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: August 5, 2021

To: Humboldt County Planning Commission

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

Subject: **Bigfoot Cannabis Company, LLC, Conditional Use Permit**
Record Number: PLN-2021-17188
Assessor's Parcel Number: 522-221-019
39008 State Hwy 299, Willow Creek Area

Table of Contents **Page**

Agenda Item Transmittal		2
Recommended Action and Executive Summary		3
Draft Resolution		8
Maps		
Location Map		13
Site Plan		14
Floor Plans		15
Attachments		
Attachment 1:	Recommended Conditions of Approval	19
Attachment 2:	Applicant's Evidence in Support of the Required Findings	24
Attachment 3:	Referral Agency Comments and Recommendations	36

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

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
August 5, 2021	Conditional Use Permit	Megan Acevedo

Project Description: Bigfoot Cannabis Company, LLC seeks a Conditional Use Permit for the operation of a cannabis microbusiness within the Willow Creek Community Planning Area. The microbusiness will consist of cannabis infusion manufacturing, distribution, and a cannabis storefront retail dispensary within an existing building. The project will source water from the Willow Creek Community Services District (WCCSD) and the applicant has obtained a will-serve allowing the continued use of 60,000 cubic-feet (448,831 gallons) per year for the parcel. A total of five (5) employees are anticipated for the microbusiness operation's needs. The dispensary will be limited to the hours of 10:00 am and 7:00 pm. The parcel is powered by PG&E.

Project Location: This project is located in Humboldt County, in the Willow Creek area, on the South side of State Highway 299, approximately 230 feet from the intersection of State Highway 96 and State Highway 299, on the property known as 39008 State Highway 299.

Present Plan Land Use Designations: Mixed Use (MU). Willow Creek Community Plan, 2017 General Plan. Density: [Expanded Land Use Density], Slope Stability: Moderate Instability (2).

Present Zoning: Community Commercial (C-2)

Record Number: PLN-2021-17188

Assessor's Parcel Number: 522-221-019

Applicant	Owner	Agents
Bigfoot Cannabis Company, LLC PO Box 861 Arcata, CA 95518	Ironside Properties, LLC PO Box 861 Arcata, CA 95518	N/A

Environmental Review: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Class I, 15301 (Existing Facilities) of the State CEQA Guidelines.

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

Major Issues: None

Bigfoot Cannabis Company, LLC
Record Number: PLN-2021-17188
Assessor's Parcel Number: 522-221-019

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

Move to find the project exempt from environmental review pursuant to Sections 15301 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit and Special Permit and adopt the Resolution approving the Bigfoot Cannabis Company, LLC Conditional Use Permit as recommended by staff subject to the recommended conditions.

Executive Summary: Bigfoot Cannabis Company, LLC seeks a Conditional Use Permit for the operation of a cannabis microbusiness within the Willow Creek Community Planning Area. The microbusiness will consist of cannabis infusion manufacturing, distribution, and a cannabis storefront retail dispensary with deliveries within an existing building. The project will source water from the Willow Creek Community Services District (WCCSD) and the existing building has a will-serve allowing the continued use of 60,000 cubic-feet (448,831 gallons) per year. A total of five (5) employees are anticipated for the microbusiness operation's needs. The dispensary will be limited to the hours of 10:00 am and 7:00 pm. The parcel is powered by PG&E.

All activities will occur within the existing structure located off of State Hwy 299. The proposed project will occupy a portion of the building and the rest of the building is leased out to several private businesses. The project will utilize a maximum of five (5) employees, and the project area contains an ADA compliant restroom connected to a permitted septic system onsite. The project was referred to the Department of Environmental Health (DEH) on May 3, 2021. DEH commented on the project on May 16, 2021, and recommended conditional approval for the project. Comments from DEH stated that industrial wastewater tailings from manufacturing activities cannot be discharged to the septic system, and that the applicant shall contact the North Coast Regional Water Quality Control Board (NCRWQCB) regarding industrial wastewater disposal requirements. As the infusion manufacturing will not utilize water in the process of making pre-rolls, the applicant does not need to contact the NCRWQCB. As well, the project is currently on a septic system, but the Willow Creek Community Services District will be upgrading the sewer system in this area in the next few years, and the project will be connected to public sewer at that time.

The applicant had a building inspection conducted on June 28, 2021. Comments from the building inspector recommended approval for the project based on the condition that all required building, plumbing, electrical, and mechanical permits are obtained. The project will be utilizing the existing structure, and minor updates to the existing will occur in the form of renovations to the front, side, and rear elevations of the suite, replacing landscaping, and updating the building signage. Other upgrades will include new windows for security and insulation purposes, painting of the exterior, and upgrading utilities including the HVAC and electrical system. The applicant is conditioned to obtain the necessary building permits for upgrades to the building, utilities and electrical system. Odor mitigation is a part of the proposed project, and the applicant plans to filter all air utilizing an air filtration system that will scrub any cannabis odor to eliminate the presence of cannabis odor in the surrounding neighborhood.

Microbusiness
Per Section 55.4.10.3 of the CCLUO, microbusiness activities are a permitted use, subject to a Special Permit, in any of the zones in which authorized activities is a permitted use. Per Section 55.4.7 - 55.4.7.1 of the CCLUO allows for a Distribution facility in C-2 zoning, where meeting all applicable Performance Standards. As well, Section 55.4.8.2.3 (a) of the CCLUO allows for manufacturing activities involving infusion in C-2 zoning.

The distribution facility will have deliveries from the site occurring during off peak hours. The applicant anticipates a maximum of 2-3 deliveries occurring per week associated with the distribution facility. Deliveries will not occur over night and will be required to return to the facility by 8:30 pm. The project anticipates a total of 2-3 deliveries per week associated with the retail dispensary. The project will utilize the same delivery vehicle for all deliveries, and the delivery vehicle will be kept in the loading space provided on-site and will not affect the amount of available parking spaces on-site.

Cannabis infusion manufacturing will involve light manufacturing activities. These activities include receiving and trimming bulk pre-tested flower and combining it with pre-tested concentrates such as bubble hash, live rosin, BHO extracts and others to create specialized pre-rolls for both retail and distribution operations.

Storefront Retail

Per Section 55.3.8.2 of the Humboldt County Code, a cannabis dispensary shall be allowed on parcels zoned C-2 with a Conditional Use Permit. The proposed project is within C-2 zoning with a General Plan land us designation of Mixed-Use (MU). The project is approximately 700 feet to the nearest residentially zoned parcel, but the land use designation around the subject parcel is Mixed-Use and contains some residences. The nearest residence to the proposed project is approximately 635 feet away. There is one approved cannabis distribution center located within 600 feet of the proposed project. There is no known church or other place of religious worship, public parks, tribal cultural resources, or schools within 600 feet of the proposed project. There is one library, the Willow Creek Branch Library, where the edge of the parcel line is approximately 270 feet to the proposed project location. There are also two locations that have been identified as after-school program areas on APN's 522-332-001 & 522-332-002. From a desktop review it has been determined that the distance from the nearest youth center parcel line to the proposed project location is approximately 730 feet. Per the CCLUO the Planning Commission is required to determine whether the cumulative impacts resulting from the approval of a cannabis dispensary within 600 feet of an already approved distribution facility, and within 270 feet of a public library will be detrimental to the community area as a whole.

The project was referred to the Klamath-Trinity Joint Unified School District (KTJUSD) on May 3, 2021, and the agency replied on May 13, 2021, with a recommendation for denial. The letter that was submitted by KTJUSD's superintendent stated that they were opposed to the rezoning of key parcel 522-221-019, which would permit the Bigfoot Cannabis Company, LLC. The subject application does not consist of a request for rezoning, and the proposed project is located within zoning which allows for the proposed project activities. The letter continues to discuss that the approval of this project in such close proximity to Hoopa school facilities will exacerbate the problem of marijuana use among District students. The letter mentions the existence of a school bus stop that is located in close proximity to the proposed project. A list of the existing school bus stop locations was supplied to the Planning Department on July 19th, in an email that mentions one located at the Pizza Factory (which is located in the same building as the proposed project three units down), one at the Chevron station down the street, and one located at the Bigfoot Motel across the street. After review it has been determined that the closest bus stop is at least 107 feet to the proposed project location. There is no required school bus stop setback outlined in the Humboldt County Code for cannabis dispensaries, or distribution and infusion manufacturing facilities located within an enclosed setting. The application has included safety measures and protocols that will be implemented to protect the safety of the surrounding community. Due to the project site's location in a Special Area (within the Willow Creek Community Planning area) the Planning Commission is required to consider the potential impacts and cumulative impacts of cannabis activities on the community as a whole and may choose to deny the application if it is found, based on substantial evidence in the record, that the impacts of the activity on the existing uses will have a significant adverse impact on the public health, safety, or welfare. Along the downtown Hwy 299 corridor in Willow Creek between the Open Door Community Health Center and the Ace Hardware, there are two previously approved cannabis manufacturing/processing/distribution facilities, including one directly across the street from this proposed business.

The applicant has submitted an Operations Plan for the retail dispensary with deliveries which addresses measures of compliance with Sections 55.3.10 and 55.3.11 of the Humboldt County Code. The Operations Plan includes measures to be taken for employee and patient screening processes. Additional measures will be taken to prevent the diversion of cannabis products to the black market by incorporating inventory and track-and-trace protocols. All Bigfoot Cannabis Company, LLC employees must pass a background check. If a person has a felony on their record within the last five (5) years they cannot be employed by the Bigfoot Cannabis Company, LLC. Furthermore, if a current employee gets convicted of a felony, their employment must be terminated immediately.

In addition to the self-imposed operational restrictions and obligations, Conditions of Approval include the following measures:

- Prohibiting the use of cannabis on the premises or in the vicinity of the project.
- Requiring that any cannabis associated waste products are destroyed, prohibiting on-site sale of alcoholic beverages, maintaining records of all patients/members, and conducting routine background checks for employees (prohibiting the employment of any member with a prior felony conviction for the sale and/or distribution of controlled substances.)
- Restricting loitering on or about the premises.
- Providing adequate security to ensure the safety of persons and to protect the premises from theft.
- Restricting members to receive no more than 1 ounce of cannabis per visit.
- No dispensing of cannabis to an individual qualified patient/member shall be permitted more than twice a day.
- Delivery services shall only operate form a "store-front" Dispensary in a commercial or industrial zone with an approved use permit, and shall not operate from an address of convenience located in a residential zone.

Security

A security guard will be present on-site during business hours and daily activities will include escorting patients through the retail area, ensuring that video and alarm systems are operating correctly on a day-to-day basis, and make daily written reports of activity on the site for facility operations review. The facility will install a UL certified burglar alarm system in compliance with County and State requirements, and Access Control card readers will be placed on all doors of the building. The applicant also plans to have 24-hour surveillance of the facility with a surveillance company and security guard. The Operations Plan states that a CCTV system will be installed to monitor and record all traffic around the facility, including fifty-eight cameras, four (4) of which will be located on the exterior of the building and eleven (11) will be interior cameras. All cameras will be on a cloud server to allow for easy access for police and management. All camera locations will be firmly established at the time of final security plan. The applicant is required to submit the final Security Plan to the Planning Department, showing all locations of the proposed cameras on-site.

Other security measures will include an alarm system equipped with window contacts and panic buttons, ultra-secure storage vaults, and other safety equipment such as lockout-tagout equipment. Security sages and other sensitive items will be situated so they are not visible from the adjacent facilities.

Water Resources

The site is currently served by the Willow Creek Community Services District (WCCSD) for public water, and a Will-Serve letter is on-file showing the allowance of the continued use of 60,000 cubic-feet (448,831 gallons) per year which is for the building as a whole, and actual water used by the project will be a fraction of the total 448,831 gallons used annually. As there is no cultivation proposed for the project, the applicant is not required to enroll in the State Water Resources Control Boards General Order for Waiver of Waste Discharge Program.

There are no streams or stream crossings located on the subject parcel, therefore no Lake or Streambed Alteration Agreement with Fish & Wildlife is needed for the site.

Biological Resources
There are several mapped sensitive species shown within the project location on the CNDDB database, and the nearest Northern Spotted Owl (NSO) activity center is located approximately 0.94 miles to the project location. As the proposed project will utilize the existing structure and no new development is a part of the project, no Biological Reconnaissance Survey was required for the project application. Any upgrades to the existing structure will be minimal, and mostly cosmetic. Since all activities will occur within the existing fully enclosed structure which is powered by PG&E, no noise or light pollution is anticipated to be a result of the proposed project.

Energy
The project is connected to PG&E grid power, and there will be one emergency backup generator on-site. The project is conditioned to supply power from 100% renewable energy source supplied by PG&E.

Tribal Cultural Resource Coordination
The project is located within the Hoopa and Tsnungwe ancestral aboriginal tribal territories. The applicant had a Cultural Resource Investigation (CRI) prepared for the project area by William Rich, M.A., RPA with William Rich and Associates, dated February 2021. The CRI report concluded that no archaeological or historic-period cultural resources existed in the project area, and recommended protocols for inadvertent discovery. Inadvertent discovery protocols has been included in the Ongoing Conditions of Approval for the project, and if cultural resources are encountered during construction activities, all work shall cease in the immediate area and within a 50-foot buffer, and the applicant shall contact a qualified Archaeologist. The application was referred to the Hoopa and Tsnungwe tribes and the Northwest Information Center (NWIC) on May 3, 2021. Comments were received from the NWIC on May 17, 2021 which recommended that the lead agency contact the local Native American tribes regarding traditional, cultural, and religious heritage values. The final CRI report was also sent to the Hoopa and Tsnungwe tribes on June 10, 2021, and no comments were received.

Access & Parking
Access to the site is off of Highway 299, and there are two driveways that enter into the subject parcel. The project was referred to Caltrans on May 3, 2021and no response was received from the agency. It has been determined that the driveway meets commercial standards and that the access road is developed to meet the functional capacity needs for the project.

With a total of five (5) employees commuting to the site per day, and a maximum of one delivery anticipated per day there will be a maximum to twelve (12) trips per day. It has been determined that the access road and driveway meets the functional capacity required for the project needs.

The other business activities within the proposed building have been approved through several business license applications. There were a total of twenty-six (26) existing parking spaces prior to this application. The project is required to increase the on-site parking in order to meet the needs for the expanded uses of the proposed activities per Section 109.1.2.5.2 and 109.1.2.5.3 of the Humboldt County Zoning Code. The applicant has provided a parking study which shows that the proposed project would need to increase the parking on-site by two additional spaces. A Site Plan has been submitted which designates two additional parking spaces for a total of twenty-eight (28) spaces (two of which are ADA-compliant parking spaces and access). It has been determined that this will meet the needs for the intensified activities of the proposed project.

Willow Creek Community Planning Area
The CCLUO requires a Conditional Use Permit for all commercial cannabis activities in certain community planning areas, including the Willow Creek Community Planning Area. In accordance with the procedures of the CCLUO a Notice of Application was sent to surrounding property owners within 1,000 feet of the site in June of 2021. One public comment was received in the form of a phone call. The caller was concerned about the projects effects to the surrounding community, and was mainly concerned about the presence of a youth center located at 75 The Terrace Road in Willow Creek, and another

youth center located at 35 The Terrace Road in Willow Creek. Desktop analysis of the distance from the proposed project location to the edge of the parcel lines for both youth center locations was conducted, and found that from parcel line to parcel line there was a distance of approximately 600 feet. The caller was informed that the proposed project was outside of the required setback for youth centers. Another comment was received in the form of a phone call. The caller was concerned about the presence of school bus stops near the project location. They were specifically concerned about the bus stop located at the intersection of Highway 299 and Highway 96. The caller was informed that that particular bus stop seemed to be a regular bus stop, and not a designated school bus stop. The caller said that that particular bus stop was used by high school students in order to get to the schools in Arcata and McKinleyville. Per the CCLUO the project and all of the proposed activities associated with the project were not required to meet a 600-foot setback for school bus stops. No other comments have been received for this project.

Environmental review for this project was conducted and based on the results of that analysis, staff believes the proposed cultivation within an existing structure for the project can be considered "Existing Facilities" as defined by Section 15301 of the California Environmental Quality Act (CEQA) Guidelines. This facility is existing and no changes or alterations are proposed.

RECCOMENDATION: Based on a review of Planning Division reference sources and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approval of the Conditional Use Permit (CUP). The Planning and Building Department believes that the project may be found categorically exempt from environmental review pursuant to Section 15301 of CEQA guidelines.

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

RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 21-
Record Number PLN-2021-17188
Assessor's Parcel Number: 522-221-019

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Bigfoot Cannabis Company, LLC, Conditional Use Permit.

WHEREAS, **Bigfoot Cannabis Company, LLC,** submitted an application and evidence in support of approving a Conditional Use Permit for a cannabis microbusiness consisting of cannabis infusion manufacturing, distribution, and a cannabis storefront retail dispensary within the Willow Creek Community Planning Area;

WHEREAS, the project is exempt from environmental review per Section 15301 (Existing Facilities) of the CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on August 5, 2021, and reviewed, considered, and discussed the application for a Conditional Use Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

1. **FINDING:** **Project Description:** A Conditional Use Permit for the operation of a cannabis microbusiness within the Willow Creek Community Planning Area. The microbusiness will consist of cannabis infusion manufacturing, distribution, and cannabis storefront retail dispensary within an existing building. The project will source water from the Willow Creek Community Services District (WCCSD) and the applicant has obtained a will-serve allowing the continued use of water for the parcel. A maximum of ten (10) employees are anticipated for the microbusiness operation's needs. The dispensary will be limited to the hours of 10:00 am and 7:00 pm. The parcel is powered by PG&E.

   EVIDENCE:
   a) Project File: PLN-2021-17188

2. **FINDING:** **CEQA.** The project has been determined to be categorically exempt from State environmental review per Section 15301 of CEQA Guidelines (Existing Facilities).

   EVIDENCE:
   a) The project will consist of the repair, maintenance, permitting, licensing, or miner alteration of existing private structures or facilities involving negligible or no expansion of use.
   b) The project is served by public water from the Willow Creek Community Services District.
   c) The project will result in negligible or no expansion of existing or former use.
   d) The project is served by public power with PG&E and will be required to obtain renewable energy through PG&E.
   e) The project is accessed by State Hwy 299, and no improvements are required.

FINDINGS FOR CONDITIONAL USE PERMIT

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

EVIDENCE

a) The proposed project is not located within an Open Space Action Program because the project site is not planned or zoned as open space, does not have a combining zone that would be considered open space, and there are no other open space general plan or zoning code overlays affecting this project.

4. FINDING The proposed development is consistent with the purposes of the existing C-2 zone in which the site is located.

EVIDENCE

a) The Community Commercial or C-2 zone is intended to be applied to areas of the County in which more complete commercial facilities are necessary for community convenience.

b) A microbusiness consisting of a cannabis retail dispensary, a cannabis distribution facility, and a cannabis infusion manufacturing facility are all uses that are principally permitted in the C-2 zone.

c) Humboldt County Code section 55.4.10.3 allows for a microbusiness activities with a Special Permit, in any of the zones in which authorized cannabis activities are permitted use.

d) Humboldt County Code section 55.3.8.2 and 55.4.10.1 allows for adult-use retail sales cannabis dispensaries in zoning districts of C-2, with a Conditional Use Permit.

e) Humboldt County Code section 55.4.8.2.3 (a) allows for manufacturing activities which exclusively involve Infusion in C-2 zones with a Zoning Clearance Certificate.

f) Humboldt County Code section 55.4.7.1 allows for a distribution facility in C-2 zones with a Zoning Clearance Certificate when meeting all applicable Performance Standards and Eligibility Criteria.

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

EVIDENCE

a) Per Section 55.4.5.1.4 (a) of the CCLUO, a Conditional Use Permit shall be required for any Commercial Cannabis Activity where located within the Sphere of Influence of the Willow Creek Community Planning Area.

b) Per Section 55.4.10.3 of the CCLUO, a microbusiness is allowed in any of the zones in which authorized cannabis activities are permitted use.

c) Per Section 55.4.10.1 of the CCLUO, adult-use retail sales are permitted use subject to the same permit requirements that apply pursuant to Humboldt County Code Sections 314-55.3, within Community Commercial C-2 zoning with a Conditional Use Permit.

d) Per Section 55.4.8.2.3 (a) of the CCLUO, manufacturing activities which exclusively involve Infusion is allowable in C-2 zones with a Zoning Clearance Certificate.

e) Per Section 55.4.7.1 of the CCLLUO, a cannabis distribution facility is allowed in C-2 zones with a Zoning Clearance Certificate when meeting all applicable Performance Standards and Eligibility Criteria.

f) The subject parcel has been determined to be one legal parcel as created prior to 1964.

g) The project will obtain water from a non-diversionary water source. The Willow Creek Community Services District will provide the irrigation water for the project, and the applicant has a Will-Serve letter allowing the continued use of 60,000 ft^3/year (448,831 gal/year) for the entirety of the building. The project will only utilize a portion of that amount.

h) The project is located off of Hwy 299, which is a Highway maintained by CalTrans. The driveway apron that connects to Highway 299 has been determined to meet commercial standards and no improvements to the encroachment are necessary.

i) The slope of the land where cannabis activities will occur is less than 15%.

j) The cultivation of cannabis will not result in the net conversion of timberland. No timber conversion has occurred on the site and no tree removal is proposed for the project. No timber conversion report or permit is required for the project.

k) The proposed project is connected to PG&E grid power, and the project is required to obtain renewable energy sourced by PG&E before commencing activities on-site.

6. FINDING The microbusiness consisting of cannabis infusion manufacturing, distribution, and cannabis storefront retail dispensary within the existing building 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 applicant is requesting a Conditional Use Permit to approve a microbusiness consisting of cannabis infusion manufacturing, distribution, and cannabis storefront retail dispensary within an existing building within the Willow Creek Community Planning Area.

b) The site is located within the Willow Creek Community Planning Area. The proposed project was noticed in June of 2021 to all parcels within 1,000 feet of the perimeter of the parcel on which the permit is being requested. The first caller was concerned about the projects effects to the surrounding community, and was mainly concerned about the presence of a youth center located at 75 The Terrace Road in Willow Creek, and another youth center located at 35 The Terrace Road in Willow Creek. Desktop analysis of the distance from the proposed project location to the edge of the parcel lines for both youth center locations was conducted, and found that from parcel line to parcel line there was a distance of approximately 600 feet. The caller was informed that the proposed project was outside of the required setback for youth centers. Another comment was received in the form of a phone call. The caller was concerned about the presence of school bus stops near the project location. They were specifically concerned about the bus stop located at the intersection of Highway 299 and Highway 96. The caller was informed that that particular bus stop seemed to be a regular bus stop, and

not a designated school bus stop. The caller said that that particular bus stop was used by high school students in order to get to the schools in Arcata and McKinleyville. After further review, it was determined that the project and all of the proposed activities associated with the project were not required to meet a 600-foot setback for school bus stops. No other comments have been received for this project.

c) The site is located off of Highway 299, which is maintained by CalTrans. The driveway (encroachment) that connects to Highway 299 meets commercial standards and no improvements to the encroachment are necessary. It has been determined that the access road meets the functional capacity for the proposed project.

d) Irrigation water will come from the Willow Creek Community Services District, and the applicant has a will-serve letter.

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

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

DECISION

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

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit for Bigfoot Cannabis Company, 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 August 5, 2021.

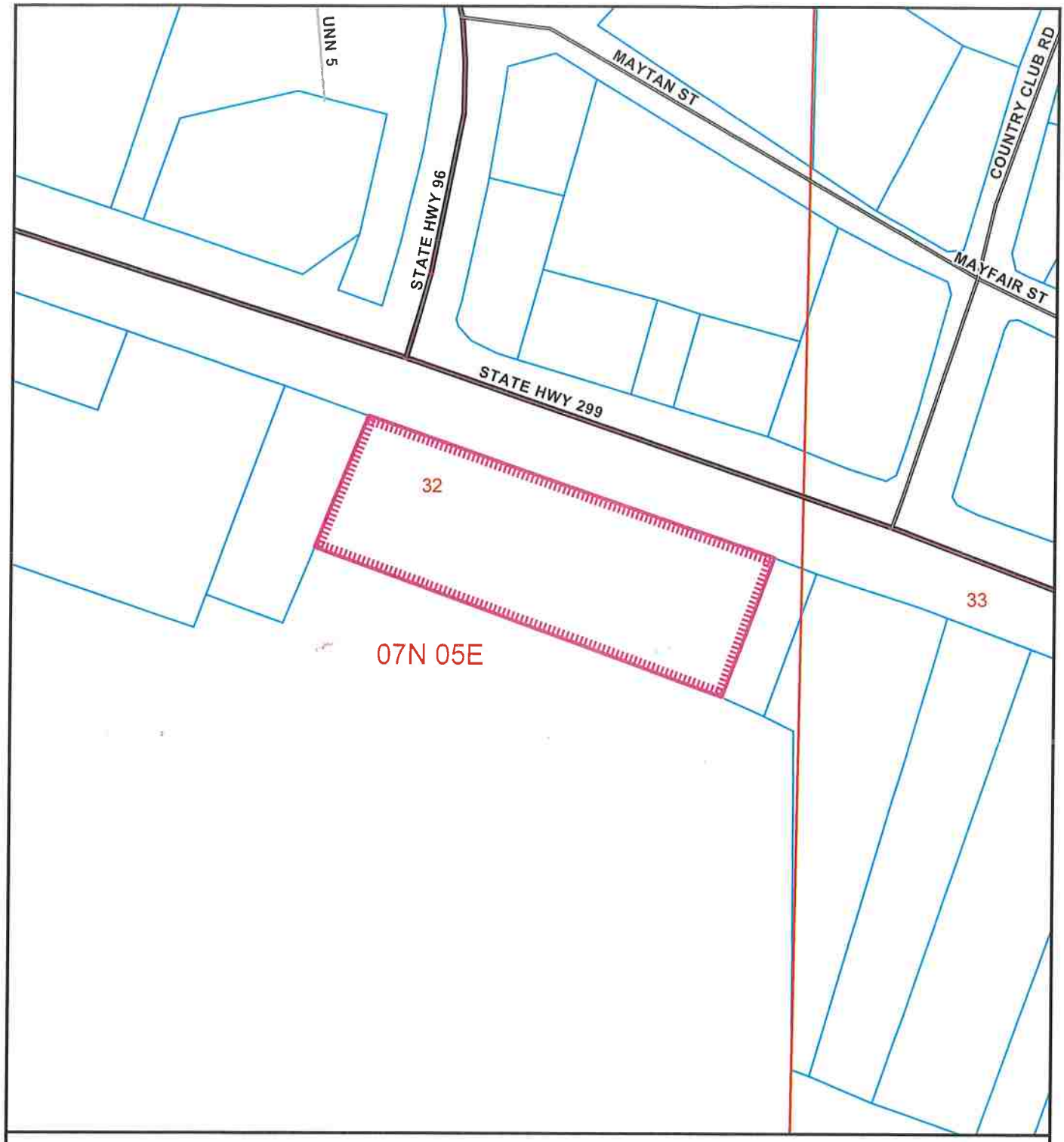
The motion was made by COMMISSIONER _____and second by COMMISSIONER _____ and the following ROLL CALL vote:

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

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

_____

John Ford, Director
Planning and Building Department



LOCATION MAP

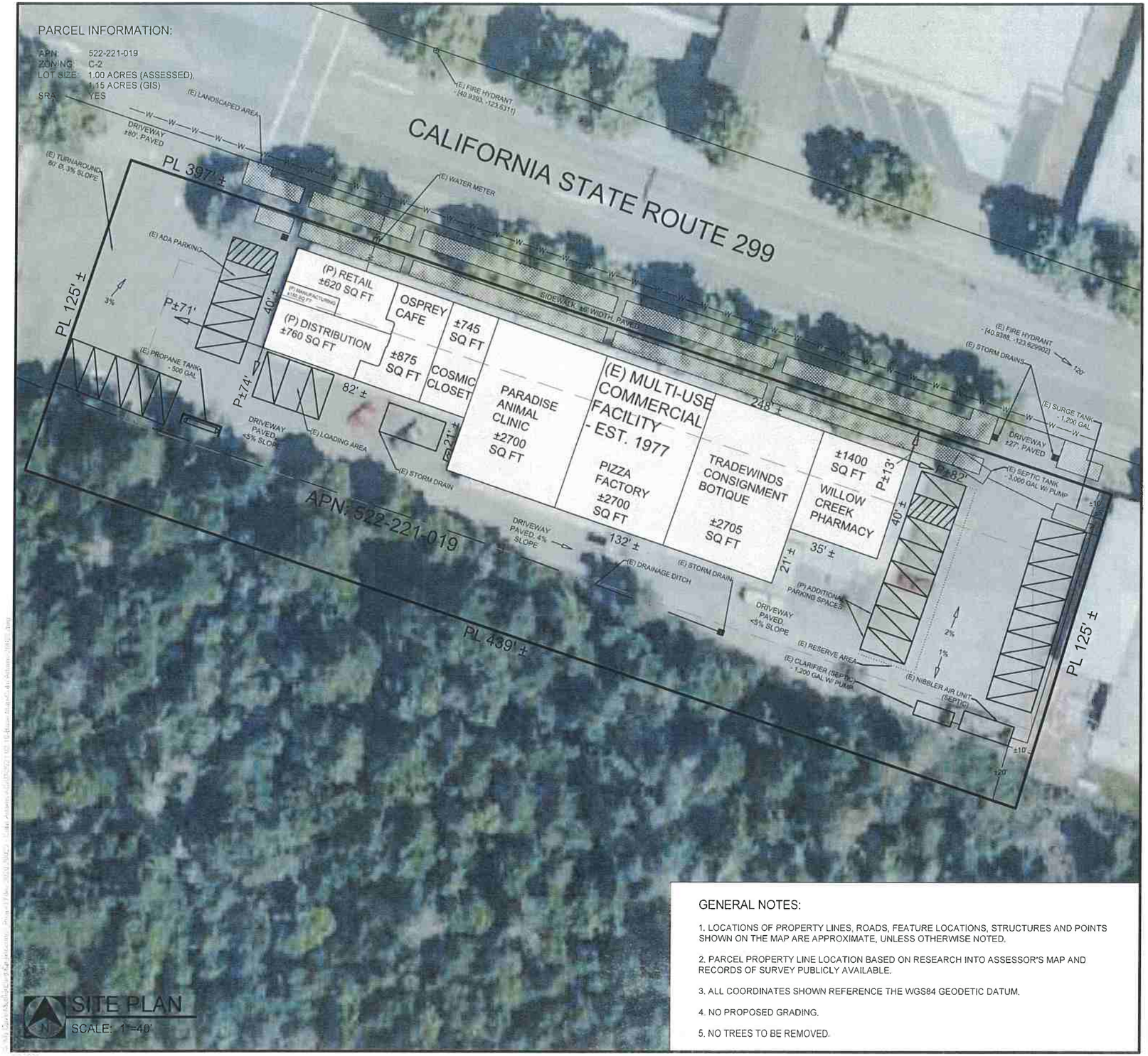
PROPOSED BIGFOOT CANNABIS COMPANY, LLC
CONDITIONAL USE PERMIT
WILLOW CREEK AREA
PLN-2021-17188
APNs: 522-221-019
T07N R05E S32 HB&M (Willow Creek)

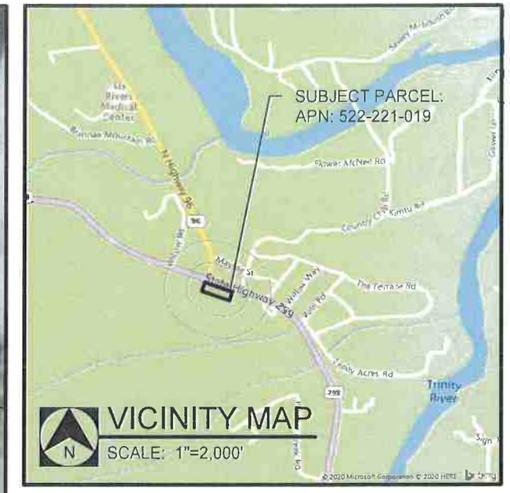
Project Area =

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.

N

0 100 Feet





DIRECTIONS TO SITE

FROM EUREKA:

-HEAD NORTH ON US-101, 7.2 MILES
-TAKE EXIT 716A FOR CA-299 E TOWARD WEAVERVILLE/REDDING, 37.6 MILES
-COMMERCIAL BUILDING IS ON RIGHT

RECEIVED
JUL 13 2021
Humboldt County Cannabis Svcs.

LEGEND

- PROPERTY LINE
- 30' SETBACK FROM PROPERTY LINE
- 300' SETBACK
- 600' SETBACK
- EXISITING STRUCTURE
- LANDSCAPED AREA
- DRAINAGE DITCH
- CITY WATER LINE
- STORM DRAIN
- ADA PARKING SPACE
- PARKING SPACE
- ELECTRIC/PROPANE METERS
- <E> EXISTING
- <P> PROPOSED
- P±XX' PROPERTY LINE SETBACK DISTANCE
- X% SLOPE %

GENERAL NOTES:

1. LOCATIONS OF PROPERTY LINES, ROADS, FEATURE LOCATIONS, STRUCTURES AND POINTS SHOWN ON THE MAP ARE APPROXIMATE, UNLESS OTHERWISE NOTED.
2. PARCEL PROPERTY LINE LOCATION BASED ON RESEARCH INTO ASSESSOR'S MAP AND RECORDS OF SURVEY PUBLICLY AVAILABLE.
3. ALL COORDINATES SHOWN REFERENCE THE WGS84 GEODETIC DATUM.
4. NO PROPOSED GRADING.
5. NO TREES TO BE REMOVED.

MOTHER EARTH ENGINEERING
425 I STREET
ARCATA, CA 95521, 707-633-8321

MEE JOB NO: 20023.1

REVISION SCHEDULE

#	DATE	BY	DESCRIPTION
0	12/09/20	JI	DRAFTED
1	12/10/20	LBC	DRAFTED
2	02/10/21	JI	REVISIONS
3	06/30/21	DT	REVISIONS
4	07/13/21	DT	REVISIONS
5			

SITE PLAN
APN: 522-221-019
SITE ADDRESS: 39008 ST HWY 299
WILLOW CREEK, CA 95573

COUNTY 2.0 APPLICATION
BIGFOOT CANNABIS COMPANY
APPLICANT: COLIN ADAMS
MAILING ADDRESS: P.O. BOX 861, ARCATA, CA 95518
PHONE: (707) 845-3123

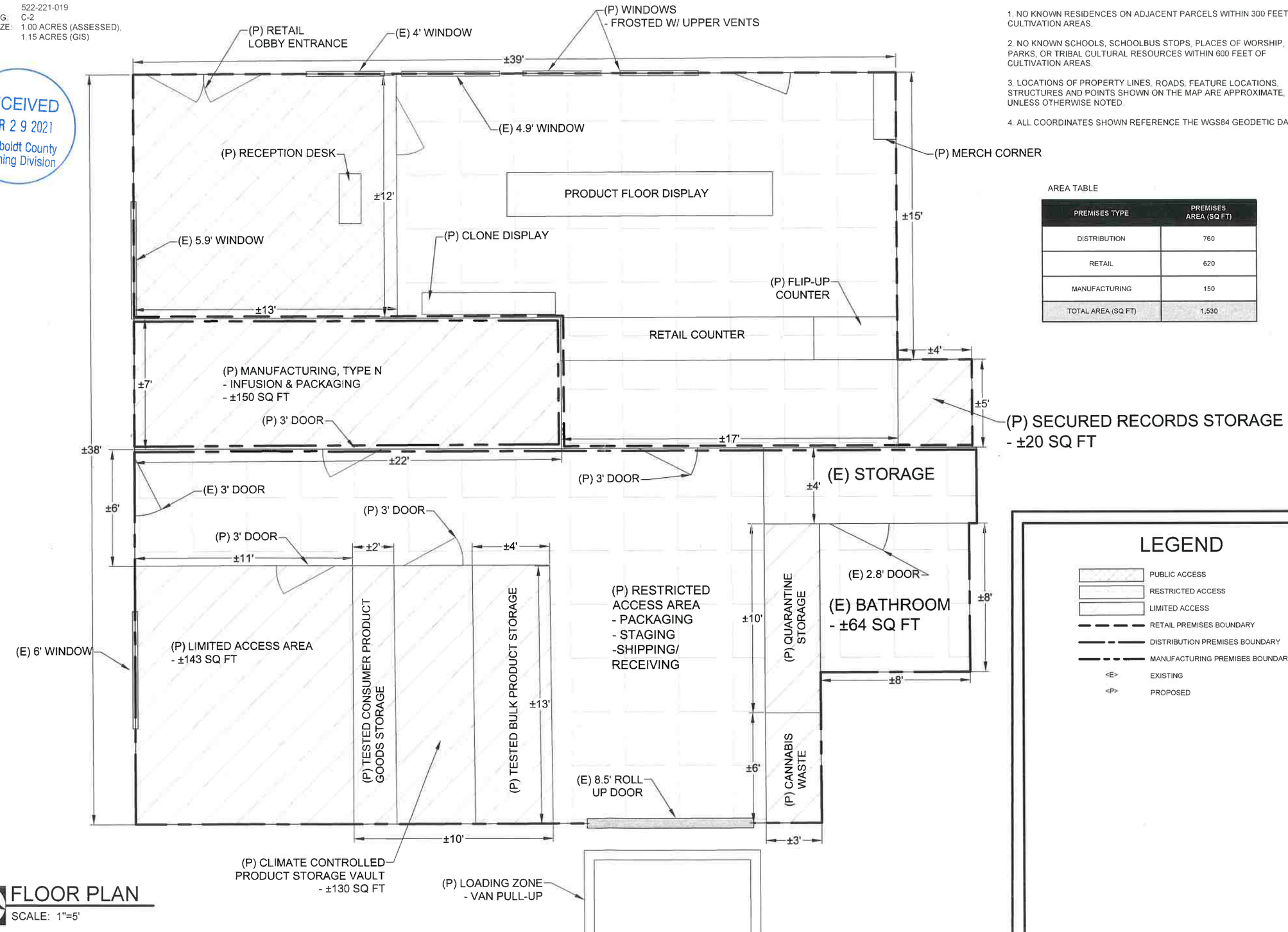
SHEET NO: 1

Mother Earth Engineering Inc. 2021

PARCEL INFORMATION:

APN: 522-221-019
ZONING: C-2
LOT SIZE: 1.00 ACRES (ASSESSED), 1.15 ACRES (GIS)

RECEIVED
APR 2 9 2021
Humboldt County Planning Division



FLOOR PLAN

SCALE: 1"=5'

GENERAL NOTES:

1. NO KNOWN RESIDENCES ON ADJACENT PARCELS WITHIN 300 FEET OF CULTIVATION AREAS.
2. NO KNOWN SCHOOLS, SCHOOLBUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF CULTIVATION AREAS.
3. LOCATIONS OF PROPERTY LINES, ROADS, FEATURE LOCATIONS, STRUCTURES AND POINTS SHOWN ON THE MAP ARE APPROXIMATE, UNLESS OTHERWISE NOTED.
4. ALL COORDINATES SHOWN REFERENCE THE WGS84 GEODETIC DATUM.

AREA TABLE

PREMISES TYPE	PREMISES AREA (SQ FT)
DISTRIBUTION	760
RETAIL	620
MANUFACTURING	150
TOTAL AREA (SQ FT)	1,530

LEGEND

- PUBLIC ACCESS
- RESTRICTED ACCESS
- LIMITED ACCESS
- RETAIL PREMISES BOUNDARY
- DISTRIBUTION PREMISES BOUNDARY
- MANUFACTURING PREMISES BOUNDARY
- <E> EXISTING
- <P> PROPOSED

MOTHER EARTH ENGINEERING
425 I STREET
ARCATA, CA 95521, 707-633-8321

MEE JOB NO: 20023.1

REVISION SCHEDULE

#	DATE	BY	DESCRIPTION
0	12/09/20	JI	DRAFTED
1	12/10/20	LBC	DRAFTED
2	03/01/21	JI	REVISIONS
3	04/05/21	JI	REVISIONS
4			
5			

FLOOR PLAN
APN: 522-221-019
SITE ADDRESS: 39008 ST HWY 299, WILLOW CREEK, CA 95573

COUNTY 2.0 APPLICATION
BIGFOOT CANNABIS COMPANY
APPLICANT: COLIN ADAMS
MAILING ADDRESS: P.O. BOX 861, ARCATA, CA 95518
PHONE: (707) 845-3123

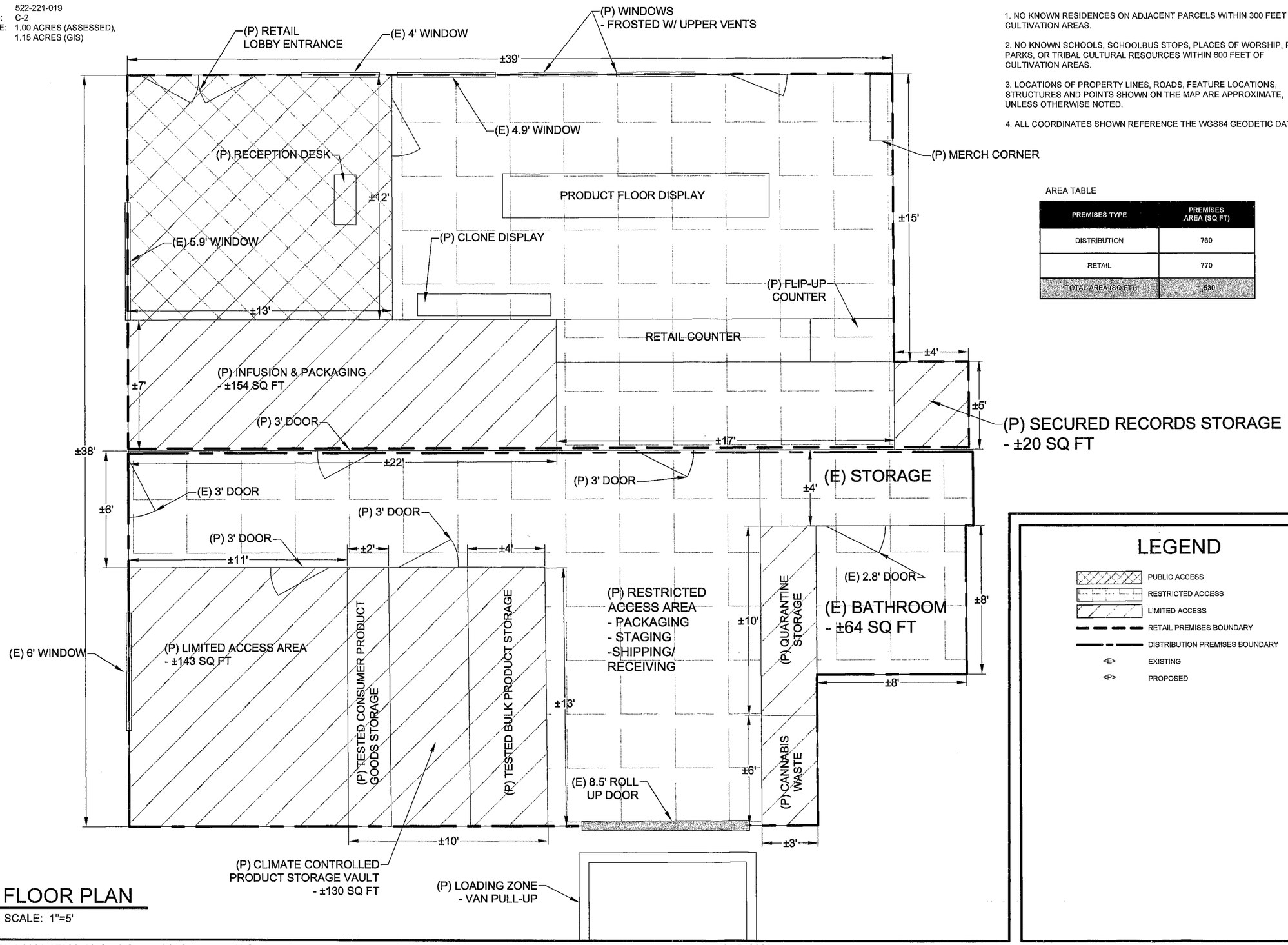
SHEET NO: 1

G:\My Drive\MotherEarthEngineering_Project Files\2020\20023_Colin Adams\CAD\2021 02.10 Base Map Colin Adams 20023.dwg

Mother Earth Engineering Inc. 2021

PARCEL INFORMATION:

APN: 522-221-019
ZONING: C-2
LOT SIZE: 1.00 ACRES (ASSESSED), 1.15 ACRES (GIS)



FLOOR PLAN

SCALE: 1"=5'

GENERAL NOTES:

1. NO KNOWN RESIDENCES ON ADJACENT PARCELS WITHIN 300 FEET OF CULTIVATION AREAS.

2. NO KNOWN SCHOOLS, SCHOOLBUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF CULTIVATION AREAS.

3. LOCATIONS OF PROPERTY LINES, ROADS, FEATURE LOCATIONS, STRUCTURES AND POINTS SHOWN ON THE MAP ARE APPROXIMATE, UNLESS OTHERWISE NOTED.

4. ALL COORDINATES SHOWN REFERENCE THE WGS84 GEODETIC DATUM.

AREA TABLE

PREMISES TYPE	PREMISES AREA (SQ FT)
DISTRIBUTION	760
RETAIL	770
TOTAL AREA (SQ FT)	1,530

LEGEND

- PUBLIC ACCESS
- RESTRICTED ACCESS
- LIMITED ACCESS
- RETAIL PREMISES BOUNDARY
- DISTRIBUTION PREMISES BOUNDARY
- <E> EXISTING
- <P> PROPOSED

MOTHER EARTH ENGINEERING
425 I STREET
ARCATA, CA 95521, 707-633-8321

MEE JOB NO: 20023.1

REVISION SCHEDULE

#	DATE	BY	DESCRIPTION
0	12/09/20	JI	DRAFTED
1	12/10/20	LBC	DRAFTED
2	03/01/21	JI	REVISIONS
3	04/05/21	JI	REVISIONS
4			
5			

FLOOR PLAN
APN: 522-221-019
SITE ADDRESS: 39008 ST HWY 299, WILLOW CREEK, CA 95573

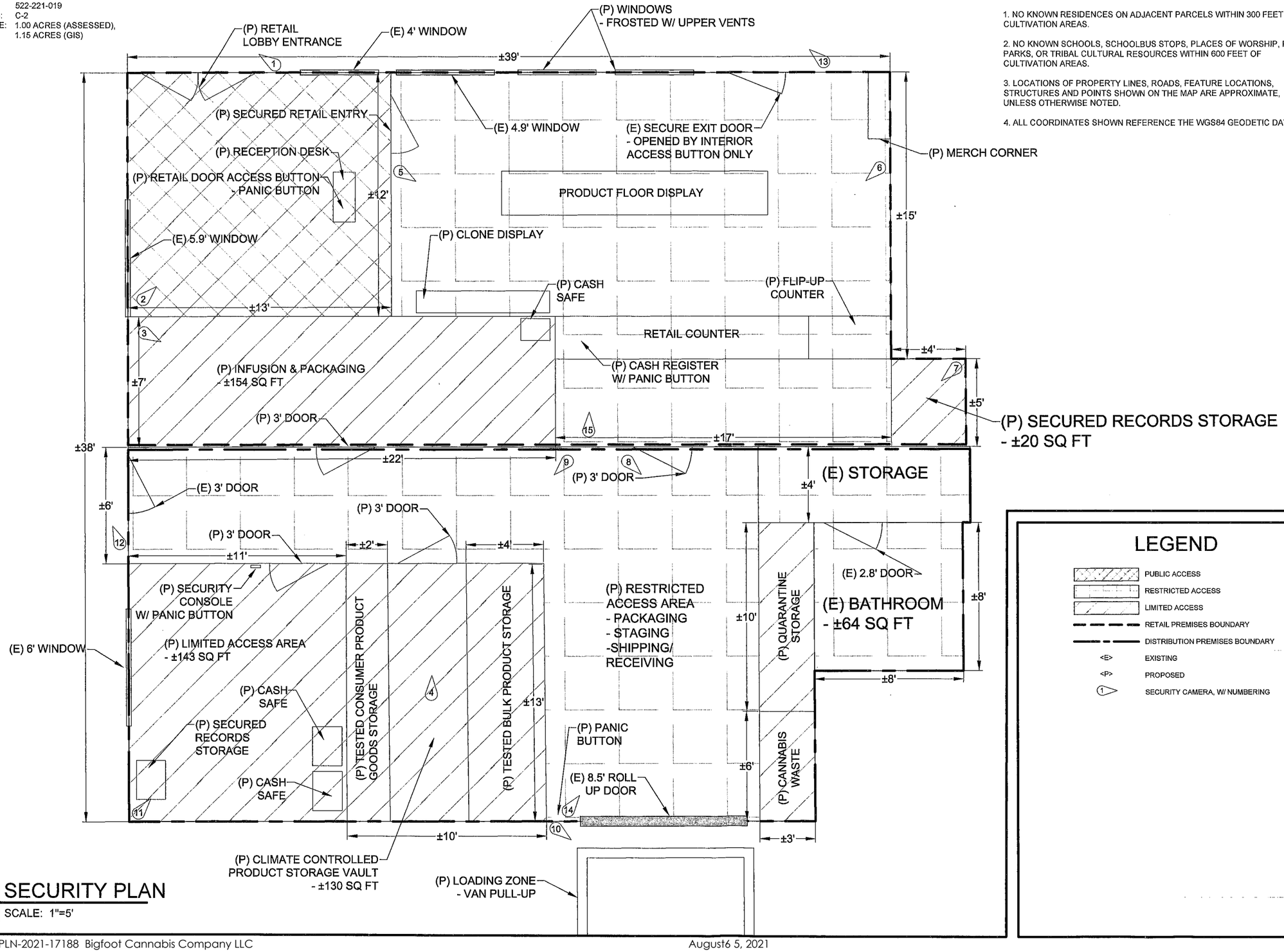
COUNTY 2.0 APPLICATION
BIGFOOT CANNABIS COMPANY
APPLICANT: COLIN ADAMS
MAILING ADDRESS: P.O. BOX 861, ARCATA, CA 95518
PHONE: (707) 845-3123

SHEET NO: 1

G:\My Drive\MotherEarthEngineering_Project Files\2020\20023 - Colin Adams\ACAD\2021 02.10-Base Map-Colin Adams-20023.dwg

PARCEL INFORMATION:

APN: 522-221-019
ZONING: C-2
LOT SIZE: 1.00 ACRES (ASSESSED), 1.15 ACRES (GIS)



SECURITY PLAN

SCALE: 1"=5'

GENERAL NOTES:

1. NO KNOWN RESIDENCES ON ADJACENT PARCELS WITHIN 300 FEET OF CULTIVATION AREAS.

2. NO KNOWN SCHOOLS, SCHOOLBUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, OR TRIBAL CULTURAL RESOURCES WITHIN 600 FEET OF CULTIVATION AREAS.

3. LOCATIONS OF PROPERTY LINES, ROADS, FEATURE LOCATIONS, STRUCTURES AND POINTS SHOWN ON THE MAP ARE APPROXIMATE, UNLESS OTHERWISE NOTED.

4. ALL COORDINATES SHOWN REFERENCE THE WGS84 GEODETIC DATUM.

LEGEND

- PUBLIC ACCESS
- RESTRICTED ACCESS
- LIMITED ACCESS
- RETAIL PREMISES BOUNDARY
- DISTRIBUTION PREMISES BOUNDARY
- <E> EXISTING
- <P> PROPOSED
- (1) SECURITY CAMERA, W/ NUMBERING

MOTHER EARTH ENGINEERING
425 I STREET
ARCATA, CA 95521, 707-633-8321

MEE JOB NO: 20023.1

REVISION SCHEDULE

#	DATE	BY	DESCRIPTION
0	12/09/20	JI	DRAFTED
1	12/10/20	LBC	DRAFTED
2	03/01/21	JI	REVISIONS
3	04/05/21	JI	REVISIONS
4			
5			

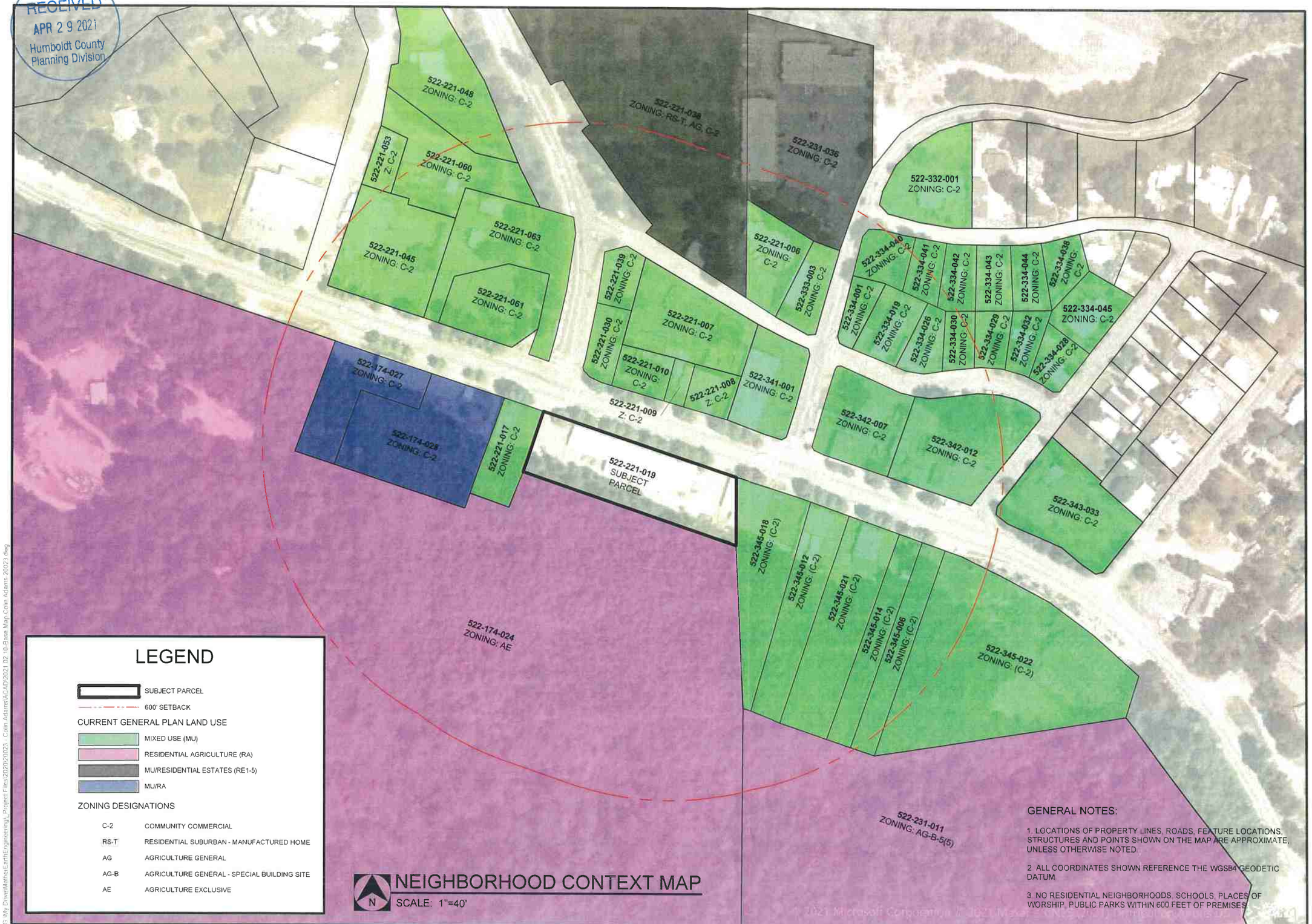
SECURITY PLAN
APN: 522-221-019
SITE ADDRESS: 39008 ST HWY 299, WILLOW CREEK, CA 95573

COUNTY 2.0 APPLICATION
BIGFOOT CANNABIS COMPANY
APPLICANT: COLIN ADAMS
MAILING ADDRESS: P.O. BOX 881, ARCATA, CA 95518
PHONE: (707) 845-3123

SHEET NO: 1

G:\My Drive\MotherEarthEngineering_Project Files\2020\20023 - Colin Adams\ACAD\2021 02 10-Base Map-Colin Adams-20023.dwg

RECEIVED
APR 2 9 2021
Humboldt County
Planning Division



GENERAL NOTES:

1. LOCATIONS OF PROPERTY LINES, ROADS, FEATURE LOCATIONS, STRUCTURES AND POINTS SHOWN ON THE MAP ARE APPROXIMATE, UNLESS OTHERWISE NOTED.

2. ALL COORDINATES SHOWN REFERENCE THE WGS84 GEODETIC DATUM.

3. NO RESIDENTIAL NEIGHBORHOODS, SCHOOLS, PLACES OF WORSHIP, PUBLIC PARKS WITHIN 600 FEET OF PREMISES.

MOTHER EARTH
ENGINEERING
425 I STREET
ARCATA, CA 95521, 707-633-8321

MEE JOB NO: 20023.1

REVISION SCHEDULE

#	DATE	BY	DESCRIPTION
0	03/31/21	JI	DRAFTED
1			
2			
3			
4			
5			

NEIGHBORHOOD CONTEXT MAP

APN: 522-221-019
SITE ADDRESS: 39008 ST HWY 299
WILLOW CREEK, CA 95573

COUNTY 2.0 APPLICATION
BIGFOOT CANNABIS COMPANY
APPLICANT: COLIN ADAMS
MAILING ADDRESS: P.O. BOX 861, ARCATA, CA 95518
PHONE: (707) 845-3123

SHEET NO: 1

G:\My Drive\MotherEarthEngineering_Project Files\2020\20023 - Colin Adams\CAD\2021 02 10-Base Map-Colin Adams 20023.dwg
2 9 2021

Mother Earth Engineering Inc. 2021

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROJECT MAY BEGIN OPERATING

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. A Notice of Exemption (NOE) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOE and will charge this cost to the project.

4. The applicant is conditioned to obtain the necessary building permits for improvements to the building, utilities and electrical system. The applicant must specify on the building plans the prior use of all tenant spaces in the building. All work done shall meet current Structural, Electrical, Plumbing and Mechanical Codes. Issuance of a building permit for the necessary tenant improvements, or written documentation from the Planning and Building Department that no building permits are required, shall satisfy this condition.

5. The applicant is required to submit the final Security Plan to the Planning Department, showing all locations of the proposed cameras on-site.

6. The applicant shall provide evidence of enrollment in the renewable energy program supplied by PG&E. During each annual inspection the applicant shall make this documentation available for review.

7. Prior to initiation of use, the applicant shall obtain a business license from the Humboldt County Tax Collector.

8. A final Signage Plan shall be submitted subject to review and approval by the Planning Director. Signage shall be compatible and not distract from surrounding uses in the area.

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

B. Operation Restrictions

1. The hours of operation shall be in accordance with Humboldt County Code and State regulations.

2. The business will provide adequate security on the premises, including lighting, alarms, and law enforcement notification, to ensure the safety of persons and to protect the premises from theft. The business shall retain a security guard or designated staff member to monitor the parking lot during

hours of operation and enforce rules of the dispensary prohibiting loitering, smoking or sharing cannabis onsite or within the vicinity.

3. The business shall operate at all times in conformance with the provisions of Humboldt County Ordinance #2554, including the Operating Standards in Section 314-55.3.11 and the requirement for annual Performance Review Reports per Section 314-55.3.12.

4. No cannabis shall be smoked, ingested, or otherwise consumed on the premises.

5. Delivery services shall only operate form a "store-front" Dispensary in a commercial or industrial zone with an approved use permit, and shall not operate from an address of convenience located in a residential zone.

6. The business shall not hold or maintain a license from the California Department of Alcoholic Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages.

7. The business shall maintain records of all patients using only the identification card number issued by the County, or its agent, pursuant to California Health and Safety Code Section 11362.7 et seq., as protection of the confidentiality of the cardholders, or a copy of the written recommendation.

8. The business shall follow the staff screening process as detailed in the Operations Manual that includes a criminal background check for employees and prohibiting the employment of any person with a prior felony conviction for the sale and/or distribution of a controlled substance.

9. As identified under the 2008 Attorney General Guidelines (for the Security and Non-Diversion of Marijuana Grown for Medical Use), the collective shall "track and record the source of their marijuana," and keep records of its division and distribution.

10. The business shall permit the Planning Director or his/her designee to have access to the entity's books, records, accounts, and any and all data relevant to its permitted activities for the purpose of conducting an audit or examination to determine compliance with the conditions of the Conditional Use Permit. Books, records, accounts, and any and all relevant data will be produced no later than 24 hours after the request from the Planning Director or his/her designee.

11. All compensation to grower/members providing excess medicine to the collective shall be made by check instead of cash as soon as banking is available. The grower/member shall provide or verify his/her Social Security Number (SSN) to the collective in association with each transaction. SSNs will be kept on file with the collective and used to file 1099 forms for each grower/member at the end of each fiscal year.

12. The Humboldt County Collective Dispensary shall provide the Planning Director or his/her designee, the Sheriff, and all neighboring property owners within 300 feet of the establishment with the name and telephone number of an on-site representative of the collective to whom one can provide notice if there are operating problems associated with the facility. The collective shall make every good faith effort to encourage neighbors to call this contact person to try and solve problems, if any, before calls or complaints are made to the Sheriff or Planning Director. Should problems arise that cannot be adequately resolved in this group setting, the disgruntled party can petition the Planning Commission to initiate the process of permit revocation per Section 312-14 of the Humboldt County Code.

13. There is to be no loitering on or about the premises at any time. Further, the Sheriff shall provide to the Planning Director and/or his/her designee a list of any complaints and law enforcement related problems associated with the collective, upon request.

14. The business shall participate in inspections to verify that all cannabis is being distributed in

compliance with all state and local regulations. Inspections are intended to ensure that grower-members are legal and compliant in the numbers of plants they grow, and that growing is done in a safe and sustainable manner, away from public view and inaccessible to minors.

15. A review fee for conformance with conditions as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently $750.00) shall be paid to the Humboldt County Planning Division, 3015 H Street, Eureka. This fee is a deposit, and if actual review costs exceed this amount, additional fees will be billed at the County's current burdened hourly rate.

16. Patients younger than 18 will not be allowed membership except under special circumstances where they can provide "documentation of a serious condition for which treatment with medical cannabis has been recommended."

17. Methods used to track inventories, quantities, and distribution between verified members will match "standard industry procedures" which includes the following:

    - All incoming cannabis will be assigned a lot number which will be retained as cannabis is subsequently divided and distributed to members.
    - All cannabis will be tracked by the gram.
    - Quickbooks or similar software shall be used as a point of sale to record transactions, inventory, invoicing, and revenue-related record keeping.

18. Patients shall receive medicine in individual units no more than twice during a 24-hour period. Patients are required to take the medicine directly home and not to share it with anyone. Membership shall be immediately revoked for any patient found violating this rule.

19. The cannabis cooperative, collective, or delivery service shall be inspected by the Humboldt County Sheriff or his/her designee and either members of the Code Compliance Division of the Planning and Building Department or the Code Enforcement Investigator on an annual basis, or more frequently as requested by the Planning Commission, to determine if the cooperative, collective, or delivery service is in compliance with its Conditional Use Permit and Operations Manual. After payment of the inspection fees as indicated in the following section, a copy of the results from this inspection shall be given to the medical marijuana collective, cooperative, or delivery service for inclusion in its "Performance Review Report" to the Planning Commission.

20. Noncompliance by the cannabis collective, cooperative, or delivery service in allowing the inspection by the above-mentioned County personnel, or non-compliance in submitting the annual "Performance Review Report" per Section 314-55.3.12 for review by the Planning Commission, shall be deemed grounds for a revocation of the Conditional Use Permit and/ or subject the holder of the Conditional Use Permit to the penalties outlined in the code section above. A deposit shall be collected for the County's time spent performing the inspection (based on the fees in effect at the time the request is submitted).

C. Ongoing Requirements/Development Restrictions Which Must Continue to be Satisfied for the Life of the Project

1. Operations shall be consistent with the project description, Site Plan, Floor Plan, and the Plan of Operations as modified by Conditions of Approval B.1 through B.20 inclusive.

2. Applicant shall submit a request for agency review for substantial conformance on any proposed changes of the operation, including but not limited to changes to operational procedure or policy. Changes in operation may be processed as a minor deviation if all the findings of Section 312-11.1 can be made.

3. All new and existing outdoor lighting shall be compatible with the existing setting and directed within

the property boundaries.

4. Future signage proposals are subject to review and approval by the Planning Director.

5. Commercial cannabis activity shall be conducted in compliance will all laws and regulations as set forth in the Humboldt County Dispensaries Ordinance and the Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), as may be amended from time to time, as applicable to the permit type.

6. 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.

7. Odors shall be contained on the property on which the Cannabis activity is located. To implement this requirement, air filtration and ventilation equipment is to be maintained in good working condition and monitored on an on-going basis to limit potential adverse odor emission impacts to employees and/or properties located in the vicinity. If the County receives any odor complaints, the permit holder shall work with the building Official to correct odor concerns.

8. The operation shall be inspected annually and the Planning Commission shall be provided a "Performance Review Report." The annual monitoring and reporting requirement allows for adaptive management of the facility and annual evaluation of operational performance by the Planning Commission and Planning staff. Review of the report permits County staff and the applicant to review the adequacy of the operational restrictions, and, if appropriate, develop ways to better address any neighborhood impacts that may arise.

9. The applicant and successors in interest shall participate in the METRC program administered by the State of California.

D. Informational Notes

1. Applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.

2. This permit shall expire and become null and void at the expiration of one year after all appeal periods have lapsed (see "Effective Date"); except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must be commenced may be extended as provided by Section 312-10.5 of the Humboldt County Code.

3. 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.

4. If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.

5. Cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the Humboldt County Dispensaries Ordinance and the Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), as may be amended from time to time, as applicable to the permit type.

6. The project operator shall possess 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.

7. The project operator shall possess a current, valid permit or license, issued by the Humboldt County Department of Health and Human Services-Environmental Health Division.

9. Transfer of any leases or permits approved for this project is subject to the review and approval of the Planning Director for conformance with Section 314-55.3 of the zoning regulations. The fee for required conformance with conditions 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.

10. 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.

ATTACHMENT 2

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. (**Attached with maps**)

4. Floor Plan showing the entire building and units with existing and proposed uses. (**Attached with maps**)

5. An Operations Plan that addresses procedures and protocols in place for Microbusiness consisting of a cannabis retail dispensary, a distribution facility and cannabis infusion manufacturing. The Operations Plan includes compliance measures with Sections 55.3.10 and 55.3.11 of the Humboldt County Code for the retail dispensary. The Operations Plan includes a Waste Management Plan, a Security Plan, a Safety Plan, an Air Quality & Odor Control Plan, and a Community Benefits Plan. (**Attached**)

6. 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)

7. Description of water source, and projected water usage. (Included in Cultivation Operations Plan, item 4. above)

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. (Not Applicable)

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

10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Not Applicable)

11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On-file)

12. For indoor cultivation facilities, 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. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)

16. A Will-Serve letter from the Willow Creek Community Services District dated January 21, 2021. (**Attached**)

17. Sewage Disposal Septic System Permit 06/07-0235. **(Attached)**

18. Parking Plan and Addendum to Operations Plan dated July 13, 2021. (**Attached**)

19. Measurement from youth-group created in-house. (**Attached**)

WCCSD
WILLOW CREEK COMMUNITY SERVICES DISTRICT

RECEIVED
APR 2 9 2021
Humboldt County
Planning Division

January 21, 2021

Colin Adams
Ironside Properties
PO Box 861
Arcata, CA 95518

RE: Water use at 39008 Hwy 299 (APN 522-221-019)

Mr. Adams

Your property at 39008 Hwy 299 in Willow Creek has four existing 5/8" water meters on the Willow Creek Community Services District water system. These meters have a combined annual usage of approximately 60,000 cubic feet per year. I understand you have inquired if you can continue to use these meters with similar water usage.

Given your meters are already in service, the sustained usage of water is acceptable to the Willow Creek Community Services District.

Please note that the WCCSD has a Drought Ordinance in its Board Policy. In the event of a drought, the water usage may be restricted per the policy (see attached).

Additionally, please be aware that the Willow Creek Community Services District is in the final design of a wastewater collection system for downtown Willow Creek. We hope to be out to bid in the next month or two and start construction this summer. We expect all customers to be connected to the system by October 2022. Your property will be connected.

Please let me know if you have any additional questions.

Sincerely,

Susan O'Gorman
General Manager

Section 7 – Shortage of Water Priorities **(Ord. #44 3.14.2014) (amended 4.30.15)**

If for any reason, the Willow Creek Community Services Districts water is significantly depleted, the following priorities for water usage shall be followed.

1. District residential and small business customers will be our top priority.
2. Livestock watering.
3. Agricultural usage.
4. Commercial, Industrial, Golf Courses and Park Systems.

SECTION 7A – DROUGHT CONDITIONS

1. If the Willow Creek Community Services District experiences drought conditions and the watershed is stressed from low rainfall. The District will impose the following water restrictions, if the Albert E Hodgson Water Treatment Facility is not able to pump and treat a minimum of 2.25 CFS (Cubic Feet Second) during peak usage from the confluences of the Willow Creek.
2. The Willow Creek Community Services District will follow all of the Governors executive orders of said document.
3. Governor may require a percentage of mandatory reduction of water usage (To be determined), **2015 will be 25%.**
4. No watering or washing down of driveways.
5. Washing vehicles with nozzles on hoses only.
6. No wasting water by prolonged leaks (must be repaired within 72 hours of notification).
7. Turning auto sprinklers off during rain storms and for two days after.
8. Ornamental fountains must have a recirculation water pump.
9. Water days may be restricted (If necessary).
10. No watering of public street medians with potable water that have ornamental turf.
11. Potable water sold within the WCCSD boundaries to water tenders will be limited to one load per week (up to 3,000 gallons per load) for residential use per parcel. This will be by permit only.
    Exception for water tenders will be for emergency services vehicles.
12. **Public Notice of Hearing**: Said Board of Directors shall, pursuant to Section 6061 of California Government Code, publish said hearing date at least seven days prior to vote on Emergency Drought Conditions.
13. Implementation of SECTION 7A, the Board of Directors will by majority vote; **State a Declaration of Emergency Drought Conditions in the Willow Creek Watershed.**

14. Such vote shall be enacted for that current calendar year only. If conditions exist continuously said Board of Directors shall vote each calendar year thereafter.

15. The Willow Creek Community Services District **will restrict the water usage of our Park System up to 95 percent** (to be determined by the General Manager).

16. The WCCSD will ask for **volunteer** water consumption decrease of up to 20 percent of normal monthly use for all customers first.

17. If **volunteer** usage fails to reach water usage goals, the following steps will be implemented.

    A. Residential customers may be restricted up to 50 percent (to be determined by the General Manager) of normal household water usage. In particular warm outdoor watering season (May to October). All usage will be based on monthly average.

    B. Residents will be restricted of no watering of lawns and gardens.

    C. Livestock watering will be restricted to watering and care of animals only.

    D. 1" to 3" Commercial, Industrial, large business and Agricultural meters will be restricted up to 75 percent (to be determined by the General Manager) and will be restricted of no watering of lawns. All usage will be based on a monthly average.

    E. The District will restrict fire hydrant usage to emergency household water (dwellings, non-agriculture) for out of District and will also allow for the use of all fire departments and public emergency services.

    F. Water will not be sold from hydrants for agriculture, commercial or personal use during drought conditions for non-emergency.

    G. Customers not in compliance (water restrictions) with ORDIANCE NUMBER 44 will be subject to termination of service. However not before a written notice of non-compliance and the WCCSD working with the customer to rectify said non-compliance. This will be determined by the General Manager.

    H. Customer service will not be restored without written agreement of compliance of ORDINANCE NUMBER 44 and acceptance of said agreement by the General Manager.

    I. Said customer shall pay all costs that were occurred by the Willow Creek Community Services District for enforcing ORDINANCE NUMBER 44.

8. Appeal process: Customer may appeal noncompliance of ORIDANCE NUMBER 44 by following board policy protocol.

9. WCCSD customers will be given a 96 hour public notice (News outlets, WCCSD website and US Mail) if SECTION 7A is to be implemented.

RECEIVED

HUMBOLDT COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF ENVIRONMENTAL HEALTH
100 H STREET, SUITE 100, EUREKA, CA 95501 - 707-445-6215

RECEIVED APR 2 5 Humboldt

SEP 14 2006 HUMBOLDT CO. DIVISION OF ENVIRONMENTAL HEALTH

SEWAGE DISPOSAL SYSTEM PERMIT APPLICATION

06/07-0235

Application is hereby made to the Humboldt County Division of Environmental Health (DEH) for a permit to construct, repair, modify, renew or destroy a sewage disposal system as specified below, in compliance with the laws and standards of Humboldt County and the State of California.	Legal Conformance: DES 11/1/06	Fee 914.00: ☐ New Construction ☑ Repair ☐ Modification ☐ Renewal ☐ Destruction	Receipt No. 232067	Application No.

Site Address: SO. SIDE HIGHWAY 299 1/8 MILE EAST OF HIGHWAY 96

Assessor's Parcel No. (APN): 522-221-019

Previous APNs:

Directions to Site: 101 NORTH TO 299 EAST TO 1/8 MILE EAST OF HIGHWAY 96 ON SOUTH SIDE OF ROAD.

Owner's Name: OTIS WALTON

Mailing Address: 1141 CATALINA DR. PMB 276

City/State/Zip: Livermore, CA 94550

Phone: 925-447-4293

☐ Standard System ☒ * Non-Standard System

*Please note that non-standard systems require an operating permit pursuant to HCC, Chapter 6. The owner / operator will be subject to permit fees and inspections.

Installation Will Serve:
☐ Residence ☐ Multiple Housing
☒ Commercial ☐ Mobile Home Park

No. of Units:	No. of Bedrooms:	Water Supply:	Septic Tank Size: / Pump Chamber Size:	No. of Lines:	Line Length:	Trench Depth:
	NA	☑ Public ☐ Private	Nibbler Jr.	2	75'	2'

Special Requirements / Comments:

ENGINEERED SYSTEM, SEE ATTACHED (2 COPIES)
This is a Nibbler pretreatment repair for the existing SDS including addition of leachlines.

Terms of Permit

1. DEH personnel will be notified a minimum of **48 hours** prior to final inspection. Please note that some systems may require several inspections. **Should situations arise that prohibit a final inspection at the appointed time, the applicant or the applicant's agent shall notify DEH and reschedule the appointment. Failure to do so may result in additional charges to the applicant at the current hourly rate.**
2. An inspection by DEH personnel, or other qualified professional (when approved by the Division of Environmental Health), will be obtained prior to covering the system.
3. An inspection will not be performed unless a copy of the approved sewage disposal system design is available at the job site.
4. Any deviation from the approved plan without prior clearance from DEH may result in revocation of this permit.

It is understood that the issuance of a permit in no way indicates that a guarantee of perfect and indefinite operation of this system is made by DEH. Approval is based upon information submitted by the applicant. Field conditions and observations that vary significantly from submitted application information may void this permit.

The undersigned applicant for a sewage disposal system permit certifies as follows:

Contractors' License Law Certificate

☑ A. The applicant's contractor is licensed under the provisions of the Contractors' License Law, under license number 585179 which is in full effect.

☐ B. The applicant is exempt from the provisions of the Contractors' License Law.

Workers' Compensation Certificate

☑ A. A currently effective certificate of Workers' Compensation Insurance is on file with DEH.
Compensation Insurance:
Policy: 690-49 Company: STATE COMP

☐ B. I certify that in the performance of the work for which this permit is issued that no person will be employed in such a manner as to become subject to the Workers' Compensation laws of California.

I hereby acknowledge that I have read this application and that the above is correct and agree to comply with all County Ordinances and State Law regulating construction of sewage disposal systems.

This permit shall expire if work authorized is not commenced prior to 1 year following the Building Issuance Date.

x Rick Reinhard — 9-14-06
Signature of Owner / Owner's Agent — Date

~~Building~~ Issuance Date: 11-1-06 Exp 4-1-07

System Design Approved by:	Date:	Construction Approved by:	Date:
Adam Mokofsky	11/1/06	Adam Mokofsky	12/14/06

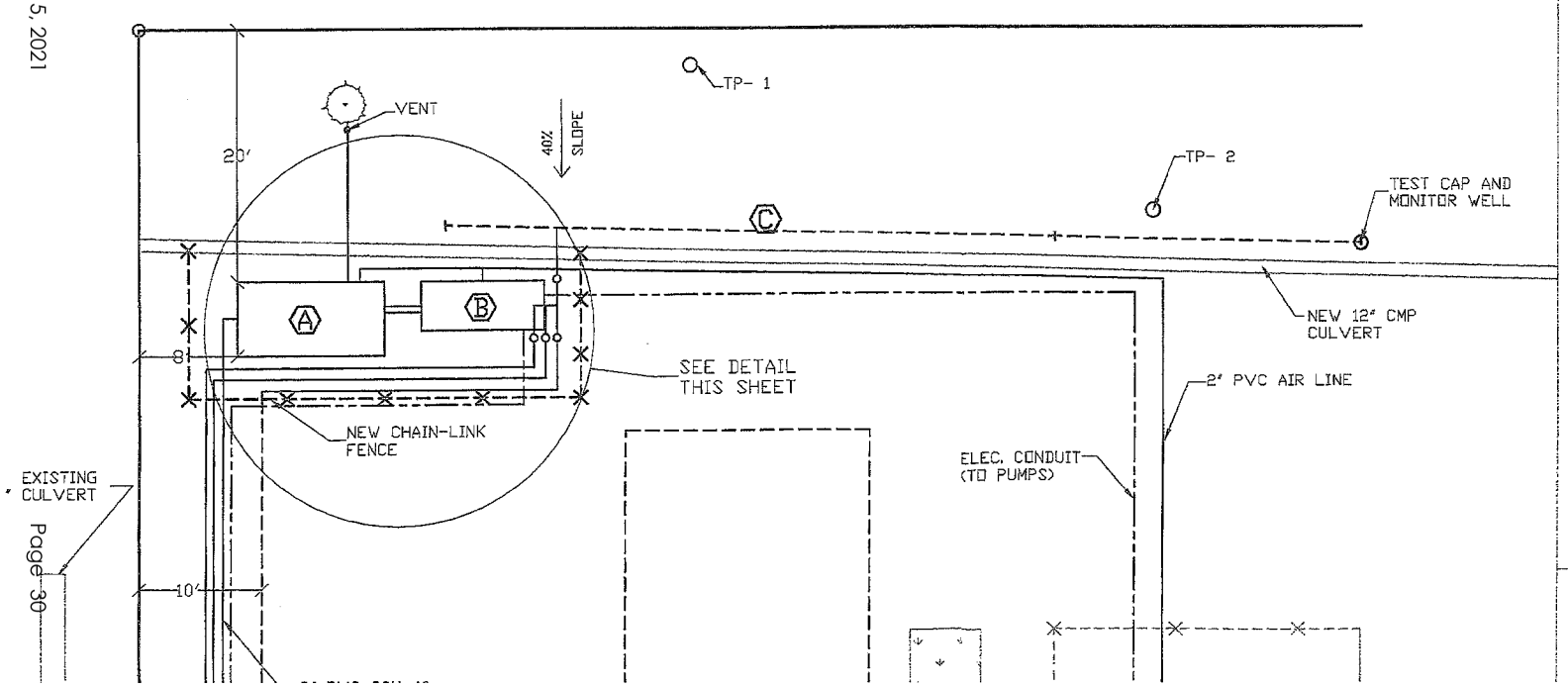
m:forms and handouts\landuse\sdspermit.fp5 Revised 05/04

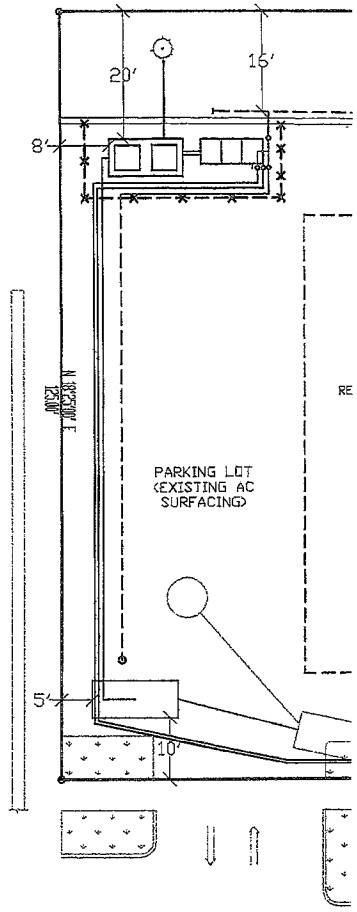
EXISTING FACILITIES

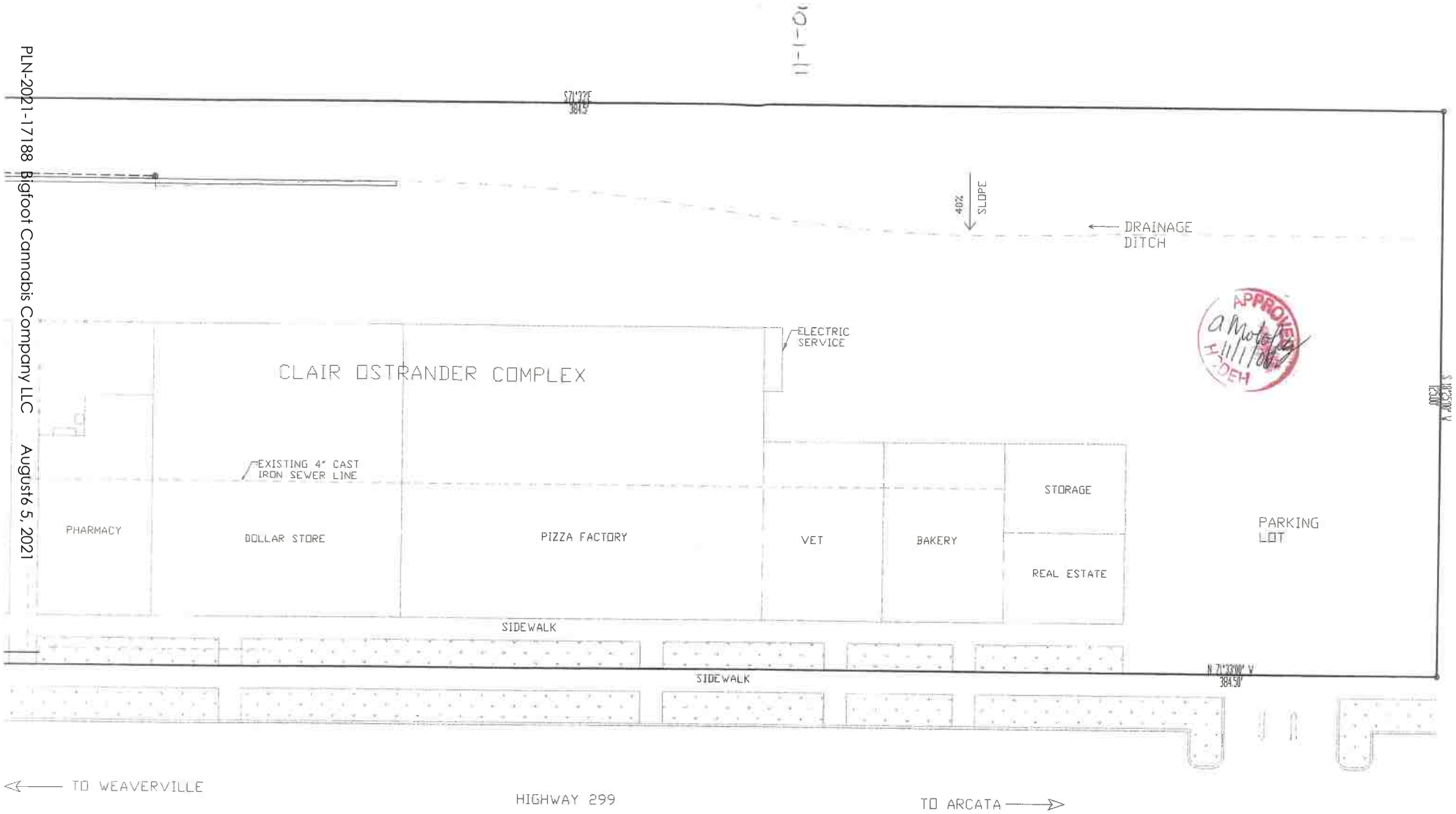
1. 3000 GAL SEPTIC TANK W/ PUMP
3. 4" GRAVITY LEACH LINE (50' LENGTH)
4. 4" CAST IRON SEWER LINE

PROPOSED IMPROVEMENTS

A. NIBBLER AIR UNIT - SEE DETAIL THIS SHEET
B. 1200 GAL CLARIFIER W/ 1/2 HP PUMP
C. 75' SHALLOW LEACH LINE 1 1/4" PVC PRESSURE DISTRIBUTION
D. 1200 GAL SURGE TANK







PLOT PLAN

SCALE: 1" = 20'

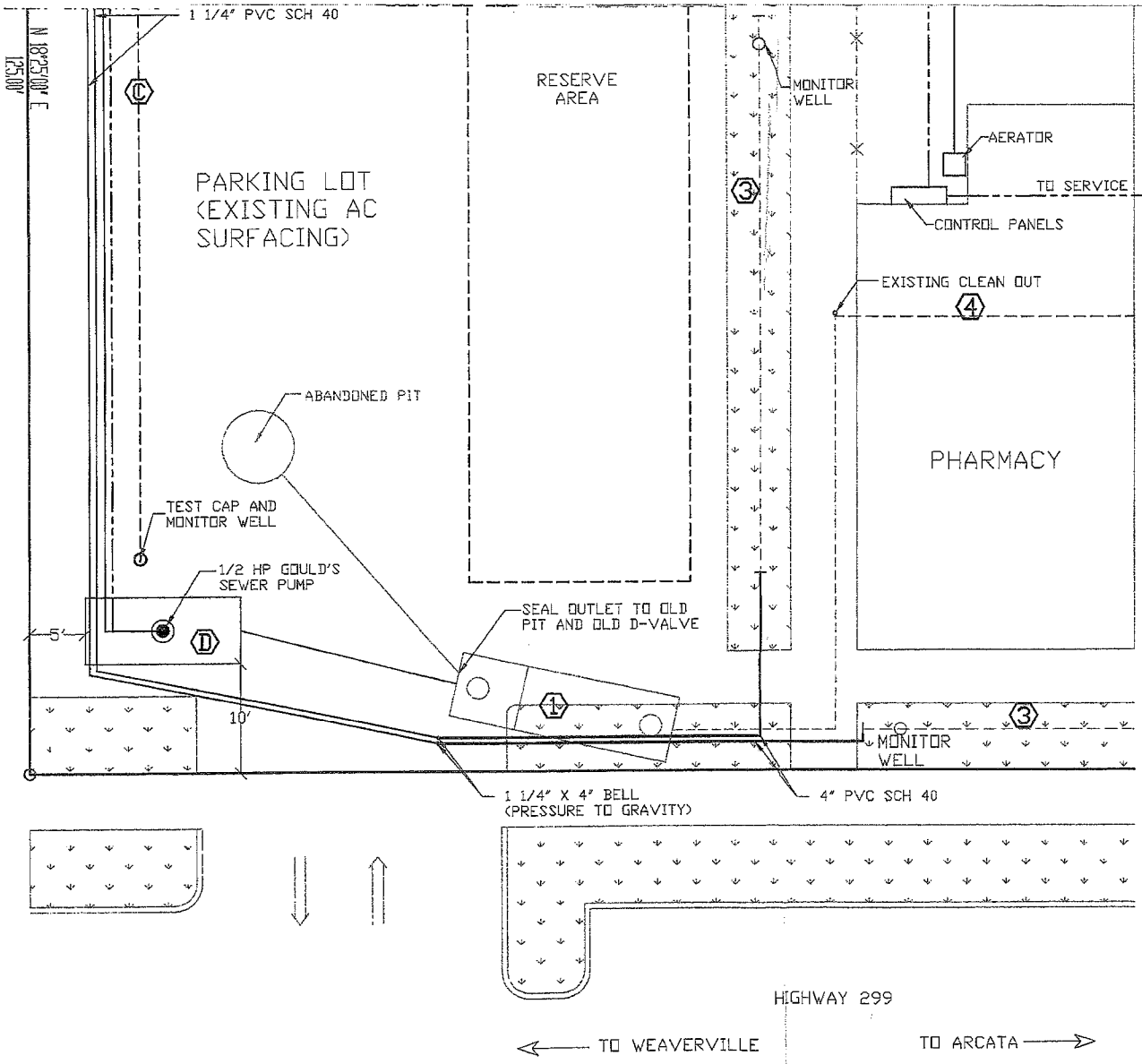
LEGEND

PROP. LINE

MAIN SEWER LINE

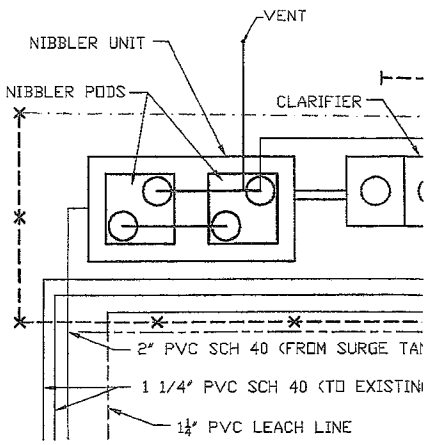
ELEC. CONDUIT

WATER: WCCSD
POWER: PG&E
PHONE: VERIZON
SEWER: ONSITE
GRADING: 30 CY



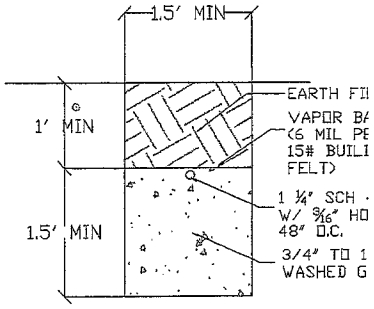
WASTEWATER SYSTEM DETAIL

SCALE: 1" = 10'



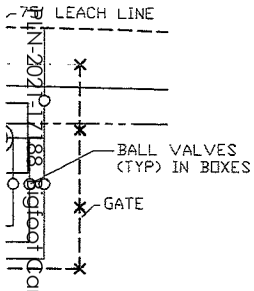
NIBBLER SYSTE

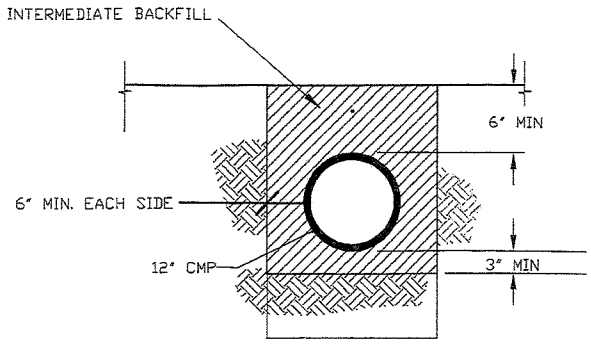
NTS



DISPOSAL TRENCH DE

NTS





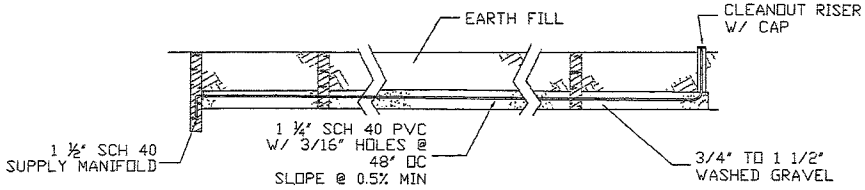
CULVERT TRENCH DETAIL

NTS

TOE OF SLOPE

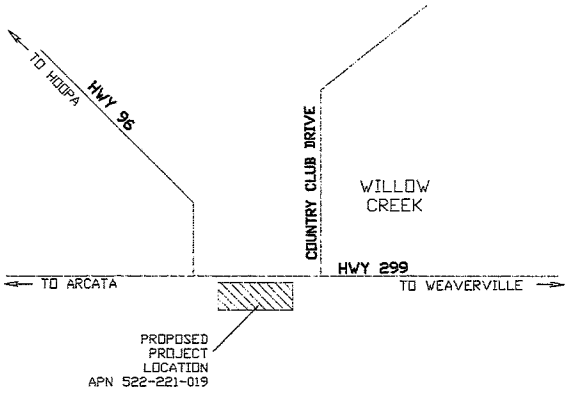
CHAIN LINK FENCE

PROP. CORNER



LATERAL DETAIL

NTS



LOCATION MAP

RECEIVED

SEP 14 2006

HUMBOLDT CO. DIVISION
OF ENVIRONMENTAL HEALTH

REGISTERED PROFESSIONAL ENGINEER
JOSHUA T. McKNIGHT
RCE 60687
EXP. 12-31-2006
CIVIL
STATE OF CALIFORNIA

ONSITE WASTEWATER DISPOSAL SYSTEM

WHITSON INC. CLAIR OSTRANDER COMPLEX P.O. BOX 240 WILLOW CREEK, CA 95573 APN: 522-221-019	DESIGNED BY:	C. SM
	DRAWN BY:	C. SM
	CHK. BY:	J. McKNI
	SCALE :	1"
TRINITY VALLEY CONSULTING ENGINEERS 67 WALNUT WAY WILLOW CREEK, CA 95573	UNITS:	FEET / INC
	SHEET:	1 D
	DATE:	8/10

PLN-2021-17188 Bigfoot Cannabis Company LLC
August 6, 2021

RECEIVED
JUL 1 3 2021
Humboldt County
Cannabis Svcs.

Bigfoot Cannabis Company Parking Plan – Addendum to Operations Plan

The proposed projects including retail, manufacturing, and distribution will take place in the unit at address 39008 CA-299, Willow Creek, CA 95573 in this configuration:

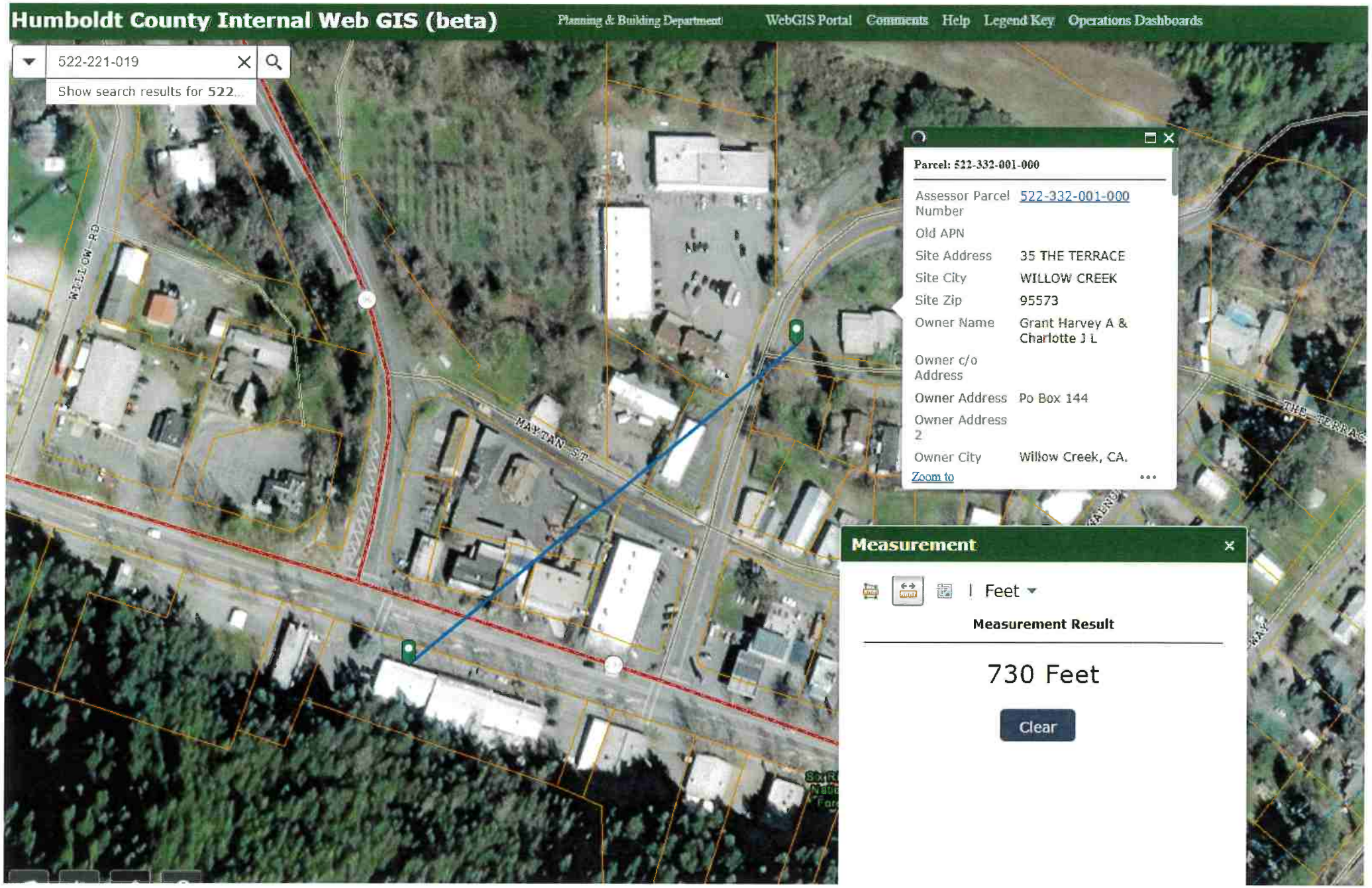
- Retail:
  - 620 ft^2 gross floor area, 2 employees -- 6 parking spaces required
- Manufacturing:
  - 150 ft^2 gross floor area, 1 employee -- 2 parking spaces required
- Distribution warehouse:
  - 760 ft^2 gross floor area, 2 employees -- 1 parking space required

The former use of this unit was a real estate office categorized as retail sales/service with 1530 ft^2 gross floor area and 2 employees, requiring 7 parking spaces. The proposed project constitutes a change in use, necessitating the addition of 2 parking spaces to the existing total.

The addition of 2 parking spaces is dictated in the Humboldt County Zoning Regulations section 109.1.2.5:

> **109.1.2.5.2** Whenever the use of any premises which is not in compliance with the parking standards of this Code is enlarged, expanded, or intensified, additional parking spaces consistent with this Code shall be provided only for the enlargement, expansion, or intensification, and not for the entire use.
>
> **109.1.2.5.3** Whenever the use of any premises which is not in compliance with the parking standards of this Code is changed to a use where a higher parking demand is identified, additional parking spaces consistent with this Code shall be provided only for the additional intensity of the use, and not for the entire use.

The additional parking spaces are shown on the Site Plan, revision dated 7/13/21.


Humboldt County Internal Web GIS (beta)
Planning & Building Department
WebGIS Portal
Comments
Help
Legend Key
Operations Dashboards
522-221-019
Show search results for 522...
WILLOW RD
MAYTAN ST
THE TERRACE
Parcel: 522-332-001-000
Assessor Parcel Number 522-332-001-000
Old APN
Site Address 35 THE TERRACE
Site City WILLOW CREEK
Site Zip 95573
Owner Name Grant Harvey A & Charlotte J L
Owner c/o Address
Owner Address Po Box 144
Owner Address 2
Owner City Willow Creek, CA.
Zoom to
Measurement
Feet
Measurement Result
730 Feet
Clear

ATTACHMENT 3

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	Attached
Public Works Land Use Division	✓	Approval	Attached
Department of Environmental Health	✓	Approved with Conditions	Attached
Humboldt County Sheriff	✓	Approval	Attached
CalFire	✓	No Comments	Attached
PG&E	✓	Comments	Attached
Klamath Trinity Joint Unified School District	✓	Recommended denial	Attached
Northwest Information Center	✓	Recommend Study	On file
Hoopa Valley Tribe		No Response	
Tsnungwe Council		No Response	
Willow Creek Community Services District		No Response	
Willow Creek Fire Protection District		No Response	
Humboldt County Code Enforcement		No Response	
Humboldt County District Attorney		No Response	
Humboldt County Counsel		No Response	
NCUAQMD		No Response	

6/28

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

5/3/2021

Project Referred To The Following Agencies:

Code Enforcement, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, CSD: Willow Creek, FPD: Willow Creek, School District: Klamath Trinity Joint USD, CalFire, CalTrans Dist 1, Hoopa Valley Tribe, NWIC, Tsnungwe Council, PGE

Applicant Name BigFoot Cannabis Company, LLC **Key Parcel Number** 522-221-019-000

Application (APPS#) PLN-2021-17188 **Assigned Planner** Megan Acevedo

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: 5/18/2021

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.

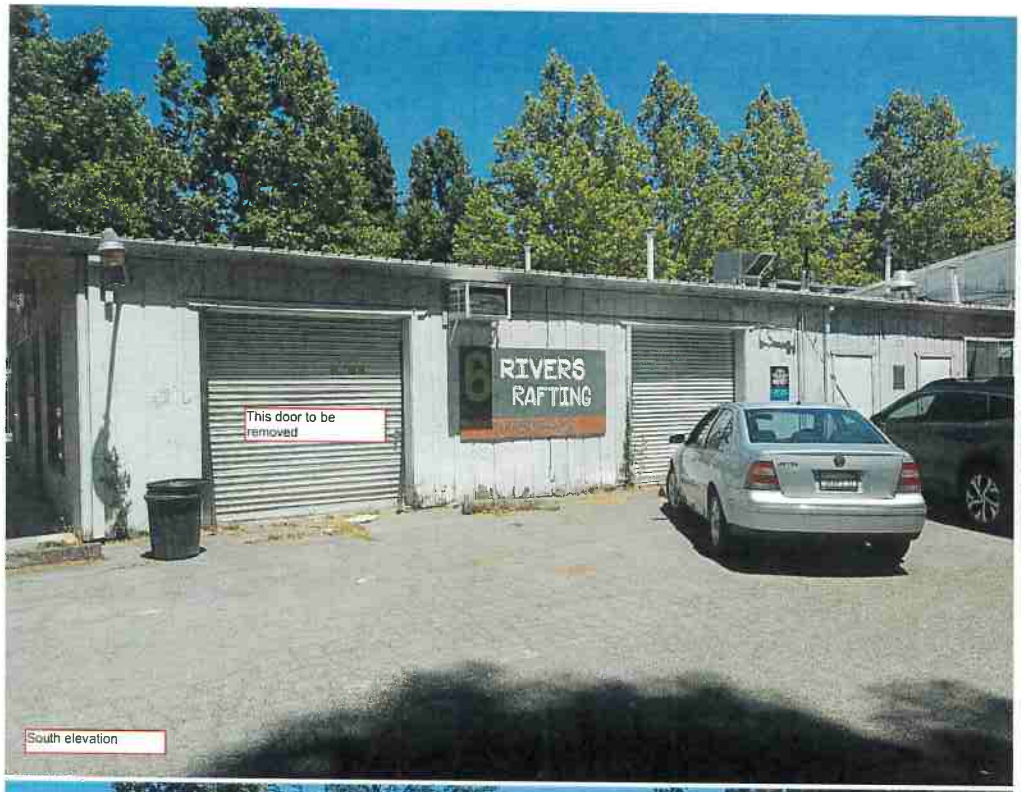
☐ Recommend Conditional Approval. Suggested conditions attached.

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

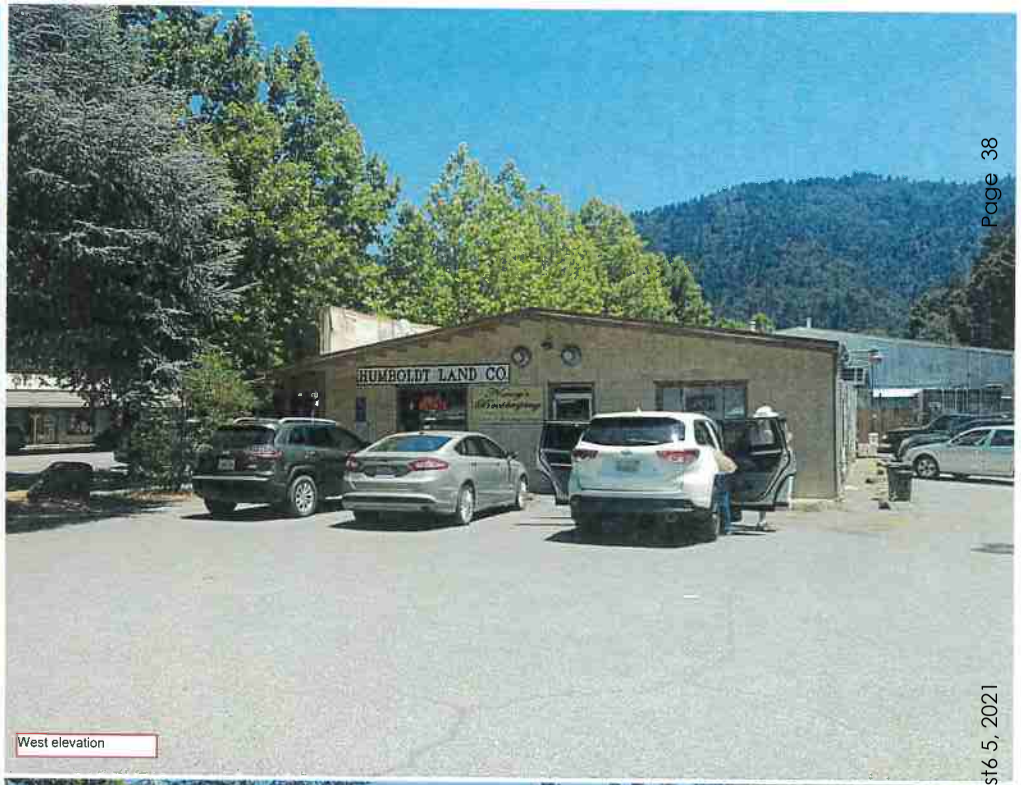
☐ Recommend Denial. Attach reasons for recommended denial.

Other Comments: Photos in Accela

DATE: 7-2-2021 PRINT NAME: Tom Doberstein



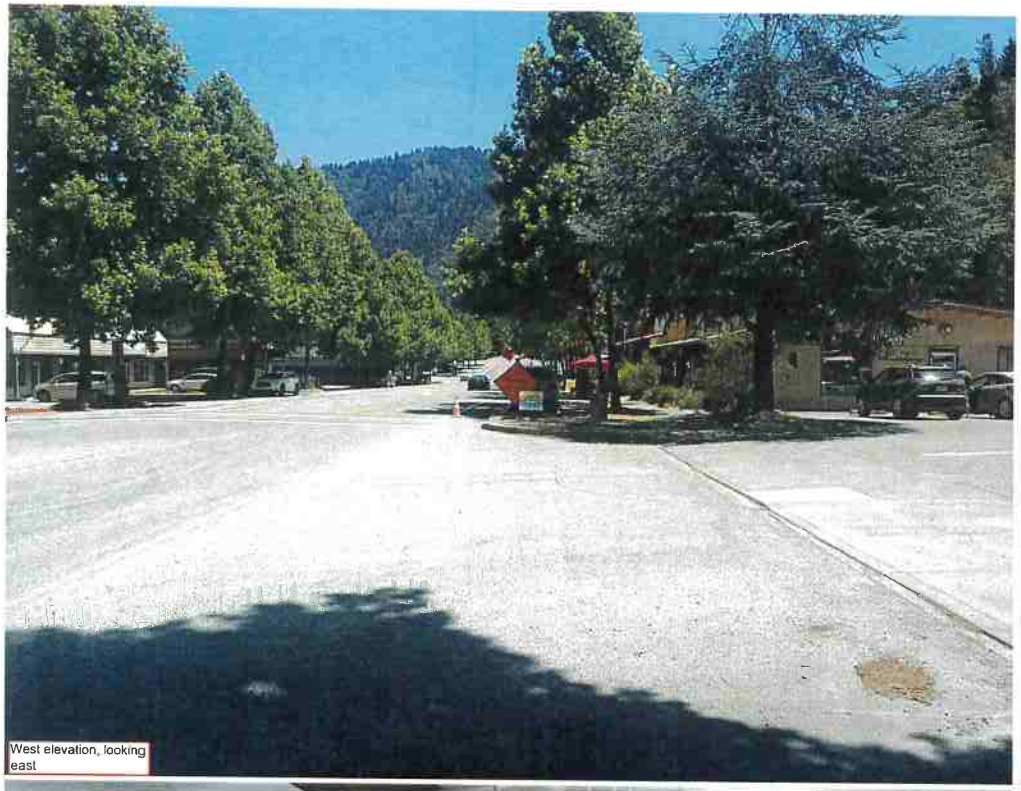
South elevation



West elevation

West elevation, looking east

West elevation, looking east



West elevation, looking east

Proposed retail area, looking west

Proposed retail area, looking south

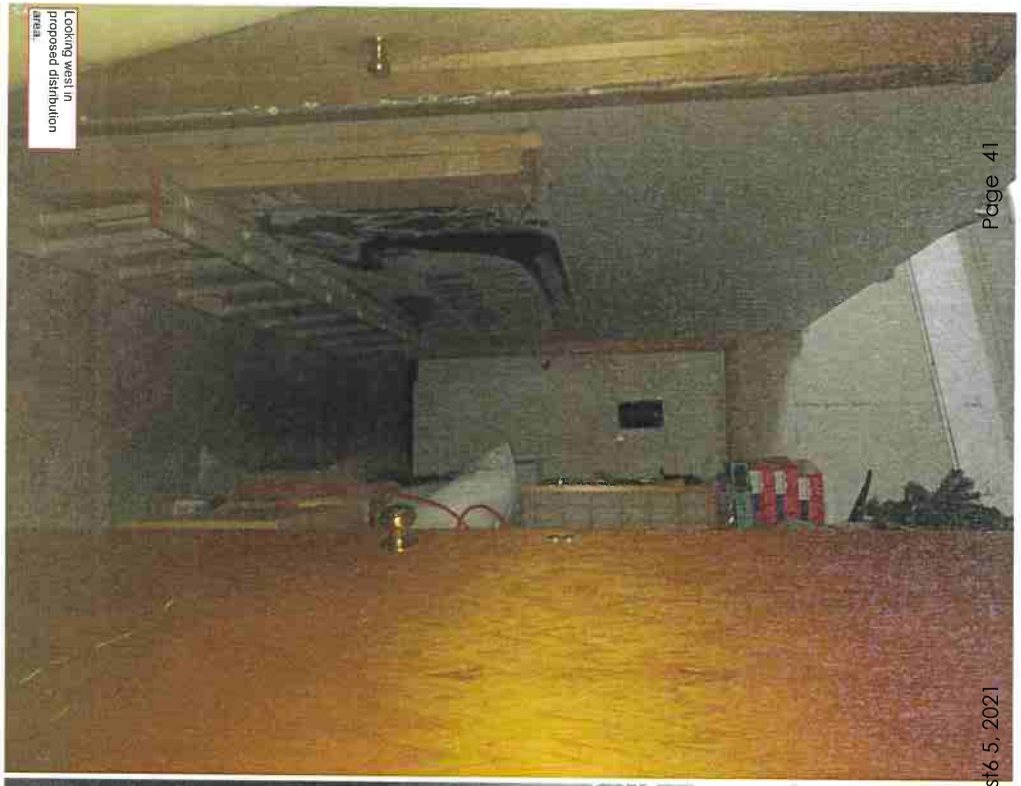
Proposed Retail area, looking north.

East end of subject area

South of proposed retail area

East end of subject area

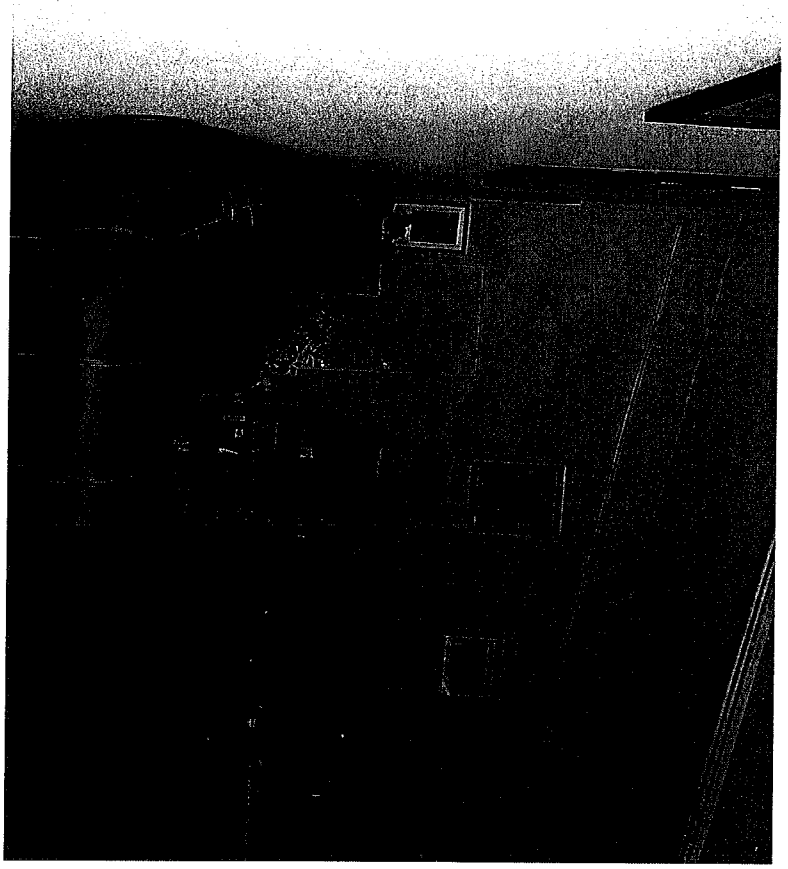
East end of subject area


Looking west in proposed distribution area.

Rear/south side of proposed distribution area

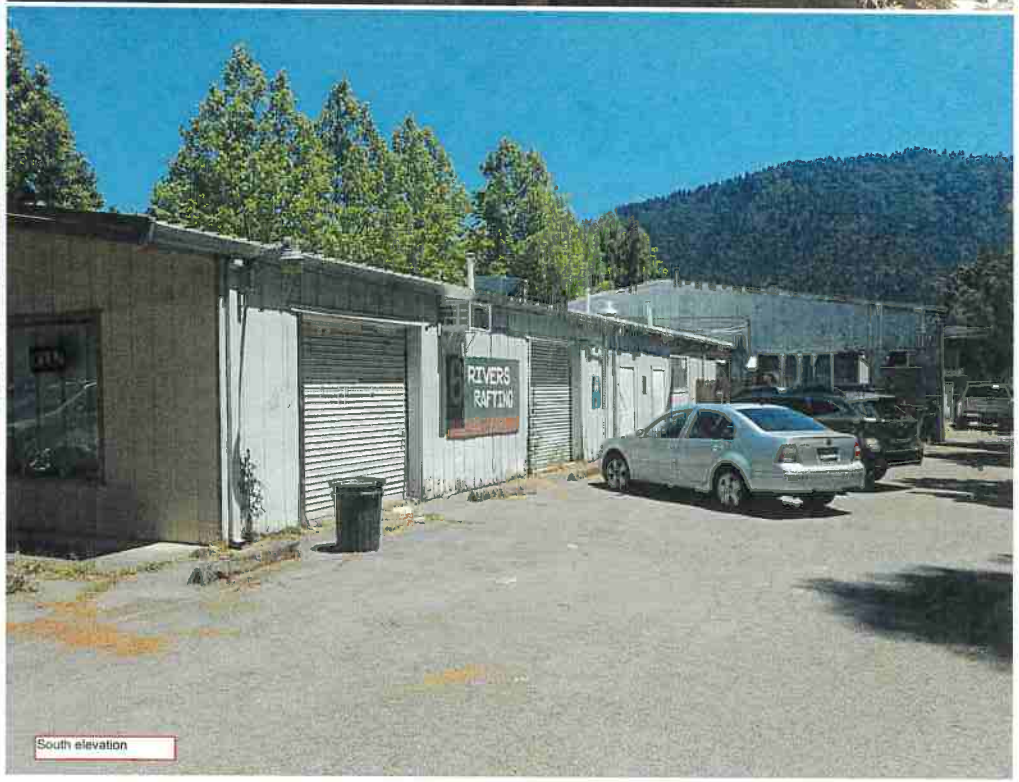
Rear/south side of proposed distribution

Office in Southwest corner of proposed distribution area



PLN-2021-17188
APN: 522-221-019
Pre-site photos on
8-2021
North elevation

West elevation



South elevation

PLN-2021-17188 Bigfoot Condominiums Property LLC
August 5, 2021

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

5/3/2021

Project Referred To The Following Agencies:

Code Enforcement, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, CSD: Willow Creek, FPD: Willow Creek, School District: Klamath Trinity Joint USD, CalFire, CalTrans Dist 1, Hoopa Valley Tribe, NWIC, Tsnungwe Council, PGE

Applicant Name BigFoot Cannabis Company, LLC **Key Parcel Number** 522-221-019-000

Application (APPS#) PLN-2021-17188 **Assigned Planner** Megan Acevedo

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: 5/18/2021

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: This project is located on a non-county maintained road. This project has no direct effect on any facilities maintained by this Department. Project has existing buildings & parking lot.

DATE: 5/10/2021 PRINT NAME: KEN FREED

Accela Civic Platform > HUMBOLDT

MA

PLN-2021-1...	STATUS	LOCATION	CONTACT	WORKFLOW
BigFoot Cannabis... A Conditional Use...	> Referrals 05/03/2021 by ...	> 39008 St Hwy ... Willow Creek, ...	> BigFoot Canna...	> 18 total Task ● 7 completed ○ 4 active

- Summary
- Project Description
- Workflow
- 1 Referral Assignments
- 2 Planning Information
- 3 GP / Zoning Information
- 4 CEQA
- 5 Cannabis
- Project Tracking
- 6 Referral Task Log (2)
- Fee (7)
- Payment
- **Workflow History (7)**
- Comments (1)
- Documents (20)

A notice was added to this record on 2021-02-11.
Condition: Parcel Status : 522-221-019 LP 1.1 Severity: Notice
Total conditions: 1 (Notice: 1)

View notice

Cancel Help

Task Environmental Health	Due Date 05/16/2021	Assigned Date 05/04/2021
Assigned to Department Environmental Health	Assigned to Adam Molofsky	Status Approved with Conditions
Action by Department Environmental Health	Action By Adam Molofsky	Status Date 05/06/2021
Start Time	End Time	Hours Spent 0.0
Billable No	Overtime No	Comments Industrial wastewater tailings from manufacturing activities cannot be discharged to the septic system. Contact North Coast Regional Water Quality Control Board regarding industrial wastewater disposal requirements.
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA No	☑ Display Comment in ACA	Comment Display in ACA ☑ All ACA Users ☑ Record Creator ☑ Licensed Professional ☑ Contact ☑ Owner
Estimated Hours 0.0	Action Updated	Workflow Calendar

Accela Civic Platform > HUMBOLDT

MA

PLN-2021-1...
BigFoot Cannabis...
A Conditional Use...

STATUS
> Referrals
05/03/2021 by ...

LOCATION
> 39008 St Hwy ...
Willow Creek, ...

CONTACT
> BigFoot Canna...

WORKFLOW
> 18 total Task
7 completed
4 active

- Summary
- Project Description
- Workflow
- 1 Referral Assignments
- 2 Planning Information
- 3 GP / Zoning Information
- 4 CEQA
- 5 Cannabis
- Project Tracking
- 6 Referral Task Log (2)
- Fee (7)
- Payment
- **Workflow History (7)**
- Comments (1)
- Documents (20)

A notice was added to this record on 2021-02-11.
Condition: Parcel Status : 522-221-019 LP 1:1 Severity: Notice
Total conditions: 1 (Notice: 1)

View notice

Cancel Help

Task Sheriff	Due Date 05/16/2021	Assigned Date
Assigned to Department Sheriff	Assigned to	Status Approved
Action by Department Sheriff	Action By Sheriff Humboldt County	Status Date 05/06/2021
Start Time	End Time	Hours Spent 0.0
Billable No	Overtime No	Comments Misdemeanor charges only in the DA Office System
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA No	☑ Display Comment in ACA	Comment Display in ACA ☑ All ACA Users ☑ Record Creator ☑ Licensed Professional ☑ Contact ☑ Owner
Estimated Hours 0.0	Action Updated	Workflow Calendar Workflow Blockout

Pacific Gas and Electric Company

Plan Review Team
Land Management

PGEPlanReview@pge.com

6111 Bollinger Canyon Road 3370A
San Ramon, CA 94583

June 23, 2021

County of Humboldt
Planning Clerk
3015 H St
Eureka, CA 95501

Ref: Gas and Electric Transmission and Distribution

Dear Humboldt County Planning,

Thank you for submitting the PLN-2021-17188 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.

2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.

3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management

Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch

wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line ‘kicker blocks’, storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E’s ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4’) in height at maturity may be planted within the easement area.

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "**RESTRICTED USE AREA – NO BUILDING.**"

2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.

3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.

4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.

5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.

6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.

7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (https://www.dir.ca.gov/Title8/sb5g2.html), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

PLN-2021-17188
Application Number

522-221-019
Key APN

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

RECEIVED MAY - 6 2021 Humboldt County Cannabis Svcs.

- [x] 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.

Forester Comments: Date: 5/6/21 Name: Chris Poli

No comment

Battalion Chief Comments: Date: Name:

Summary:

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

RECEIVED MAY 18 2021 Humboldt County Cannabis Svcs.

5/3/2021

Project Referred To The Following Agencies:

Code Enforcement, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, CSD: Willow Creek, FPD: Willow Creek, School District: Klamath Trinity Joint USD, CalFire, CalTrans Dist 1, Hoopa Valley Tribe, NWIC, Tsnungwe Council, PGE

Applicant Name BigFoot Cannabis Company, LLC **Key Parcel Number** 522-221-019-000

Application (APPS#) PLN-2021-17188 **Assigned Planner** Megan Acevedo

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: 5/18/2021

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

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

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

☐ Recommend Conditional Approval. Suggested conditions attached.

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

☒ Recommend Denial. Attach reasons for recommended denial.

Other Comments:

DATE: May 18, 2021 PRINT NAME: Jennifer Glueck, Superintendent

Klamath-Trinity Joint Unified School District

P. O. BOX 1308 + HOOPA, HUMBOLDT COUNTY, CALIFORNIA 95546

JENNIFER GLUECK
Superintendent

Telephone (530) 625-5600 FAX (530) 625-5611

Web address: http://www.ktjusd.k12.ca.us

May 13, 2021

Dear County of Humboldt Planning and Building Department:

We write in opposition to the Planning Commission's approval of project number [PLN-2021-171888]. As concerned citizens of Hoopa and guardians entrusted with schoolchildren of all ages, the Klamath-Trinity Joint Unified School District ("KTJUSD") is deeply opposed to the proposed rezoning of Key Parcel Number 522-221-019-000, which would permit the BigFoot Cannabis Company, LLC. As described in detail below, the proposed rezoning is contrary to the community's, the District's, and the state's compelling interest in deterring drug abuse by schoolchildren.

Current law contains relatively few limitations concerning the cultivation and processing of marijuana. As you know, on November 8, 2016, California voters passed Proposition 64, the "Control, Regulate, and Tax Adult Use of Marijuana Act" ("Act"), which legalized the growth and personal use of marijuana. The Act also included provisions related to the sale, transportation, and taxation of marijuana. For example, the Act prohibits marijuana businesses from being located within 600 feet of schools, day cares, or youth centers. (*See* Cal. Bus. & Prof. Code § 26054.) Likewise, the California Health & Safety Code states in pertinent part:

> No medical marijuana cooperative, collective, dispensary, operator, establishment, or provider who possesses, cultivates, or distributes medical marijuana… shall be located within a 600-foot radius of a school. (Cal. Health & Safety Code § 11362.768(b).)

Although authority specific to marijuana is limited, the regulation of other substances and activities through statutes and case law provides useful guidance. For example, regarding alcoholic beverages, the California Department of Alcoholic Beverage Control ("Department") may, in its discretion, license and regulate the sale of alcohol, and may specifically refuse to issue licenses for premises located within 600 feet of schools. (*See* Cal. Bus. & Prof. Code § 23789; *see generally* Cal. Const., Art. XX § 22; Cal. Bus & Prof. Code § 23051; Cal. Bus. & Prof. Code § 23789.)

Case law illustrates the importance of such restrictions. For instance, in *Weiss v. State Board of Equalization*, the California Supreme Court upheld the denial of an off-sale license at premises within 80 feet of a school, stating that, "a reasonable person could conclude that the

Klamath-Trinity Joint Unified School District
P. O. BOX 1308 + HOOPA, HUMBOLDT COUNTY, CALIFORNIA 95546

JENNIFER GLUECK
Superintendent

Telephone (530) 625-5600 FAX (530) 625-5611

Web address: http://www.ktjusd.k12.ca.us

sale of liquor on such premises would adversely affect the public welfare and morals." (*Weiss v. State Bd. of Equalization* (Cal. 1953) 40 Cal.2d 772, 775-776; *see also* Cal. Const., Art. XX §

22.) Similarly, the California Court of Appeal in *Donia v. Alcoholic Beverage Control Appeals Board* upheld the Department's denial of a license to a convenience store located near an elementary school in a low-income area, recognizing that, "there is considerable expert evidence of the recognized effects of off-sale outlets on public drinking, the associated police problems and the psychological effect of public drinking on children." (*Donia v. Alcoholic Bev. Control Appeals Bd.* (Cal. App. 1985) 167 Cal.App.3d 588, 596.)

Courts have also discussed the important state interest in deterring drug use by schoolchildren. For example, the United States Supreme Court recognized that deterring drug use by schoolchildren is an, "important – indeed, perhaps compelling" interest, reasoning that, "[d]rug abuse can cause severe and permanent damage to the health and well-being of young people." (*Morse v. Frederick* ("*Morse*") (2007) 551 U.S. 393, 407.) Specifically, the Court stated:

> School years are the time when the physical, psychological, and addictive effects of drugs are most severe. Maturing nervous systems are more critically impaired by intoxicants than mature ones are; childhood losses in learning are lifelong and profound; children grow chemically dependent more quickly than adults, and their record of recovery is depressingly poor. And of course the effects of a drug-infested school are visited not just upon the users, but upon the entire student body and faculty, as the educational process is disrupted. (*Id.*)

The court in *Morse* concluded, "[t]he drug abuse problem among our Nation's youth has hardly abated… [i]n fact, evidence suggests that it has only grown worse." (*Id.*)

The Court's cautionary language in *Morse* is particularly applicable to District students. As you may be aware, in December, 2016, Colorado State University studied drug use among District students.[1] That study revealed alarming and widespread use of marijuana and other substances among the District's students. For example, the study found that the following students used marijuana in the month prior to the study:

18.6% of Hoopa Valley Elementary School ("HVES") 7th and 8th grade students;

[1] See *Drug and Alcohol Use Among Hoopa Valley Elementary School 7th – 8th Graders, Fall 2016,* CSU: Tri-Ethnic Center for Prevention Research, Dept. of Psychology.

Klamath-Trinity Joint Unified School District
P. O. BOX 1308 + HOOPA, HUMBOLDT COUNTY, CALIFORNIA 95546

JENNIFER GLUECK
Superintendent

Telephone (530) 625-5600 FAX (530) 625-5611

Web address: http://www.ktjusd.k12.ca.us

16.4% of Hoopa Valley High School ("HVHS") 9th and 10th grade students; and,
32.5% of HVHS 11th and 12th grade students.

Additionally, the study revealed that 36.8% of Hoopa Valley Elementary School Students reported that most of their friends use marijuana.

The study also revealed that District students are likely susceptible to the use and abuse of many other substances. For example, the study found that the following students used alcohol in the month prior to the study:

17.1% of HVES 7th and 8th grade students;
17.1% of HVHS 9th and 10th grade students; and,
29.5% of HVHS 11th and 12th grade students.

The following students had been drunk in the month prior to the study:

8.6% of HVES 7th and 8th grade students;
10.3% of HVHS 9th and 10th grade students; and,
16.7% of HVHS 11th and 12th grade students.

The following students had smoked cigarettes in the month prior to the study:

11.4% of HVES 7th and 8th grade students;
5.1% of HVHS 9th and 10th grade students; and,
13.9% of HVHS 11th and 12th grade students.

The following students used inhalants (glue, gas, sprays, etc.) in the month prior to the study:

10.0% of HVES 7th and 8th grade students;
0.9% of HVHS 9th and 10th grade students; and,
3.8% of HVHS 11th and 12th grade students.

The following students used LSD in the month prior to the study:

1.3% of HVHS 11th and 12th grade students.

The following students used other hallucinogens (peyote, shrooms, etc.) in the month prior to the study:

1.4% of HVES 7th and 8th grade students; and,
2.6% of HVHS 11th and 12th grade students.

Klamath-Trinity Joint Unified School District

P. O. BOX 1308 + HOOPA, HUMBOLDT COUNTY, CALIFORNIA 95546

JENNIFER GLUECK
Superintendent

Telephone (530) 625-5600 FAX (530) 625-5611

Web address: http://www.ktjusd.k12.ca.us

The following students used amphetamines (Ritalin, Adderall, etc.) without a doctor's orders in the month prior to the study:

4.3% of HVES 7th and 8th grade students;
1.7% of HVHS 9th and 10th grade students; and,
2.6% of HVHS 11th and 12th grade students.

The following students used crystal meth (ice) in the month prior to the study:

0.9% of HVHS 9th and 10th grade students; and,
1.3% of HVHS 11th and 12th grade students.

The following students used tranquilizers (Valium, Xanax, Klonopin, etc.) without a doctor's order in the month prior to the study:

0.9% of HVHS 9th and 10th grade students; and,
2.6% of HVHS 11th and 12th grade students.

The following students used cocaine (powdered form) in the month prior to the study:

0.9% of HVHS 9th and 10th grade students; and,
3.8% of HVHS 11th and 12th grade students.

The following students used cocaine (crack or freebase) in the month prior to the study:

1.4% of HVES 7th and 8th grade students; and,
0.9% of HVHS 9th and 10th grade students.

The following students used heroin in the month prior to the study:

1.7% of HVHS 9th and 10th grade students.

The following students used narcotics other than heroin (Morphine, Vicodin, Oxycontin, etc.) without a doctor's orders in the month prior to the study:

4.3% of HVHS 9th and 10th grade students; and,
5.1% of HVHS 11th and 12th grade students.

Klamath-Trinity Joint Unified School District

P. O. BOX 1308 + HOOPA, HUMBOLDT COUNTY, CALIFORNIA 95546

JENNIFER GLUECK
Superintendent

Telephone (530) 625-5600 FAX (530) 625-5611

Web address: http://www.ktjusd.k12.ca.us

Notably, the percentage of HVES 7th and 8th grade students, the youngest students who participated in the study, who used illegal substances in the one-year period prior to the study was even greater. For example:

26.1% used alcohol;
18.6% had been drunk;
28.6% used marijuana;
11.4% used inhalants (glue, gas, sprays, etc.);
1.4% used LSD;
4.3% used other hallucinogens (peyote, shrooms, etc.);
5.7 used amphetamines (Ritalin, Adderall, etc.) without a doctor's order;
4.3% used crystal meth (ice);
2.9% used tranquilizers (Valium, Xanax, Klonopin, etc.) without a doctor's orders;
4.3% used cocaine (powdered form);
1.4% used cocaine (crack or freebase);
1.4% used heroin; and,
4.3% used narcotics other than heroin (Morphine, Vicodin, Oxycontin, etc.) without a doctor's orders.

Project number. PLN-2021-17188

The cultivation of marijuana, or presence of marijuana processing facilities, near District bus stops and other school facilities is harmful to the compelling state interest in deterring drug use by school children. Approval of project number PLN-2021 - 171888 in such close proximity to Hoopa school facilities will exacerbate the problem of marijuana use among District students. Likewise, a proposed factory site is in close proximity to a school bus stop. This location is particularly concerning, as many students are required to walk long distances to reach their assigned bus stop, and can be unsupervised at those bus stops. Allowing cultivation of marijuana, or factories processing marijuana, in such close proximity to schoolchildren increases the probability that those children will be exposed to marijuana, and therefore places those children at risk of increased drug use. As a result, we respectfully request the Planning Commission reject that project.

Thank you in advance for your consideration. If we can provide any additional information, please do not hesitate to call.

Klamath-Trinity Joint Unified School District

P. O. BOX 1308 + HOOPA, HUMBOLDT COUNTY, CALIFORNIA 95546

JENNIFER GLUECK
Superintendent

Telephone (530) 625-5600 FAX (530) 625-5611

Web address: http://www.ktjusd.k12.ca.us

Sincerely,

Jennifer Glueck,
Superintendent
Klamath-Trinity Joint Unified School District
P.O. Box 1308
Hoopa, CA 95546
jglueck@ktjusd.k12.ca.us