul(Aug)	Coastal scrub, North Coast coniferous forest, Sometimes roadsides	Moderate. Some potential along roads.
<i>Piperia candida</i>	white-flowered rein orchid	1B.2	(Mar)May-Sep	Broadleaved upland forest, Lower montane coniferous forest, North Coast coniferous forest,	Unlikely. Project area is in grassland that is not

Table 1 (Cont.). Special Status Plant Scoping List.

Scientific Name	Common Name	Listing Status	Blooming Period	Habitat	Potential to Occur in Project Area
				sometimes serpentine	habitat. Potential in adjacent forests.
					Unlikely? Project area is not Coastal prairie, Coastal scrub, or Lower montane coniferous forest. CNDDDB lacks much specific habitat info.
<i>Polemonium carneum</i>	Oregon polemonium	2B.2	Apr-Sep	Coastal prairie, Coastal scrub, Lower montane coniferous forest	
<i>Sidalcea malviflora</i>	Siskiyou checkerbloom		(Apr)May-Aug	Coastal bluff scrub, Coastal prairie, North Coast coniferous forest, often roadcuts	High. Potential in grasslands.
<i>Sisyrinchium hitchcockii</i>	Hitchcock's blue-eyed grass	1B.1	Jun	Cismontane woodland (openings), Valley and foothill grassland	Moderate. Potential in grasslands.

**SPECIAL STATUS PLANT LISTING STATUS**

Endangered Species Act (ESA)

FE: Federally Endangered

FT: Federally Threatened

FR: Federally Rare

California Endangered Species Act (CESA)

CE: California Endangered

CT: California Threatened

CR: California Rare

**California Rare Plant Ranks**

1A: Plants Presumed Extirpated in California and Either Rare or Extinct Elsewhere

1B: Plants Rare, Threatened, or Endangered in California and Elsewhere

2A: Plants Presumed Extirpated in California, But Common Elsewhere

2B: California Rare Plant Rank 2B: Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere

**Threat Ranks**

0.1-Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)

0.2-Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)

0.3-Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

Figure 1. Survey Coverage Map.

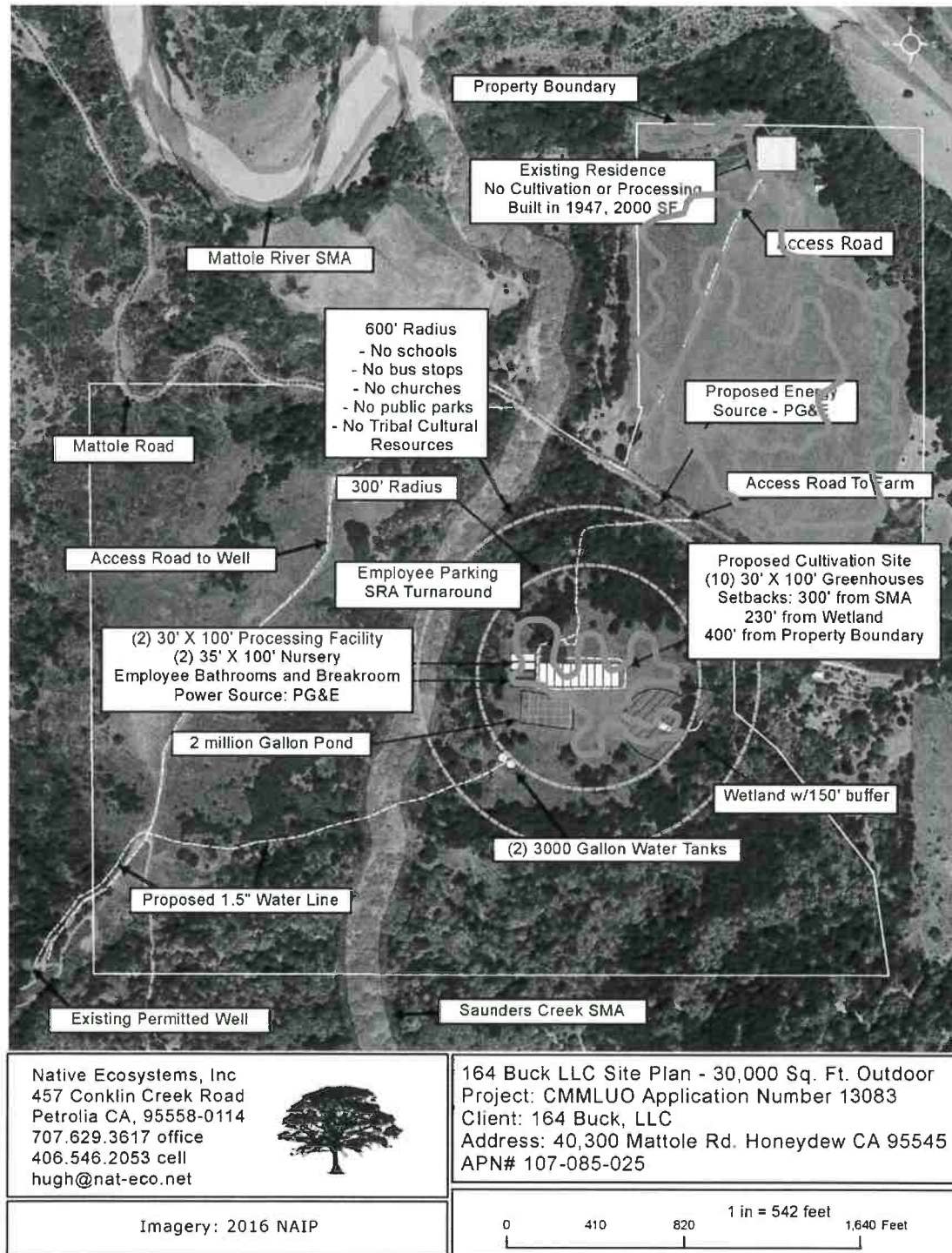




Table 2. List of Plants Encountered in the Project Area.

Scientific Name	Common Name
<i>Agrostis</i> sp.	bent grass
<i>Aira caryophyllea</i>	European hairgrass
<i>Alnus rubra</i>	red alder
<i>Anthoxanthum odoratum</i>	sweet vernal grass
<i>Aquilegia formosa</i>	crimson columbine
<i>Arbutus menziesii</i>	Pacific madrone
<i>Athyrium filix-femina</i>	lady fern
<i>Avena barbata</i>	slender wild oat
<i>Avena sativa</i>	wild oat grass
<i>Bellis perennis</i>	English daisy
<i>Briza maxima</i>	rattlesnake grass
<i>Briza minor</i>	small rattlesnake grass
<i>Bromus diandrus</i>	ripgut grass
<i>Bromus hordeaceus</i>	soft chess
<i>Carduus pycnocephalus</i>	Italian thistle
<i>Carthamus lanatus</i>	distaff thistle
<i>Castilleja attenuata</i>	valley tassel
<i>Ceanothus thyrsiflorus</i>	blue blossom
<i>Chamomilla suaveolens</i>	pineapple weed
<i>Cirsium vulgare</i>	bull thistle
<i>Claytonia perfoliata</i>	miner's lettuce
<i>Cornus sericea</i>	American dogwood
<i>Danthonia californica</i>	California oatgrass
<i>Elymus glaucus</i> ssp. <i>glaucus</i>	blue wildrye
<i>Erodium botrys</i>	long-beaked storksbill
<i>Eschscholzia californica</i>	California poppy
<i>Festuca myuros</i>	rattail sixweeks grass
<i>Festuca perennis</i>	rye grass
<i>Galium aparine</i>	goose grass
<i>Galium</i> sp.	bedstraw
<i>Geranium dissectum</i>	cut-leaved geranium
<i>Holcus lanatus</i>	common velvet grass
<i>Hordeum jubatum</i>	foxtail barley
<i>Hordeum marinum</i>	Mediterranean barley
<i>Hypochaeris radicata</i>	hairy cat's-ear
<i>Iris douglasiana</i>	Douglas iris
<i>Juglans regia</i>	English walnut
<i>Juncus bufonius</i>	common toad rush

Table 2 (Cont.). List of Plants Encountered in the Project Area.

Scientific Name	Common Name
<i>Juncus effusus</i>	common rush
<i>Juncus patens</i>	spreading rush
<i>Juncus tenuis</i>	slender rush
<i>Leontodon saxatilis</i>	hawkbit
<i>Lepidium didymum</i>	lesser swine cress
<i>Leucanthemum vulgare</i>	ox-eye daisy
<i>Linum bienne</i>	western blue flax
<i>Lupinus bicolor</i>	miniature lupine
<i>Marah oreganus</i>	coast man-root
<i>Medicago polymorpha</i>	bur clover
<i>Melica</i> sp.	oniongrass
<i>Mentha pulegium</i>	pennyroyal
<i>Notholithocarpus densiflorus</i> var. <i>densiflorus</i>	tanoak
<i>Pharodendron serotinum</i> ssp. <i>tomentosum</i>	mistletoe
<i>Poa annua</i>	annual bluegrass
<i>Poa pratensis</i>	Kentucky bluegrass
<i>Polystichum munitum</i>	sword fern
<i>Pseudotsuga menziesii</i>	Douglas-fir
<i>Pteridium aquilinum</i> var. <i>pubescens</i>	bracken fern
<i>Quercus garryana</i>	Oregon white oak
<i>Quercus kelloggii</i>	California black oak
<i>Ranunculus muricatus</i>	prickly-fruit buttercup
<i>Ranunculus occidentalis</i>	western buttercup
<i>Ranunculus repens</i>	creeping buttercup
<i>Robinia pseudoacacia</i>	black locust
<i>Rosa rubiginosa</i>	sweet brier
<i>Rubus armeniacus</i>	Himalayan blackberry
<i>Rubus ursinus</i>	California blackberry
<i>Rumex salicifolius</i>	willow dock
<i>Salix lasiandra</i>	Pacific willow
<i>Salix lasiolepis</i>	arroyo willow
<i>Salix</i> sp.	willow
<i>Sambucus racemosa</i> var. <i>racemosa</i>	red elderberry
<i>Sanicula crassicaulis</i>	Pacific snakeroot
<i>Silybum marianum</i>	milk thistle
<i>Sonchus asper</i> ssp. <i>asper</i>	prickly sow thistle
<i>Spergularia rubra</i>	purple sand spurry

Table 2 (Cont.). List of Plants Encountered in the Project Area.

Scientific Name	Common Name
<i>Torilis arvensis</i>	rattlesnake weed
<i>Toxicodendron diversilobum</i>	poison-oak
<i>Trifolium dubium</i>	little hop clover
<i>Trifolium repens</i>	white clover
<i>Trifolium subterraneum</i>	subterranean clover
<i>Triphysaria pusilla</i>	dwarf orthocarpus
<i>Umbellularia californica</i>	California-bay
<i>Vicia sativa</i>	vetch

## 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	✓	Approval	<b>Attached</b>
Division Environmental Health	✓	Conditional Approval	<b>Attached</b>
Public Works, Land Use Division	✓	Conditional Approval	<b>Attached</b>
CAL FIRE	✓	No Comment	<b>Attached</b>
Honeydew FPD		No Response	
California Department of Fish & Wildlife		No Response	<b>Attached</b> – Planning staff request for comments
Northwest Information Center	✓	Further Study	On file and confidential
Bear River Band of the Rohnerville Rancheria	✓	Comments	On file and confidential
Intertribal Sinkyone Wilderness Council			
Mattole Unified School District		No Response	
Humboldt County Sheriff	✓	Approval	On file
Humboldt County Agricultural Commissioner		No Response	
Humboldt County District Attorney		No Response	
North Coast Unified Air Quality Management District		No Response	
North Coast Regional Water Quality Control Board		No Response	
State Water Resources Control Board – Division of Water Rights		No Response	
Pacific Gas & Electric Company		No Response	





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

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

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

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

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

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

LAND USE	445-7205
----------	----------

---

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

---

TO: Stephen Luther, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 11/10/2020

RE:

Applicant Name	164 BUCK LLC
APN	107-085-025
APPS#	PLN-2020-16197 CUP

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

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

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

**No re-refer is required.**

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

Whether specifically addressed or not within the road evaluation report, per County Code Section 3112-5, "No roadway grade in excess of 16 percent shall be permitted unless it has been demonstrated to be in conformance with the County Roadway Design Manual." Where portions of the road have grades that exceed 16%, those portions must be paved and must have an exception request approved. [reference: County Code sections 3111-9 and 3112-5]

// END //



Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 16197

- ☒ **COUNTY ROADS- PROXIMITY OF FARMS:**  
Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.
- ☒ **COUNTY ROADS- FENCES & ENCROACHMENTS:**  
All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way.  
  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☐ **COUNTY ROADS- DRIVEWAY (PART 1):**  
The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and or Department of Public Works policies. Notes:
- ☒ **COUNTY ROADS- DRIVEWAY (PART 2):**  
Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches.
  - If the County road has a paved surface at the location of the driveway, the driveway apron shall be paved for a minimum width of 18 feet and a length of 50 feet.
  - If the County road has a gravel surface at the location of the driveway, the driveway apron shall be rocked for a minimum width of 18 feet and a length of 50 feet.
  - If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.  
The exact location and quantity of driveways shall be approved by the Department at the time the applicant applies to the Department of Public Works for an Encroachment Permit.  
  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☐ **COUNTY ROADS- DRIVEWAY (PART 3):**  
The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.
- ☐ **COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**  
Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.  
  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☒ **COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:**  
All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).  
  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☐ **COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD)**  
Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.
  - If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.
  - If the County road has a gravel surface at the location of the access road, the access road shall be rocked for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☐ **COUNTY ROADS- ROAD EVALUATION REPORT(S):**  
All recommendations in the Road Evaluation Report(s) for County maintained road(s) shall be constructed/implemented to the satisfaction of the Public Works Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

// END //





Welcome!

Phone:

Return to

[Logged in as: Megan Marruffo](#)
[Collections \(0\)](#)
[Reports \(1\) ▼](#)
[Account Management](#)
[Logout](#)

NOTICE: When searching Planning records below, it is recommended to use the wildcard % before and after your search, i.e. %12345% to search for record number 12345.

11652


[Home](#)
[Planning](#)
[Building](#)

Search Cases

## Record PLN-2020-16197: Planning Application Record Status: Referrals

[Add to collection](#)

Record Info ▼

Payments ▼

Conditions 3

Custom Component



A notice was added to this record on 05/21/2020.  
Condition: Open Enforcement Case Severity: Notice  
Total Conditions: 3 (Notice: 3)

[View Condition](#)

## Application Location

40300 Mattole Rd  
Honeydew CA 95558

[View Additional Locations>>](#)

## Record Details

### Applicant:

Organization  
164 Buck LLC  
Work Phone: 9149800078  
bahb999@aol.com

### Project Description:

164 Buck, LLC - Expand permitted cultivation up to 1 acre  
Applicant seeks a Special Permit to expand a permitted 10,000-square-foot cultivation area (PLN-13083-ZCC) by 33,560 square feet (up to a 1 acre). Cultivation would occur in eighteen 20' x 96' greenhouses to achieve two harvest cycles. The site is also permitted as a RRR receiving site for 20,000 square feet (PLN-12348-ZCC). The total cultivation area will be 1.46 acres. Prime Agricultural soils total 81.9 acres, and the project will utilize less than 2% of the prime ag soil. Proposed nursery area is 7,000 square feet in two greenhouses. Combined with the existing 7,000 square feet nursery area, the total ancillary nursery space is 22 percent of cultivation area. Estimated irrigation use totals 1,080,200 gallons per year. The primary irrigation source is an existing 2-million gallon rainwater catchment pond and supplemented by a permitted groundwater well. Drying would

occur on-site in two (2) proposed 2,700-square-foot drying barns. Processing would occur off-site. The project also proposes three harvest storage barns, an office/break area, a carport, and two shipping containers. Up to ten employees are necessary for the operation. Renewable power will be provided by P.G.& E.

Owner:

Lindley Guimar & Liu Fred & 164 Buck Llc Rem Le  
C/O James Greenfield  
164 Buck Llc  
Nyc Ny 10035 #1

More Details

Related Contacts

Agent information

Individual  
Hugh McGee  
Hugh McGee  
Petrolia, CA, 95558  
Mobile Phone:7076293617  
E-mail:hugh@nat-eco.net

Referral Agency information

Organization  
AG Commissioner  
5630 S Broadway St.  
EUREKA, CA, 95503  
Home Phone:7074415260  
Work Phone:7074415260  
Mobile Phone:7074415260  
E-mail:agcommissioner@co.humboldt.ca.us

Referral Agency information

Organization  
County Counsel  
E-mail:jellinwood@co.humboldt.ca.us; nduke@co.humboldt.ca.us

Referral Agency information

Organization  
District Attorney  
EUREKA, CA  
E-mail:districtattorney@co.humboldt.ca.us

Referral Agency information

Organization  
Environmental Health  
E-mail:envhealth@co.humboldt.ca.us

Referral Agency information

Organization  
Sheriff  
E-mail:kireland@co.humboldt.ca.us; ssopoaga@co.humboldt.ca.us

Referral Agency information

Organization  
PW Land Use  
E-mail:ecearley@co.humboldt.ca.us; kmartinique@co.humboldt.ca.us  
Building Inspections  
E-mail:buildinginspections@co.humboldt.ca.us; awilson1@co.humboldt.ca.us

Referral Agency information

Organization  
Building Inspections  
E-mail:buildinginspections@co.humboldt.ca.us; awilson1@co.humboldt.ca.us

Referral Agency information

Organization  
FPD  
EUREKA, CA

Referral Agency information

Organization  
RWQCB  
EUREKA, CA  
E-mail:NorthCoast.Cannabis@Waterboards.ca.gov

Referral Agency information

Organization  
NCUAQMD  
United States  
E-mail:jdavis@ncuaqmd.org; support@ncuaqmd.org

Referral Agency information

Organization  
School District  
EUREKA, CA

Referral Agency information

Organization  
Cal Fish & Wildlife  
EUREKA, CA  
E-mail:CoastalCannabis@wildlife.ca.gov; CEQAReferrals@wildlife.ca.gov

Referral Agency information

Organization  
CalFire  
Submit through Box.com

Referral Agency information

Organization  
CA Division of Water Rights  
PLN-2020-16197 164 Buck

Referral Agency information

Organization  
Bear River Band  
EUREKA, CA



4/23/2021

E-mail:cannabisreg@waterboards.ca.gov

Referral Agency information

Organization  
Intertribal Sinkyone Wilderness Council  
PO Box 1523  
Ukiah, CA, 95842  
E-mail:director@sinkyone.org

Referral Agency information

Organization  
PGE  
6111 Bollinger Canyon Rd  
San Ramon, CA, 95483

Individual information

Individual  
Megan LACO Marruffo  
21 W 4th Street  
Eureka, CA, 95501  
United States  
Work Phone:7074435054  
E-mail:marruffom@lacoassociates.com

Accela Citizen Access

E-mail:erikacooper@brb-nsn.gov

Referral Agency information

Organization  
NWIC  
EUREKA, CA  
E-mail:nwic@sonoma.edu

Assigned Planner information

Individual  
LACO Associates  
Deirdre Clem  
Eureka, CA, 95501  
Home Phone:7074435054  
Mobile Phone:7074435054  
E-mail:marruffom@lacoassociates.com

Individual information

Individual  
Meghan LACO Ryan  
United States  
Work Phone:7074435054  
E-mail:ryanm@lacoassociates.com

Application Information

PLANNING

Project Type Primary:

Conditional Use Permit (CCLUO2)

Case Type 1:

CUP2

Slope Stability:

M

Cannabis Project:

Yes

Project Location:

This project is located in Humboldt County, in the Honeydew area, on the south side of Mattole Road, approximately 4,200 feet west from the intersection of Mattole Road and Lindley Road, on the property known as 40000 Mattole Road and 40300 Mattole Road.

Plan Designation:

Agricultural Exclusive (AE), Density: Range is 20 to 60 acres per unit; Agricultural Grazing (AG), Density: Range is 20 to 160 acres per unit; Residential Agriculture (RA), Density: 160 acres per unit; Timberland (T), Density: Range is 40 to 160 acres per unit; 2017 General Plan, Slope Stability: Parcels are in many different Instability Zones (M).

File Location:

Main Files

GENERAL INFORMATION

Type of Development:

Commercial

Zoning Information

Present Zoning:

Agricultural Exclusive (AE); Timberland Production (TPZ); Agricultural Exclusive (AE), Minimum building site area is 160 acres (B-5(160)); Unclassified (U)

CANNABIS

Cannabis Project Status:

Both Existing and New

Cultivation:

Yes

Cultivation Outdoor:

43560

Cultivation Area:

43560

Cultivation – Outdoor:

Yes

TCR Reduction:

No

Application Information Table

REFERRALS

Group:

County

Agency:

AG Commissioner

Sent:

10/30/2020  
July 15, 2021

PLN-2020-16197 164 Buck

Page 101

https://aca-prod.accela.com/HUMBOLDT/Cap/CapDetail.aspx?Module=Planning&TabName=Planning&capID1=REC20&capID2=00000&capID3=000...

3/6

<b>Resend:</b>	No
<b>Required:</b>	No
<b>Group:</b>	County
<b>Agency:</b>	District Attorney
<b>Sent:</b>	10/30/2020
<b>Resend:</b>	No
<b>Required:</b>	No
<b>Group:</b>	County
<b>Agency:</b>	Environmental Health
<b>Sent:</b>	10/30/2020
<b>Response Received:</b>	11/02/2020
<b>Reviewer:</b>	JWHITTLESEY
<b>Status:</b>	Approved with Conditions
<b>Comments:</b>	Seasonal cultivation without processing may use portable toilets to serve the operation. Permittee shall provide portable toilet(s) to cultivation areas, meeting appropriate setbacks per Humboldt County Code, or install a permitted onsite wastewater treatment system associated with a permitted structure.
<b>Resend:</b>	No
<b>Required:</b>	No
<b>Group:</b>	County
<b>Agency:</b>	Sheriff
<b>Sent:</b>	10/30/2020
<b>Response Received:</b>	11/16/2020
<b>Reviewer:</b>	HCSO
<b>Status:</b>	Approved
<b>Comments:</b>	No record for Guimar Lindley or Fred Liu in the DA Office System
<b>Resend:</b>	No
<b>Required:</b>	No
<b>Group:</b>	County
<b>Agency:</b>	PW Land Use
<b>Sent:</b>	10/30/2020
<b>Response Received:</b>	11/10/2020
<b>Reviewer:</b>	KFREED
<b>Status:</b>	Approved with Conditions
<b>Comments:</b>	See Public Work memo dated 11/10/2020.
<b>Resend:</b>	No
<b>Required:</b>	No
<b>Group:</b>	County
<b>Agency:</b>	Building Inspections
<b>Sent:</b>	10/30/2020
<b>Response Received:</b>	11/09/2020
<b>Reviewer:</b>	AWILSON1
<b>Status:</b>	Note
<b>Comments:</b>	Called agent Hugh and tried to set up pre-site he advised I should call land owner then changed his mind and took my direct line number because the land owner is a super private person and may not want me to have his contact information, Hugh said the land owner will call me back.
<b>Resend:</b>	No
<b>Required:</b>	No
<b>Group:</b>	Regional
<b>Agency:</b>	FPD
<b>Other Name:</b>	Honeydew
<b>Sent:</b>	10/30/2020
<b>Resend:</b>	No
<b>Required:</b>	No
<b>Group:</b>	State
<b>Agency:</b>	RWQCB

<b>Sent:</b>	10/30/2020
<b>Resend:</b>	No
<b>Required:</b>	No
<b>Group:</b>	Regional
<b>Agency:</b>	NCUAQMD
<b>Sent:</b>	10/30/2020
<b>Resend:</b>	No
<b>Required:</b>	No
<b>Group:</b>	Regional
<b>Agency:</b>	School District
<b>Other Name:</b>	Mattole
<b>Sent:</b>	10/30/2020
<b>Resend:</b>	No
<b>Required:</b>	No
<b>Group:</b>	State
<b>Agency:</b>	Cal Fish & Wildlife
<b>Sent:</b>	10/30/2020
<b>Resend:</b>	No
<b>Required:</b>	No
<b>Group:</b>	State
<b>Agency:</b>	CalFire
<b>Sent:</b>	10/30/2020
<b>Response Received:</b>	11/05/2020
<b>Reviewer:</b>	Lucas Titus
<b>Status:</b>	Note
<b>Comments:</b>	No Comment
<b>Resend:</b>	No
<b>Required:</b>	No
<b>Group:</b>	State
<b>Agency:</b>	CA Division of Water Rights
<b>Sent:</b>	10/30/2020
<b>Resend:</b>	No
<b>Required:</b>	No
<b>Group:</b>	Regional
<b>Agency:</b>	PGE
<b>Sent:</b>	10/30/2020
<b>Resend:</b>	No
<b>Required:</b>	No

#### Parcel Information

<b>Parcel Number:</b>	<b>ACTIVE/INACTIVE:</b>
107-085-025-000	Active
<b>Airport Compatibility Zone:</b>	<b>Airport Name:</b>
N	
<b>County Code 333-1:</b>	<b>Coastal Zone:</b>
N	N
<b>Community Plan:</b>	<b>FAR77 Airport Code:</b>
Inland GP	N
<b>Flood Zone:</b>	<b>Geologic Report:</b>
Y	
<b>Longitude:</b>	<b>MS4:</b>
-124.1836	No
<b>Old APN:</b>	<b>Parcel Legal Status:</b>
107085010	LP,1:1
<b>Recorder Case:</b>	<b>Slope Stability:</b>
20578	M
<b>State Fire Responsibility:</b>	
Y	



11/18

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

10/30/2020

**Project Referred To The Following Agencies:**

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, **Building Inspections**,  
FPD: Honeydew, RWQCB, NCUAQMD, School District: Mattole, Cal Fish & Wildlife, CalFire, CA Division of Water Rights,  
**Bear River Band**, Intertribal Sinkyone Wilderness Council, NWIC, PGE

**Applicant Name** 164 Buck LLC **Key Parcel Number** 107-085-025-000

**Application (APPS#)** PLN-2020-16197 **Assigned Planner** Stephen Luther 707-268-3737

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

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

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

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

**Return Response No Later Than: 11/14/2020**

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

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

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

Other Comments:

No site visit needed. Inspector on site  
previously

DATE:

11/17/2020

PRINT NAME:

Dean Beck



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

The Department has no comment at this time.

Suggested conditions attached.

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

Recommend denial.

Other comments.

Date:

Name:

**Forester Comments:**

Date:

Name:

**Battalion Chief Comments:**

**Summary:**